ENFORCEMENT DECREE OF THE ENVIRONMENTAL IMPACT ASSESSMENT ACT

Wholly Amended by Presidential Decree No. 23966, Jul. 20, 2012
Amended by Presidential Decree No. 24451, Mar. 23, 2013
Presidential Decree No. 25050, Dec. 30, 2013
Presidential Decree No. 25339, Apr. 29, 2014
Presidential Decree No. 25448, Jul. 7, 2014
Presidential Decree No. 25456, Jul. 14, 2014
Presidential Decree No. 25713, Nov. 11, 2014
Presidential Decree No. 25942, Dec. 30, 2014
Presidential Decree No. 26170, Mar. 30, 2015
Presidential Decree No. 26438, Jul. 24, 2015
Presidential Decree No. 26807, Dec. 30, 2015

Article 1 (Purpose)
The purpose of this Decree is to provide for matters delegated by the Environmental Impact Assessment Act and matters necessary for the enforcement thereof.

Article 2 (Subject Matter for Environmental Impact Assessment for each Sector)
(1) The subject matter for assessment in the sector of environmental impact assessment (hereinafter referred to as "environmental impact assessment sector") defined in the Article 7 (1) of the Environmental Impact Assessment Act (hereinafter referred to as the "Act") shall be as prescribed in attached Table 1.
(2) Assessment in the environmental impact assessment sector under Article 7 (2) of the Act shall be assessed by scientifically forecasting and analysing environmental impacts on the basis of outcomes of the on-site surveys and documentary search conducted with respect to the area subject to environmental impact assessment, etc., under Article 6 of the Act.
(3) Further details about the methods of assessment in the environmental impact assessment sector under paragraph (2) shall be determined and publicly notified by the Minister of Environment, in consultation with the heads of central administrative agencies.

Article 3 (Matters subject to Deliberation by Environmental Impact Assessment Council)
"Matters specified by Presidential Decree" in Article 8 (1) 5 of the Act means the following matters:
1. Whether to omit a presentation or public hearing under Article 13 (3) of the Act;
2. Other matters that the chairperson of the environmental impact assessment council under Article 8 (1) of the Act deems necessary for efficient environmental impact assessment of a particular plan or project.

Article 4 (Formation of Environmental Impact Assessment Council)

(1) The chairperson (hereinafter referred to as "the chairperson") of the environmental impact assessment council under Article 8 (1) of the Act (hereinafter referred to as "Environmental Impact Assessment Council") shall be appointed by the head of the consulting agency for strategic environmental impact assessments, etc. under Article 16, 27, or 44 of the Act (hereinafter referred to as the "consulting agency"), the head of the planning agency, or the head of the approving agency under Article 24 (5) of the Act (hereinafter referred to as "the head of the approving agency"), from among his/her subordinate public officials.

(2) The Environmental Impact Assessment Council shall be comprised of the following members:  
<Amended by Presidential Decree No. 25713, Nov. 11, 2014; Presidential Decree No. 26807, Dec. 30, 2015>  
1. At least one public official appointed by the head of the consulting agency;  
2. At least one public official appointed by the head of the planning agency or by the head of the approving agency, etc.;  
3. At least one person commissioned by the chairperson, from among those who have abundant knowledge and experiences in the relevant plan or project or in environmental impact assessment, etc.;  
4. At least one person appointed or commissioned by the chairperson, from among public officials or experts recommended by the head of the local government having jurisdiction over the area subject to the relevant plan or the project zone;  
5. At least one person commissioned by the chairperson, from among the following persons:
   (a) Residents’ representatives who reside in an area subject to the relevant plan or the project zone within the jurisdiction of the local government;  
   (b) Non-governmental experts recommended by non-governmental organizations;  
   (c) Experts in health impact assessment including public health (limited to where a health impact assessment shall be conducted under the proviso to Article 8 (2) of the Act).

(3) The Environmental Impact Assessment Council shall be comprised of approximately ten members, including one chairperson, appointed or commissioned by the chairperson for each meeting, taking into consideration the nature of each plan or project.

(4) The chairperson shall represent the Environmental Impact Assessment Council and administer all business affairs of the council.

(5) If the chairperson is unable to perform his/her duties due to extenuating circumstances, the council member appointed by the chairperson in advance shall act on behalf of the chairperson.

(6) Except as otherwise provided for in paragraphs (1) through (5), matters necessary for the formation of the Environmental Impact Assessment Council shall be determined by the chairperson, subject to deliberation by the Environmental Impact Assessment Council thereon.
Article 5 (Operation of Environmental Impact Assessment Council)

(1) Meetings of the Environmental Impact Assessment Council shall be convened by the chairperson.

(2) A quorum of the meeting of the Environmental Impact Assessment Council shall be duly formed with the attendance of a majority of its members under Article 4 (3) and resolutions shall be adopted by affirmative votes of a majority of the members present at the meeting.

(3) Notwithstanding the provisions of paragraphs (1) and (2), the chairperson may determine to deliberate on a project documentarily, without convening a meeting, in any of the following cases:
   1. Where the environmental impact of the relevant plan or project is deemed to be insignificant;
   2. Where environmental impact assessment reports, etc. under Article 53 (1) of the Act (hereinafter referred to as "environmental impact assessment reports, etc.") have been already submitted several times for deliberation on a plan or project similar to the relevant plan or project;
   3. Where the environmental impact of the relevant plan or project is deemed limited to a particular sector.

(4) Members of the Environmental Impact Assessment Council may be reimbursed for allowances and travel expenses, within budgetary limits: Provided, That the foregoing shall not apply to a member who shall attend a meeting of the Environmental Impact Assessment Council as a public official in direct connection with any business affair related to his/her duties.

(5) Except as otherwise expressly provided for in paragraphs (1) through (4), matters necessary for the operation of the Environmental Impact Assessment Council shall be determined by the chairperson, subject to deliberation by the Environmental Impact Assessment Council thereon.

Article 6 (Exclusion, Challenge, Abstention, etc.)

(1) In any of the following cases, a member of the Environmental Impact Assessment Council shall be excluded from the proceedings of deliberation and resolution by the Environmental Impact Assessment Council:
   1. If the council member or a person who is or was the spouse of the council member is a party (or an officer of a corporation or organization, if a party is the corporation or organization; the same shall apply hereafter in this Article) to the relevant plan, project, or environmental impact assessment (hereafter in this Article referred to as "relevant plan or project") or a joint right-holder or a joint obligor of a party to the relevant plan or project;
   2. If the council member is a current or former relative of a party to the relevant plan or project;
   3. If the council member has been directly involved in services, advice, appraisal, or survey with respect to the relevant plan or project;
   4. If the council member or a corporation to which the council member belongs is the current or former representative of a party to the relevant plan or project.

(2) If an interested party to the relevant plan or project has a ground to believe that impartiality in deliberation and resolution by a council member is unlikely, he/she may file a challenge against the council member with the Environmental Impact Assessment Council, and the Environmental Impact
Assessment Council shall resolve on the challenge. In such cases, no council member against whom the challenge has been filed shall participate in resolution.

(3) If a council member finds that any of the grounds for exclusion under paragraph (1) is applicable to him/her, he/she shall voluntarily abstain from the proceedings of deliberation and resolution of the relevant case.

**Article 7 (Categories of Plans subject to Strategic Environmental Impact Assessment)**

(1) The expression "plan for the establishment of any of the facilities specified by Presidential Decree" in Article 9 (1) 18 of the Act means a master plan for the management of livestock excreta under Article 5 of the Act on the Management and Use of Livestock Excreta.

(2) Detailed categories of plans subject to strategic environmental impact assessment under Article 9 (2) of the Act (hereinafter referred to as "plans subject to strategic environmental impact assessment") are as prescribed in attached Table 2.

**Article 8 (Matters subject to Determination in Regard to Items, etc. of Assessment not requiring Deliberation)**

If an area involved in a project plan under a master development plan under Article 9 (2) 2 of the Act (hereinafter referred to as "master development plan"), among plans subject to strategic environmental impact assessment, is less than 60,000 square meters, the head of an administrative agency who intends to formulate a plan subject to strategic environmental impact assessment may determine the matters under Article 11 (1) of the Act without undergoing deliberation by the Environmental Impact Assessment Council thereon.

**Article 9 (Period for Deliberation on Preparatory Statements for Assessment)**

"The period specified by Presidential Decree" in Article 11 (3) of the Act means 30 days. In such cases, a period during which the head of an administrative agency who intends to formulate a plan subject to strategic environmental impact assessment or a person who proposes a plan subject to strategic environmental impact assessment amends a preparatory statement for assessment and holidays shall be excluded from the period. <Amended by Presidential Decree No. 25713, Nov. 11, 2014>

**Article 10 (Publication, etc. of Determined Items, etc. of Strategic Environmental Impact Assessment)**

(1) The head of an administrative agency who intends to formulate a plan subject to strategic environmental impact assessment pursuant to Article 11 (5) of the Act shall post the items, etc. of strategic environmental impact assessment, as determined under Article 11 (1) or (3) of the Act, on the information and communications network of a Si (including a Special Self-Governing City and referring to an administrative city under Article 15 (2) of the Special Act on the Establishment of Jeju Special Self-Governing Province and the Development of Free International City in cases of Jeju Special Self-Governing Province; the same shall apply hereinafter) or Gun or Gu (Gu meaning an autonomous Gu; the same shall apply hereinafter), having jurisdiction over an area subject to strategic environmental impact assessment, or of an administrative agency that intends to formulate a plan subject to strategic environmental impact assessment or the information support system under Article 70 (3) of the Act
(hereinafter referred to as the "information support system for environmental impact assessment"), for at least 14 days within 20 days from the date such determination is made. <Amended by Presidential Decree No. 25713, Nov. 11, 2014>

(2) If residents, etc. present opinions on the items, etc. of strategic environmental impact assessment published under paragraph (1), the head of an administrative agency who intends to formulate a plan subject to strategic environmental impact assessment shall review such opinions and shall include the opinions in the strategic environmental impact assessment report under Article 21, if the relevant plan is a governmental plan under Article 9 (2) 1 of the Act (hereinafter referred to as "governmental plan"), or in the draft strategic environmental impact assessment report under Article 11 (1), if the relevant plan is a master development plan.

Article 11 (Preparation of Draft Strategic Environmental Impact Assessment Reports)

(1) Each draft strategic environmental impact assessment report under Article 12 (1) of the Act (hereinafter referred to as "draft strategic environmental impact assessment report") shall include the following matters:

1. Summary;
2. Overview of the master development plan;
3. Alternatives to the master development plan and site location (only if a specific site location is specified);
4. The area subject to strategic environmental impact assessment;
5. Feasibility of the master development plan;
6. Appropriateness of site location (if a site location is specified);
7. Details of deliberation by the Environmental Impact Assessment Council;
8. Results of the review on opinions submitted by residents, etc. under Article 10 (2).

(2) Except as otherwise provided for in paragraph (1), further details about the methods of preparing draft strategic environmental impact assessment reports shall be determined and publicly notified by the Minister of Environment.

Article 12 (Methods, etc. of Submitting Draft Strategic Environmental Impact Assessment)

(1) "The heads of other relevant administrative agencies specified by Presidential Decree" in Article 12 (2) 3 of the Act means the following persons:

1. The head of a river basin environment office or the head of a regional environment office (hereinafter referred to as "head of a local environment office"; excluding cases where the head of a local environment office becomes the head of the consulting agency);
2. The Mayor of the Special Metropolitan City or the Metropolitan City or the Governor of the Do or Special Self-Governing Province with jurisdiction over an area subject to the master development plan;
3. The head of the Si (including a Special Self-Governing City and referring to an administrative city under Article 17 (2) of the Special Act on the Establishment of Jeju Special Self-Governing Province and the Development of Free International City in cases of Jeju Special Self-Governing Province; the
same shall apply hereinafter) or Gun or Gu (Gu meaning an autonomous Gu; the same shall apply
hereinafter), having jurisdiction over an area subject to the master development plan.

(2) The head of an administrative agency who formulates a master development plan shall submit a draft
strategic environmental impact assessment report printed and bound in book form in accordance with
Article 12 (2) of the Act, and the number of copies to be submitted to each authority shall be as follows:
1. The head of the consulting agency: 20 copies;
2. The head of the approving authority: five copies;
3. The head of the local environment office having jurisdiction over an area subject to the master
development plan (excluding cases where the head of a local environment office becomes the head of
the consulting agency): three copies;
4. The Mayor of the Special Metropolitan City or the Metropolitan City or the Governor of the Do or
Special Self-Governing Province with jurisdiction over an area subject to the master development plan:
three copies;
5. The head of the Si/Gun/Gu with jurisdiction over an area subject to the master development plan: five
copies.

(3) Upon receipt of a draft strategic environmental impact assessment report under Article 12 (2) of the
Act, a person may notify the head of the administrative agency who intends to formulate the master
development plan of his/her opinions on the anticipated environmental impact of the relevant plan,
measures for environmental conservation, etc., within 30 days from the date when the draft strategic
environmental impact assessment report is filed.

Article 13 (Publication of Draft Strategic Environmental Impact Assessment Reports for Public
Inspection, etc.)

(1) The head of an administrative agency who intends to formulate a master development plan shall
publish the following matters at least once in a general daily newspaper having nationwide distribution
under Article 9 (1) of the Act on the Promotion of Newspapers, Etc. (hereinafter referred to as "daily
newspaper") and a general daily newspaper having nationwide distribution mainly in an area subject to the
master development plan (hereinafter referred to as "local newspaper") respectively within ten days from
the date he/she submits a draft strategic environmental impact assessment report under Article 12 (2) of
the Act and shall make the following matters available for public inspection by residents, etc. in an area
subject to the master development plan (hereinafter referred to as "residents") for a period of at least 20
days but not exceeding 40 days;
1. Summary of the master development plan;
2. Period and place of public inspection of the draft strategic environmental impact assessment report;
3. Timing and methods for presenting opinions on the draft strategic environmental impact assessment
report (including opinions as to whether to hold a public hearing).

(2) When the head of an administrative agency who intends to formulate a master development plan
publishes information and makes the information available for public inspection under paragraph (1),
he/she shall give notice of the publication and public inspection as follows:

1. The information and communications network of the Si/Gun/Gu with jurisdiction over an area subject to the master development plan or of the administrative agency that intends to formulate the master development plan: The notice of publication and public inspection and summary of the draft strategic environmental impact assessment report;

2. The information support system for environmental impact assessment: The notice of publication and public inspection and the draft strategic environmental impact assessment report.

(3) When the head of an administrative agency who intends to formulate a master development plan intends to publish information under paragraph (1), he/she shall hear the opinion as to the period, place, etc. of public inspection from the head of the Si/Gun/Gu having jurisdiction over an area subject to the master development plan before determining such matters and shall prepare at least one place for public inspection in the area subject to the master development plan.

Article 14 (Methods, etc. for Presentation of Opinions of Residents, etc.)

Residents may present their opinions on the environmental impact anticipated from the formulation of the relevant plan, measures for environmental conservation, a request for holding a public hearing, etc. to the head of an administrative agency who intends to formulate a master development plan, during a period from the beginning of a period for public inspection of the draft strategic environmental impact assessment report to not more than seven days after the end of the period for public inspection of the draft strategic environmental impact assessment report.

Article 15 (Presentation)

(1) The head of an administrative agency who intends to formulate a master development plan shall hold a presentation under the main sentence of Article 13 (1) of the Act during the period for public inspection of the draft strategic environmental impact assessment report.

(2) If an area subject to a master development plan straddles at least two Sis/Guns/Gus, the head of an administrative agency who intends to formulate the master development plan shall hold a presentation in each Si/Gun/Gu: Provided, That the head of an administrative agency who intends to formulate a master development plan may hold a presentation under an agreement between him/he and the head of each Si/Gun/Gu.

(3) When the head of an administrative agency who intends to formulate a master development plan intends to hold a presentation under paragraph (1) or (2), he/she shall publish the overview of the project under the master development plan, the timing and place of the presentation, etc. at least once in a daily newspaper and a local newspaper, respectively, by no later than seven days before the date of the presentation: Provided, That the foregoing shall not apply where the notice of holding a presentation is given with the publication of the draft strategic environmental impact assessment report under Article 13 (1).

Article 16 (Public Hearings, etc.)
(1) In either of the following cases, the head of an administrative agency who intends to formulate a master development plan shall hold a public hearing pursuant to the proviso to Article 13 (1) of the Act:

1. If the number of residents who have presented opinions that it would be necessary to hold a public hearing under Article 14 is at least 30 persons;
2. If the number of residents who have submitted opinions that it would be necessary to hold a public hearing under Article 14 is at least five persons, constituting at least 50 percent of all residents who have presented opinions on the draft strategic environmental impact assessment report.

(2) If the head of an administrative agency who intends to formulate a master development plan deems it necessary to extensively gather opinions from relevant experts and residents, he/she may hold a public hearing after the end of the period for public inspection of a draft strategic environmental impact assessment report.

(3) When the head of an administrative agency who intends to formulate a master development plan intends to hold a public hearing under paragraph (1) or (2), he/she shall publish the following matters in a daily newspaper and a local newspaper respectively by no later than 14 days from the date of the public hearing:

1. Overview of the master development plan;
2. Date, time, and venue for the public hearing;
3. Other matters necessary for efficient operation of the public hearing.

(4) The head of an administrative agency who intends to formulate a master development plan shall notify the head of the Si/Gun/Gu having jurisdiction over an area subject to the master development plan of the results of a public hearing, by no later than seven days after the end of the public hearing, as prescribed by Ordinance of the Ministry of Environment.

(5) Except as otherwise provided for in paragraphs (1) through (4), matters necessary for holding a public hearing shall be prescribed by Ordinance of the Ministry of Environment.

Article 17 (Areas for which Collection of Opinions from Relevant Experts, etc. is Necessary)
"The areas specified by Presidential Decree" in Article 13 (2) of the Act means the following areas:

1. Natural environment conservation areas under subparagraph 4 of Article 6 of the National Land Planning and Utilization Act;
2. Natural parks under subparagraph 1 of Article 2 of the Natural Parks Act;
3. Wetlands conservation areas and managed wetland environs under Article 8 (1) of the Wetlands Conservation Act;
4. Areas subject to special measures under Article 38 of the Framework Act on Environmental Policy.

Article 18 (Omitting Presentation or Public Hearings)
(1) Cases where a presentation or public hearing may be omitted under Article 13 (3) of the Act shall be as follows:

1. Where it is impracticable to hold or continue a presentation in a normal condition because of disturbance of residents, etc.;
2. Where it is impracticable to hold or continue a public hearing in a normal condition because of disturbance of residents, etc., although it has been attempted to hold a public hearing at least twice.

(2) When the head of an administrative agency who intends to formulate a master development plan omits a presentation or public hearing under paragraph (1), he/she shall take the following measures pursuant to the latter part of Article 13 (3) of the Act and shall endeavor to hear opinions of residents, etc. in good faith by other means:

1. Where a presentation is omitted: The following measures:
   (a) Publishing the grounds for omitting the presentation, the method for public inspection of presentation materials, etc. at least once in a daily newspaper and a local newspaper, respectively;
   (b) Posting the reasons why the presentation is omitted, presentation materials, etc. on the information and communications network of the Si/Gun/Gu having jurisdiction over an area subject to the master development plan or of the administrative agency that intends to formulate the master development plan or on the information support system for environmental impact assessment;

2. Where a public hearing is omitted: Publishing the reasons why the public hearing is omitted, the timing and method for presenting opinions, the method for public inspection of presentation materials, etc. at least once in a daily newspaper and a local newspaper respectively.

(3) When the head of an administrative agency who intends to formulate a master development plan intends to give public notice under paragraph (2) 2, he/she shall consult with the head of the Si/Gun/Gu having jurisdiction over an area subject to the master development plan on the timing, period, etc. for presenting opinions.

Article 19 (Publication of Results of Opinions Collected from Residents, etc. and whether to Reflect such Opinions)

Pursuant to Article 13 (4) of the Act, the head of an administrative agency who intends to formulate a master development plan shall post the results of opinions collected from residents, etc. and whether such opinions have been reflected in the plan on the information and communications network of the Si/Gun/Gu having jurisdiction over an area subject to the master development plan or on the information support system for environmental impact assessment for at least 14 days before finalizing the master development plan.

Article 20 (Re-collection of Opinions of Residents, etc.)

"The important matters specified by Presidential Decree" in Article 15 of the Act means where the scale of a master development plan on which consultation has been requested under Article 16 of the Act increases by at least 30 percent: Provided, That the foregoing shall not apply where the scale of a master development plan under subparagraph 2 (a) (i), (e) (ii), or (g) (ii) of subparagraph 2 of attached Table 2 increases within the minimum extent of an area specified by Ordinance of the Ministry of Environment (hereinafter referred to as "minimum extent of area") in an area where the master development plan is affected by each item of assessment determined under Article 11 of the Act.
Article 21 (Preparation of Draft of Written Assessment)

(1) The strategic environmental impact assessment report referred to in Article 16 (1) or (2) of the Act (hereinafter referred to as "strategic environmental impact assessment report") shall include the following matters: <Amended by Presidential Decree No. 26807, Dec. 30, 2015>

1. The items, etc. subject to the strategic environmental impact assessment, determined under Article 11 (1) or (3) of the Act, and measures taken therefor;
2. The results of review of opinions of residents, etc. under Article 10 (2);
3. The matters specified in Article 11 (1). If the strategic environmental impact assessment report concerns a governmental plan in such cases, the term "master development plan" shall be construed as "governmental plan";
4. Opinions of residents and relevant administrative agencies on the draft strategic environmental impact assessment report and whether such opinions have been reflected in the relevant plan (applicable only to a master development plan);
5. Appendices:
   (a) Literature and references cited in strategic environmental impact assessment;
   (b) Personal data of participants in strategic environmental impact assessment;
   (c) A document that indicates the contract amount for strategic environmental impact assessment agency service, such as a copy of an agreement on strategic environmental impact assessment agency service (limited to where an agent is engaged for the formulation of a strategic environmental impact assessment report);
   (d) Glossary, etc.

(2) Further details about contents of a strategic environmental impact assessment report, the method of making a strategic environmental impact assessment report, etc. shall be determined and publicly notified by the Minister of Environment, in consultation with the heads of relevant central administrative agencies:

Provided, That further details about a governmental plan may be determined and publicly notified separately by the head of the relevant central administrative agency.

Article 22 (Method of Submitting Strategic Environmental Impact Assessment Reports, Timing for Requesting Consultations, etc.)

(1) Pursuant to Article 16 (1) or (2) of the Act, a strategic environmental impact assessment report shall be printed, bound, and submitted in the form of a book, and the number of copies to be submitted to each relevant authority shall be as follows:

1. The head of the approving agency: Five copies;
2. The head of the consulting agency: 20 copies.

(2) The timing for holding consultations on a strategic environmental impact assessment report under Article 16 (1) or (2) of the Act is as prescribed in attached Table 2.

(3) If a plan determines at least two master development plans with identical objectives successively or includes at least two indivisible master development plans for identical objectives, such plans may be
integrated for the purpose of requesting consultations on strategic environmental impact assessment.

(4) Upon receipt of a strategic environmental impact assessment report under Article 16 (2) of the Act, the head of the approving agency shall request the head of the consulting agency to hold consultations within ten days from receipt of the strategic environmental impact assessment report.

**Article 23 (Review, Amendment, Adjustment, etc. of Strategic Environmental Impact Assessment Reports)**

(1) Pursuant to Article 17 (1) of the Act, the head of the consulting agency shall review the following matters with respect to each strategic environmental impact assessment report:

1. Eligibility for consultations and other formalities;
2. Compliance with the procedures for collecting opinions of residents, etc. and reflection of opinions of residents;
3. Validity of contents of the strategic environmental impact assessment report.

(2) "The grounds specified by Presidential Decree" in Article 17 (3) of the Act means that a strategic environmental impact assessment report has not been prepared in accordance with the contents, method, etc. prescribed in Article 21.

(3) If the head of the consulting agency deems it necessary for reviewing a strategic environmental impact assessment report, he/she may seek opinions from relevant experts thereon.

(4) Except as otherwise provided for in paragraphs (1) through (3), matters necessary for the guidelines for review of strategic environmental impact assessment reports and amendment and adjustment thereof shall be determined by the Minister of Environment.

**Article 24 (Requests to Submit Data for Reviewing Strategic Environmental Impact Assessment Reports)**

If the head of the consulting agency deems necessary for reviewing a strategic environmental impact assessment report, he/she may request the head of the competent administrative agency under Article 17 (3) of the Act (hereinafter referred to as "head of the competent administrative agency") to submit relevant data. In such cases, the head of the competent administrative agency shall comply with such request, except in extenuating circumstances.

**Article 25 (Period for Notification of Agreed Terms and Conditions)**

"The period specified by Presidential Decree" in Article 18 (1) of the Act means 30 days (40 days, if the head of the consulting agency extends the period due to extenuating circumstances). In such cases, the period that the head of the competent administrative agency takes to amend the strategic environmental impact assessment report and holidays shall be excluded in the period for notification.

**Article 26 (Notification, etc. of Results of Performance of Agreed Terms and Conditions)**

(1) The head of the competent administrative agency shall notify the head of the consulting agency of the results of measures taken or a plan for taking measures with respect to agreement terms and conditions within 30 days from the date on which such measures are taken or such plan for taking measures is finalized pursuant to Article 19 (1) of the Act.
(2) If the head of the competent administrative agency has difficulty in reflecting agreed terms and conditions in the relevant plan in accordance with Article 19 (2) of the Act due to a particular reason, he/she shall present a statement of relevant facts and the reason to the head of the consulting agency, and the head of the consulting agency shall examine the validity of the statement presented, within 20 days from the date he/she receives the statement and shall notify the head of the competent administrative agency of the results thereof.

Article 27 (Management, Supervision, etc. of Results of Measures or Plans for Measures)

(1) If the head of the consulting agency deems it necessary for ascertaining the outcomes from taking measures taken under Article 19 (1) or the performance of a plan for such measures, he/she may check the performance of agreed terms and conditions, the progress of performance, etc. with the head of the competent administrative agency.

(2) If the head of the consulting agency finds, from ascertaining under paragraph (1), any agreed term or condition not performed, he/she may request the head of the competent administrative agency to take measures necessary for performance of such term or condition.

(3) Upon receipt of a request from the head of the consulting agency under paragraph (2), the head of the competent administrative agency shall comply with such request, except in extenuating circumstances.

Article 28 (Cases subject to Re-consultation)

(1) Cases where it is required to conduct strategic environmental impact assessment again under Article 20 of the Act shall be as follows: <Amended by Presidential Decree No. 26807, Dec. 30, 2015>

1. Where the scale is increased by at least 30 percent of the scale reflected in agreed terms and conditions under Article 18 of the Act (including where the scale increased by accumulated changes is at least 30 percent of the scale reflected in the consultation under Article 18 of the Act or in the re-consultation under Article 20 of the Act): Provided, That the foregoing shall not apply where the scale of a master development plan under subparagraph 2 (a) (i), (e) (ii), or (g) (ii) of subparagraph 2 of attached Table 2 increases within the minimum extent in an area where master development plan is affected by each item of assessment determined under Article 11 of the Act;

2. Where a land use plan is amended with respect to at least ten percent of the area specified as the area that shall be conserved in its original state or that shall be excluded from the plan according to the agreed terms and conditions notified under Article 18 of the Act and the area subject to the amendment is at least 10,000 square meters: Provided, That the foregoing shall not apply where consultation with the head of the consulting agency has been completed on environmental impact assessment under Article 27, 32, or 33 of the Act.

(2) Notwithstanding the main sentence of paragraph (1) 1, the increased portion shall be not less than the area specified in any of the following subparagraphs, where the relevant plan is an urban/Gun management plan pursuant to subparagraph 4 of Article 2 of the National Land Planning and Utilization Act:
1. 60,000 square meters, where the plan is for an urban area defined under Article 36 (1) 1 of the National Land Planning and Utilization Act (excluding green areas);
2. 10,000 square meters, where the plan is for other than an area referred to in subparagraph 1;
3. An area the aggregate of which calculated by the following formula is one, where the area over which it is intended to formulate the plan straddles areas referred to in subparagraphs 1 and 2: \[\text{Area under subparagraph 1 / Minimum area subject to strategic environmental impact assessment under subparagraph 1} + \frac{\text{Area under subparagraph 2}}{\text{Minimum area subject to strategic environmental impact assessment under subparagraph 2}}\].

(3) If the head of an administrative agency who formulates a master development plan includes adjoining land, etc. merely for the purpose of security control or safety management or for securing a buffer zone, without any development work, the area of such land, etc. shall not be deemed an increase in the planned scale under paragraph (1) 1.

**Article 29 (Consultations on Amendment of Master Development Plans)**

(1) "When the head of the competent administrative agency intends to amend a master development plan with respect to any of the matters specified by Presidential Decree" in Article 21 (1) of the Act means any of the following cases:

1. Where the scale of the plan increases by at least five percent but less than 30 percent of the scale reflected in agreed terms and conditions under Article 18 of the Act;
2. Where the scale of the plan is not subject to re-consultation under the main sentence of Article 28 (1) 1 but increases by not less than the minimum scale subject to strategic environmental impact assessment;
3. Where the plan falls under the proviso to Article 28 (1) 1;
4. Where the area subject to an urban/Gun management plan under subparagraph 4 of Article 2 of the National Land Planning and Utilization Act is increased by at least 30 percent of the scale reflected in agreed terms and conditions under Article 18 of the Act, but the increased area is less than the area specified in the relevant subparagraph of Article 28 (2);
5. Where the area specified in the agreed terms and conditions notified under Article 18 of the Act as an area that shall be conserved in its original state or that shall be excluded from development is developed, but the developed area is less than the area subject to re-consultation under the main sentence of Article 28 (1) 2;
6. Where it is intended to amend any of the matters specified in the agreed terms and conditions notified under Article 18 (1) of the Act as matters on which the opinion of the head of the consulting agency shall be sought when it is intended to amend such, taking into consideration the nature of the relevant project plan.

(2) If the head of an administrative agency who formulates a master development plan includes adjoining land, etc. merely for the purpose of security control or safety management or for securing a buffer zone, without development activity, such inclusion shall not be deemed an amendment under any subparagraph.
of paragraph (1).

(3) Notwithstanding paragraph (1), the consultation under paragraph (1) is not required when consultation with the head of the consulting agency has been completed on environmental impact assessment under Article 27, 32, or 33 of the Act with regard to the intended amendment to the master development plan.

<Amended by Presidential Decree No. 26807, Dec. 30, 2015>

(4) If the head of the approving agency deems it necessary to seek the opinion of the consulting agency on the feasibility of an amendment to a master development plan, the appropriateness of site location, etc. when he/she intends to amend the plan, he/she may also consult with the head of the consulting agency on the amendment to any matter not specified in paragraph (1).

(5) A person who intends to consult with the head of the consulting agency on an amendment to a master development plan under Article 21 (1) of the Act shall prepare a document about the following matters and submit it to the head of the consulting agency:

1. Details of the amendment to the master development plan;
2. Grounds for the feasibility of the amendment to the master development plan, the appropriateness of site location, etc.

**Article 30 (Consultations on Amendment of Governmental Plans)**

(1) "When the head of the competent administrative agency intends to amend a governmental plan with regard to any of the matters specified by Presidential Decree" in Article 21 (2) of the Act means when the head of the competent administrative agency intends to amend a governmental plan with regard to any of the matters specified in the agreed terms and conditions notified under Article 18 (1) of the Act as those on which the head of the competent administrative agency shall seek the opinion of the consulting agency before making any amendment thereto.

(2) A person who intends to consult with the head of the consulting agency on an amendment to a governmental plan under Article 21 (2) of the Act shall prepare a document about the following matters and submit it to the head of the consulting agency:

1. Details of the amendment to the governmental plan;
2. Grounds for the feasibility of the amendment to the governmental plan.

**Article 31 (Projects subject to Environmental Impact Assessment and Scope of such Projects)**

(1) "The facilities specified by Presidential Decree" in Article 22 (1) 18 of the Act means disposal facilities or public disposal facilities under subparagraph 8 or 9 of Article 2 of the Act on the Management and Use of Livestock Excreta.

(2) Further details about the categories and scope of projects subject to environmental impact assessment under Article 22 (2) of the Act are as prescribed in attached Table 3.

**Article 32 (Period for Deliberation on Preparatory Statements for Assessment, etc.)**

(1) "The period specified by Presidential Decree" in the main sentence of Article 24 (1) of the Act means a period from the day a project plan subject to environmental impact assessment is formulated until the day immediately before the date a draft environmental impact assessment report under Article 25 (1) of the
Act is completed. (2) "The period specified by Presidential Decree" in Article 24 (4) of the Act means 30 days. In such cases, a period that a project implementer under Article 22 (1) of the Act (hereafter in this Chapter referred to as "project implementer") needs for amending a preparatory statement for evaluation and holidays shall be excluded in the period of deliberation.

**Article 33 (Publication, etc. of Determined Items, etc. of Environmental Impact Assessment)**

(1) The items, etc. of strategic environmental impact assessment, as determined under Article 24 (7) of the Act, shall be published within 20 days from the date of determination and shall be posted on the information and communications network operated by the head of the relevant Si/Gun/Gu or the head of the approving agency or on the information support system for environmental impact assessment for at least 14 days. *<Amended by Presidential Decree No. 25713, Nov. 11, 2014>*

(2) If residents, etc. present opinions on the items, etc. of environmental impact assessment, which have been published under paragraph (1), the head of the approving agency or the head of the consulting agency shall review such opinions and shall include the opinions in the draft environmental impact assessment report under Article 25 (1) of the Act or the summary assessment report under Article 51 (1) of the Act.

**Article 34 (Preparation of Draft Environmental Impact Assessment Reports)**

(1) A draft environmental impact assessment report under Article 25 (1) of the Act (hereinafter referred to as "draft environmental impact assessment report") shall include the following matters:

1. Summary;
2. Overview of the relevant project;
3. The extent of an area affected by each item of assessment by the implementation of the project subject to environmental impact assessment and the present environmental condition of its environs;
4. Whether agreed terms and conditions have been reflected, if consultations on strategic environmental impact assessment have been held under Article 18 of the Act;
5. The items, etc. of environmental impact assessment, determined under Article 24 (1) and (4) of the Act, and measures taken therefor;
6. Results of environmental impact assessment on the following matters:
   (a) Results of survey, forecasting, and evaluation on each item of environmental impact assessment;
   (b) Measures for environmental conservation;
   (c) Inevitable environmental impacts and countermeasures against such impacts;
   (d) Formulation and evaluation of alternatives;
   (e) Comprehensive evaluation and conclusion;
   (f) A plan for follow-up survey of environmental impacts.

(2) Except as otherwise provided for in paragraph (1), further details about the method of making a draft environmental impact assessment report shall be determined and publicly notified by the Minister of Environment.
Article 35 (Methods, etc. of Submitting Draft Environmental Impact Assessment Reports)

(1) Pursuant to Article 25 (2) of the Act, a project implementer shall submit a draft environmental impact assessment report to the heads of the following administrative agencies:

1. The head of the Si/Gun/Gu having jurisdiction over a project zone subject to environmental impact assessment (hereinafter referred to as "relevant project zone") (referring to the head of the Si/Gun/Gu having jurisdiction over the largest or longest section of the relevant project zone, if the relevant project zone straddles the areas within jurisdiction of at least two Sis/Guns/Gus);
2. The head of the Si/Gun/Gu who is not the head of the Si/Gun/Gu referred to in subparagraph 1 (hereinafter referred to as "the competent head of Si/Gun/Gu") but has jurisdiction over an area subject to environmental impact assessment (hereinafter referred to as "head of a related Si/Gun/Gu");
3. The head of the approving agency;
4. The head of the consulting agency;
5. The head of the local environmental office having jurisdiction over an area subject to environmental impact assessment (excluding cases where the head of a local environment office becomes the head of the consulting agency);
6. The Mayor of the Special Metropolitan City or the Metropolitan City or the Governor of the Do or Special Self-Governing Province, having jurisdiction over an area subject to the relevant project zone.

(2) A draft environmental impact assessment report shall be submitted in the form of a printed and bound book, and the number of copies to be submitted to each authority shall be as follows:

1. The head of the competent Si/Gun/Gu: 10 copies;
2. The head of a related Si/Gun/Gu: 5 copies;
3. The head of the approving agency: 5 copies;
4. The head of the consulting agency: 20 copies;
5. The head of the local environment office having jurisdiction over an area subject to environmental impact assessment (excluding cases where the head of a local environment office becomes the head of the consulting agency): 3 copies;
6. The Mayor of the Special Metropolitan City or the Metropolitan City or the Governor of the Do or Special Self-Governing Province, having jurisdiction over the relevant project zone: 3 copies.

Article 36 (Publication of Draft Environmental Impact Assessment Reports for Public Inspection, etc.)

(1) The head of the competent Si/Gun/Gu shall publish the following matters at least once in a daily newspaper and a local newspaper respectively within ten days from the date when a draft environmental impact assessment report under Article 35 (1) of the Act is filed and shall make the following matters available for public inspection of residents, etc. in an area subject to environmental impact assessment (hereinafter referred to as "residents") for a period of not less than 20 days nor more than 40 days, except in extenuating circumstances, such as a natural disaster. In such cases, holidays shall be excluded in the period for public inspection:
1. Overview of the project;
2. Period and place of public inspection of the draft environmental impact assessment report;
3. Timing and methods for presenting opinions on the draft environmental impact assessment report (including opinions as to whether to hold a public hearing).

(2) When the head of the competent Si/Gun/Gu publishes information and makes the information available for public inspection under paragraph (1), he/she shall give notice of the publication and public inspection as follows:

1. The information and communications network of the Si/Gun/Gu with jurisdiction over the project zone: The notice of publication and public inspection and summary of the draft environmental impact assessment report;
2. The information support system for environmental impact assessment: The notice of publication and public inspection and the draft environmental impact assessment report.

(3) When the head of the competent Si/Gun/Gu intends to publish information under paragraph (1), he/she shall hear the opinion on the period, place, etc. of public inspection from the head of the related Si/Gun/Gu before determining such matters and shall prepare at least one place for public inspection in an area within the jurisdiction of the head of the competent Si/Gun/Gu and an area within the jurisdiction of the head of the related Si/Gun/Gu, respectively.

**Article 37 (Vicarious Execution of Procedures for Publication and Public Inspection by Head of Approving Agency)**

(1) If the head of the competent Si/Gun/Gu does not publish a draft environmental impact assessment report or does not make a draft environmental impact assessment report available for public inspection within 20 days from the date when the draft environmental impact assessment report is filed, without valid cause, such as a natural disaster, the head of the approving agency may publish the draft environmental impact assessment report and make it available for public inspection on behalf of the head of the competent Si/Gun/Gu pursuant to Article 36.

(2) If the head of the approving agency intends to vicariously execute the procedures for publication and public inspection pursuant to paragraph (1), he/she shall notify the head of the competent Si/Gun/Gu of his/her intention.

(3) Articles 36, 38, and 39 shall apply mutatis mutandis to the procedures applicable to cases where the head of the approving agency vicariously executes publication and public inspection pursuant to paragraph (1). In such cases, the term "the competent head of Si/Gun/Gu" shall be deemed "the head of the approving agency."

**Article 38 (Methods, etc. for Presentation of Opinions of Residents, etc.)**

(1) Residents may present their opinions on the environmental impact anticipated as a consequence of the implementation of the relevant project, measures for environmental conservation, a request for holding a public hearing, etc. to the head of the competent Si/Gun/Gu or to the head of the related Si/Gun/Gu, during a period from the beginning of the period for public inspection of the draft environmental impact
assessment report to not more than seven days after the end of the period for public inspection of the draft environmental impact assessment report. Upon receipt of opinions from residents in such cases, the head of the related Si/Gun/Gu shall notify the head of the competent Si/Gun/Gu of the residents' opinions within ten days from the end of the period for public inspection of the draft environmental impact assessment report.

(2) The head of an administrative agency referred to in the provisions of Article 35 (1) 2 through 6 may notify the head of the competent Si/Gun/Gu of his/her opinion on the environmental impact anticipated as a consequence of the implementation of the relevant project, measures for environmental conservation, etc. within 30 days from the date when the draft environmental impact assessment report is filed.

(3) Upon receipt of the opinions presented or notified under paragraph (1) or (2), the head of the competent Si/Gun/Gu shall notify the project implementer of the opinions presented or notified, within 14 days from the end of the period for public inspection of the draft environmental impact assessment report. If the head of the competent Si/Gun/Gu has an opinion on the draft environmental impact assessment report in such cases, he/she may add his/her opinion to such notice.

Article 39 (Presentations)

(1) A project implementer shall hold a presentation in accordance with Article 25 (2) of the Act during the period for public inspection of a draft environmental impact assessment report.

(2) If a project zone subject to environmental impact assessment straddles at least two Sis/Guns/Gus, the relevant project implementer shall hold a presentation in each Si/Gun/Gun respectively: Provided, That a project implementer may hold a presentation in either Si or Gun or Gu under an agreement with the heads of each Si/Gun/Gun involved.

(3) When a project implementer intends to hold a presentation under paragraph (1) or (2), he/she shall publish the overview of the project, the time and place of the presentation, etc. at least once in a daily newspaper and a local newspaper respectively, by no later than seven days before the date of the presentation: Provided, That the foregoing shall not apply where the notice of holding a presentation is given in the publication of the draft environmental impact assessment report under Article 36 (1).

Article 40 (Public Hearings, etc.)

(1) In either of the following cases, a project implementer shall hold a public hearing in accordance with Article 25 (2) of the Act:

1. If the number of residents who have presented opinions that it is necessary to hold a public hearing under Article 38 is at least 30 persons;

2. If the number of residents who have presented opinions that it is necessary to hold a public hearing under Article 38 is at least five persons, constituting at least 50 percent of all residents who have presented opinions on the draft environmental impact assessment report.

(2) If a project implementer deems it necessary to extensively collect opinions from relevant experts and residents, he/she may hold a public hearing after the period for public inspection of a draft environmental impact assessment report.
(3) When a project implementer intends to hold a public hearing under paragraph (1) or (2), he/she shall publish the following matters in a daily newspaper and a local newspaper respectively by no later than 14 days from the date of the public hearing:
   1. Overview of the project;
   2. Date, time, and venue for the public hearing;
   3. Other matters necessary for efficient operation of the public hearing.
(4) A project implementer shall notify the head of the competent Si/Gun/Gu and the head of the related Si/Gun/Gun of the results of a public hearing, by no later than seven days after the end of the public hearing, as prescribed by Ordinance of the Ministry of Environment.
(5) Except as otherwise provided for in paragraphs (1) through (4), matters necessary for holding a public hearing shall be prescribed by Ordinance of the Ministry of Environment.

Article 41 (Omitting of Presentation or Public Hearings)
(1) Cases where a presentation or public hearing may be omitted under Article 25 (2) of the Act shall be as follows:
   1. Where it is impracticable to hold or continue a presentation in a normal condition because of disturbance of residents, etc.;
   2. Where it is impracticable to hold or continue a public hearing in a normal condition because of disturbance of residents, etc., although it has been attempted to hold a public hearing at least twice.
(2) When a project implementer omits a presentation or public hearing under paragraph (1), he/she shall take the following measures and shall endeavor to hear opinions of residents, etc. in good faith by other means:
   1. Where a presentation is omitted: The following measures:
      (a) Publishing the grounds for omitting the presentation session, the method for public inspection of presentation materials, etc. at least once in a daily newspaper and a local newspaper respectively;
      (b) Posting the reasons why the presentation session is omitted, presentation materials, etc. in the information and communications network of the relevant Si/Gun/Gu or in the information support system for environmental impact assessment;
   2. Where a public hearing is omitted: Publishing the grounds for omitting the public hearing, the timing and method for presenting opinions, the method for public inspection of presentation materials, etc. at least once in a daily newspaper and a local newspaper respectively.
(3) When a project implementer intends to publish the matters referred to in paragraph (2) 2, he/she shall consult with the head of the competent Si/Gun/Gu on the timing, period, etc. for presenting opinions.

Article 42 (Areas for which Collection of Opinions from Relevant Experts, etc. is Necessary)
When a project implementer intends to implement a project subject to environmental impact assessment in any of the following areas in accordance with Article 25 (2) of the Act, he/she shall seek opinions of experts and persons who are not residents in the assessed area in addition to residents' opinions:
1. Natural environment conservation areas under subparagraph 4 of Article 6 of the National Land Planning and Utilization Act;
2. Natural parks under subparagraph 1 of Article 2 of the Natural Parks Act;
3. Wetlands conservation areas and managed wetland environs under Article 8 (1) of the Wetlands Conservation Act;
4. Areas subject to special measures under Article 38 of the Framework Act on Environmental Policy.

**Article 43 (Publication of Results of Opinions Collected from Residents, etc. and whether to Reflect such Opinions)**

Pursuant to Article 25 (3) of the Act, the results of opinions collected from residents, etc. and whether such opinions have been reflected in the relevant project plan shall be posted on the information and communications network operated by the head of the relevant Si/Gun/Gu or the head of the approving agency or on the information support system for environmental impact assessment for at least 14 days before finalizing the project plan.

**Article 44 (Procedures for Omitting Drafting, etc. of Environmental Impact Assessment Reports)**

(1) When a project implementer intends to omit the procedures for drafting an environmental impact assessment report and collecting opinions thereon under Article 25 (4) of the Act, he/she shall prepare documents evidencing that all the requirements prescribed in the aforesaid paragraph are met and shall request the head of the consulting agency to hold consultations thereon. In such cases, a project implementer obliged to obtain approval, etc., shall request consultations via the head of the approving agency.

(2) Upon receipt of a request for consultation under paragraph (1), the head of the consulting agency shall notify the project implementer of agreed terms and conditions within 30 days from the date when such request for consultation is made.

**Article 45 (Re-collection of Opinions of Residents, etc.)**

"Important matters specified by Presidential Decree" in Article 26 of the Act means the following cases:

1. Where the scale of a project subject to environmental impact assessment increases by at least 30 percent of the scale of a project on which consultation has been requested under Article 27 of the Act: Provided, That cases where the scale of a construction project specified in subparagraph 3 (c) (ii) or (d) (ii) or 5 or 7 (a) or (b) of attached Table 3 (limited to a project for a length of at least four kilometers) increases to the minimum extent of an area in the area affected by each item of assessment determined under Article 24 of the Act shall be excluded herefrom;

2. Where the scale of a project increases to not smaller than the minimum scale subject to environmental impact assessment under attached Table 3: Provided, That the foregoing shall not apply where only the building site of a factory under the Industrial Cluster Development and Factory Establishment Act increases and no additional damage to the natural environment or no additional emission of pollutants occurs;
3. Where it is intended to newly construct a waste incineration plant, waste landfill site, sewage treatment plant, or livestock excreta treatment plant (including public disposal facilities and recycling facilities), the scale of which is at least 50 percent of the minimum scale subject to environmental impact assessment;

4. Where a project implementer fails to submit an environmental impact assessment report in accordance with Article 27 of the Act within five years from the end of the period for public inspection of the draft environmental impact assessment report.

Article 46 (Preparation, etc. of Environmental Impact Assessment Reports)

(1) The environmental impact assessment report under Article 27 of the Act (hereinafter referred to as "environmental impact assessment report") shall include the following matters: <Amended by Presidential Decree No. 26807, Dec. 30, 2015>

1. The items, etc. of environmental impact assessment, determined under Article 24 (1) or (2) of the Act, and measures taken therefor;
2. The results of review of opinions of residents, etc. under Article 33 (2);
3. The matters specified in Article 34 (1).
4. Opinions of residents, experts, and relevant administrative agencies on the draft environmental impact assessment report and the project implementer's opinion of review thereon;
5. Appendices:
   (a) Literature and references cited in making the environmental impact assessment;
   (b) Personal data of participants in environmental impact assessment;
   (c) A document that indicates the contract amount for strategic environmental impact assessment agency service, such as a copy of an agreement on strategic environmental impact assessment agency service (limited to where an agent is engaged for the preparation of a strategic environmental impact assessment report);
   (d) Glossary, etc.

(2) The method of preparing the matters specified in paragraph (1) and other matters necessary for making an environmental impact assessment report shall be determined and publicly notified by the Minister of Environment.

Article 47 (Methods of Submitting Environmental Impact Assessment Reports, Timing for Requesting Consultations, etc.)

(1) Pursuant to Article 27 (1) or (2) of the Act, an environmental impact assessment report shall be printed, bound, and submitted in the form of a book, and the number of copies to be submitted to each relevant authority shall be as follows:
   1. The head of the approving agency: Five copies;
   2. The head of the consulting agency: 20 copies.

(2) The timing for consultations on an environmental impact assessment report under Article 27 (1) of the Act is as prescribed in attached Table 3.
Upon receipt of an environmental impact assessment report under Article 27 (2) of the Act, the head of the approving agency shall request the head of the consulting agency to hold consultations within ten days from receipt of the environmental impact assessment report.

**Article 48 (Review, Amendment, Adjustment, etc. of Environmental Impact Assessment Reports)**

(1) Pursuant to Article 28 (1) of the Act, the head of the consulting agency shall review the following matters with respect to an environmental impact assessment report:
   1. Eligibility for consultations and other formalities;
   2. Compliance with the procedures for collecting opinions of residents, etc. and reflection of opinions of residents;
   3. Validity of details of the environmental impact assessment report.

(2) "The reasons specified by Presidential Decree" in Article 28 (3) of the Act are as follows:
   1. The environmental impact assessment report has not been made in accordance with the contents, method, etc. prescribed in Article 46;
   2. The implementation of the project subject to environmental impact assessment is likely to damage the environment, and it is deemed necessary to adjust or amend the project plan, etc.

(3) If the head of the consulting agency deems it necessary for reviewing an environmental impact assessment report, he/she may seek opinions of relevant experts thereon.

(4) If the head of the consulting agency deems it necessary for reviewing an environmental impact assessment report, he/she may request the head of the approving agency to furnish him/her with relevant data, etc. In such cases, the head of the approving agency shall comply with such request, except in extenuating circumstances.

(5) Except as otherwise provided for in paragraphs (1) through (4), matters necessary for the guidelines for review of environmental impact assessment reports and amendment and adjustment thereof shall be determined by the Minister of Environment.

**Article 49 (Projects subject to Environmental Impact Assessment on which Opinion shall be Sought from Minister of Oceans and Fisheries)**

"The projects specified by Presidential Decree" in Article 28 (2) 2 of the Act are as follows: Provided, That projects subject to approval, etc., from the Minister of Oceans and Fisheries shall be excluded herefrom:  <Amended by Presidential Decree No. 24451, Mar. 23, 2013>  
   1. Projects for construction of a harbor;
   2. Projects for reclamation of coastal land and development of land;
   3. Projects that involve a coastal land area defined under subparagraph 3 of Article 2 of the Coast Management Act;
   4. Other projects deemed to have a serious impact on marine environment by the Minister of Environment.

**Article 50 (Period for Notification of Agreed Terms and Conditions)**
The period specified by Presidential Decree" in the main sentence of Article 29 (1) of the Act means 45 days (60 days, if the head of the consulting agency extends the period due to extenuating circumstances). In such cases, the period that a project implementer takes to amend the environmental impact assessment report and holidays shall be excluded in the period for notification.

Article 51 (Notification, etc. of Results of Reflection of Agreed Terms and Conditions)

If the head of the approving agency shall notify the head of the consulting agency as to whether agreed terms and conditions have been reflected and the details so reflected pursuant to Article 30 (3) of the Act, he/she shall give notice within 30 days from the date on which he/she approves or confirms the relevant project or project plan (hereinafter referred to as "project or project plan") reflecting the agreed terms and conditions under Article 29 (1) of the Act.

Article 52 (Requests for Adjustment)

A person who intends to request adjustment of agreed terms and conditions under Article 31 (1) of the Act shall submit a document describing the following matters to the Minister of Environment within 90 days from the date on which the agreed terms and conditions are notified under Article 29 of the Act: <Amended by Presidential Decree No. 25713, Nov. 11, 2014>

1. Details of, and reasons for, requested adjustment;
2. Agreed terms and conditions to be amended;
3. Analysis of the environmental impacts ensuing from the amendment to agreed terms and conditions.

Article 53 (Period for Notification of Results of Deliberation on Requests for Adjustment)

"The period specified by Presidential Decree" in Article 31 (2) of the Act means 30 days (40 days, if the period is extended due to extenuating circumstances). In such cases, the period for amending the request for adjustment and holidays shall be excluded in the period for notification.

Article 54 (Cases subject to Re-consultation on Environmental Impact Assessment Reports)

(1) "The period specified by Presidential Decree" in the main sentence of Article 32 (1) 1 of the Act means five years. <Amended by Presidential Decree No. 25713, Nov. 11, 2014>

(2) Cases subject to re-consultation due to a change in a project subject to environmental impact assessment under Article 32 (1) 2 of the Act are as follows: <Amended by Presidential Decree No. 26807, Dec. 30, 2015>

1. Where the scale of a project or facility increases by at least 30 percent from the original scale which has been reflected in the agreed terms and conditions under Article 29 (1) of the Act (including where the scale increased by accumulated changes is at least 30 percent of the scale which has been reflected in the agreed terms and conditions under 29 (1) of the Act and the terms and conditions agreed by re-consultation under Article 32 (1) of the Act): Provided, That the following cases shall be excluded herefrom:

   (a) Where the scale of a project for the construction of a power transmission line under subparagraph 3 (c) (ii) or (d) (ii) of attached Table 3, a project for dredging a sea route under subparagraph 4 (c) of the aforesaid Table, a project for the construction of a road under subparagraph 5 of the aforesaid
Table, a project for the construction of a railroad under subparagraph 7 (a) or (b) of the aforesaid Table, a project for the development of a river under subparagraph 9 of the aforesaid Table, or a project for the construction of a forest road under subparagraph 12 (b) of the aforesaid Table (hereinafter referred to as "linear project") is additionally increased after the project was completed in accordance with the agreed project plan, etc.;

(b) Where a linear project (limited to a project the length of which is at least four kilometers, in cases of a project for the construction of a railroad under subparagraph 7 (a) or (b) of attached Table 3) is increased for the minimum area within the area affected by each item of assessment determined under Article 24 of the Act;

2. Where the scale of a project increases to not smaller than the minimum scale subject to environmental impact assessment under attached Table 3: Provided, That the foregoing shall not apply where only the building site of a factory under the Industrial Cluster Development and Factory Establishment Act increases and no additional damage to natural environment or no additional pollutants are emitted;

3. Deleted. <by Presidential Decree No. 25713, Nov. 11, 2014>

(3) "Where the area that it is intended to develop is not smaller than the scale specified by Presidential Decree or where it is intended to alter the location of such area" in Article 32 (1) 3 of the Act means where the area which is intended to develop or relocate, out of the area specified to be conserved in its original state or to be excluded from the project according to the agreed terms and conditions notified under Article 29 (1) of the Act, is at least 30 percent of the minimum scale of the project subject to environmental impact assessment (including cases where the scale of the area to be developed according to accumulated changes is at least 30 percent of the minimum scale of the project subject to environmental impact assessment).

(4) "The events specified by Presidential Decree" in Article 32 (1) 4 of the Act are as follows: <Amended by Presidential Decree No. 25713, Nov. 11, 2014>

1. Where a project implementer who omits re-consultation on an environmental impact assessment report because the relevant project falls within the category under the proviso to paragraph (2) 2 intends to conduct any act causing damage to natural environment or emitting pollutants in the relevant site;
2. Where construction works are resumed after being suspended for at least seven years.

Article 55 (Documents, etc. to be Submitted for Requesting Review of Plans for Environmental Conservation)

(1) A person who intends to receive a review of a plan for environmental conservation in accordance with the main sentence of Article 33 (2) of the Act shall submit documents describing the following matters, to the head of the approving agency:

1. Details of the amendment to the project plan, etc.;
2. Outcomes of the survey, forecasting, and assessment of the environmental impact ensuing from the amendment to the project plan, etc.;
3. Details of the plan for environmental conservation following the amendment to the project plan, etc.

(2) "Cases specified by Presidential Decree" in Article 33 (3) of the Act are as follows: <Amended by Presidential Decree No. 25713, Nov. 11, 2014; Presidential Decree No. 26807, Dec. 30, 2015>

1. Where the guidelines for consultations are amended;

2. Where the scale of a project or facility falls within either of the following cases: Provided, That where the scale of a linear project is additionally increased after the project has been completed in accordance with the agreed project plan, etc. or where a linear project (limited to a project the length of which is at least four kilometers, in cases of a project for the construction of a railroad under subparagraph 7 (a) or (b) of attached Table 3) is increased for the minimum area within the area affected by each item of assessment determined under Article 24 of the Act shall be excluded herefrom:

(a) Where the scale of a project or facility is increased by at least ten percent from the original scale which has been reflected in the agreed terms and conditions under Article 29 (1) of the Act (including where the scale increased by accumulated changes is at least ten percent of the scale which has been reflected in the agreed terms and conditions under 29 (1) of the Act and the terms and conditions agreed by re-consultation under Article 32 (1) of the Act):

(b) Where an increase in the scale of a project on which consultation has been held under Article 29 (1) of the Act amounts to a project subject to small-scale environmental impact assessment under Article 43 of the Act (where a temporary site office is built for the management of construction works of the relevant project or a construction project specified in subparagraph 3 (c) (ii) or (d) (ii) of attached Table 3 does not cause any change in form and quality of land, the area for such site office or construction project shall be excluded);

3. Deleted. <by Presidential Decree No. 25713, Nov. 11, 2014>

4. Where a land use plan is amended with respect to at least five percent of the area specified as the area that shall be conserved in its original state or that shall be excluded from the plan according to the agreed terms and conditions under Article 29 (1) of the Act, or the area subject to the amendment in the relevant region is at least 10,000 square meters (including where the increase in the area to be developed by accumulated changes exceeds five percent of the scale which has been reflected in the agreed terms and conditions under 29 (1) of the Act or the terms and conditions agreed by re-consultation under Article 32 (1) of the Act or is at least 10,000 square meters);

5. A land use plan is amended with respect to at least 15 percent of the area of the building site included in the agreed terms and conditions under Article 29 (1) of the Act (referring to the whole area of the building site reflected in the final consultation, where a project has undergone re-consultation under Article 32 (1) of the Act or consultation on an amendment under Article 33 (3) of the Act). If a land use plan has been amended a couple of times with respect to less than 15 percent of the area of the building site finally determined by the relevant consultation under Article 29 (1) of the Act, re-consultation under Article 32 (1) of the Act, or consultation on an amendment under Article 33 (3) of the Act, the area amended by the land use plan shall be determined by accumulating the areas amended
successively;

6. Where an amendment is made with regard to any of the matters specified, as at the time agreed terms and conditions are notified under Article 29 (1) of the Act, as matters concerning buildings or other structures subject to restrictions on site location in the project site (including types of business, if the project is for the development of an industrial site or industrial complex) or as other matters on which the opinion of the head of the consulting agency shall be sought in advance if it is intended to amend agreed terms and conditions;

7. Where pollutants emitted or discharged (referring to pollutants regulated by standards established for permissible emissions or discharge under Article 16 of the Clean Air Conservation Act or Article 32 of the Water Quality and Aquatic Ecosystem Conservation Act) increase by at least 30 percent of the agreed amount of pollutants to be emitted or discharged under Article 29 (1) of the Act (including cases where the volume increased by accumulated changes is at least 30 percent of the volume reflected in terms and conditions agreed through consultation under Article 29 (1) of the Act or re-consultation under Article 32 (1) of the Act) or where new pollutants are emitted or discharged.

(3) When the head of the approving agency intends to seek an opinion in accordance with Article 33 (3) of the Act, he/she shall submit documents describing the matters referred to in paragraph (1) to the head of the consulting agency.

Article 55-2 (Institutions Qualified for Review on Findings of Follow-up Surveys of Environmental Impact, etc.)

"The institutions specified by Presidential Decree" in Article 36 (4) of the Act means the following institutions:

1. The National Institute of Environmental Research;
2. A biological resource center established and operated by the State pursuant to Article 39 (1) of the Wildlife Protection and Management Act;
3. The Korea Environment Institute established pursuant to the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes;
4. The Korea Environment Corporation prescribed in the Korea Environment Corporation Act;

Article 56 (Notification of Results of Ascertainment of Fulfillment of Agreed Terms and Conditions)

The head of the approving agency shall notify the head of the consulting agency of the results of ascertainment under Article 39 (1) as to whether agreed terms and conditions have been fulfilled, as prescribed by Ordinance of the Ministry of Environment.

Article 57 (Notification of Results of Re-assessment of Environmental Impacts)

"The period specified by Presidential Decree" in Article 41 (2) of the Act means one year.

Article 58 (Scope of Projects subject to Environmental Impact Assessment under Municipal Ordinance of City/Do)
Projects falling within "the scope specified by Presidential Decree" in Article 42 (1) of the Act are as follows:

1. A project, the scale of which is at least 50 percent but not exceeding 100 percent of the project specified in attached Table 3;

2. A project, the scale of which is less than 50 percent of the project specified in attached Table 3 or a project within the scope agreed between the Governor of the Special Metropolitan City or a Metropolitan City or the Governor of a Do or a Special Self-Governing Province (excluding large cities with a population of at least 500,000 persons within his/her jurisdiction) or the Mayor of a large city with a population of at least 500,000 persons and the Minister of Environment, among projects not specified in attached Table 3.

Article 59 (Projects subject to Small-Scale Environmental Impact Assessment and Scope thereof)

The categories and scope of areas and development projects subject to small-scale environmental impact assessment under Article 43 (1) of the Act are as prescribed in attached Table 4.

Article 60 (Preparation of Small-Scale Environmental Impact Assessment Reports)

(1) A small-scale environmental impact assessment report under Article 44 (1) of the Act (hereinafter referred to as "small-scale environmental impact assessment report") shall include the following matters:  
<Amended by Presidential Decree No. 26807, Dec. 30, 2015>

1. Overview of the project;
2. The scope of an area subject to environmental impact assessment and the present conditions of land use and environment of the areas around the relevant project site;
3. Appropriateness of site location (excluding projects for which strategic environmental impact assessment has been conducted);
4. Outcomes of the survey, forecasting, and assessment of environmental impacts;
5. Measures for environmental conservation;
6. Appendices:
   (a) Literature and references cited in small-scale environmental impact assessment report;
   (b) Personal data of participants in small-scale environmental impact assessment;
   (c) A document that indicates the contract amount for small-scale environmental impact assessment agency service, such as a copy of an agreement on small-scale environmental impact assessment agency service (limited to where an agent is engaged for the formulation of a small-scale environmental impact assessment report);
   (d) Glossary, etc.

(2) With respect to any of small-scale development projects that fall within the categories, scale, etc. determined and publicly notified by the head of the consulting agency as he/she deems that the environmental impact of such projects is minor, a project implementer obliged to obtain approval, etc., or the head of the approving agency may be permitted to omit part of the matters specified in paragraph (1) when he/she prepares a small-scale environmental impact assessment report.  
<Amended by Presidential
Decree No. 25713, Nov. 11, 2014

(3) If the head of the consulting agency has reviewed a strategic environmental impact assessment report under Article 17 of the Act with regard to sub-items of small-scale environmental impact assessment in attached Table 1, he/she may permit the following matters to be omitted: <Amended by Presidential Decree No. 25713, Nov. 11, 2014>

1. If part of sub-items of small-scale environmental impact assessment in attached Table 1 has been reviewed: Preparation of reviewed items of assessment;
2. If all sub-items of small-scale environmental impact assessment in attached Table 1 have been reviewed: Preparation of the small-scale environmental impact assessment report under Article 44 of the Act and the procedures for requesting consultations thereon.

(4) Except as otherwise provide for in paragraphs (1) through (3), further details about preparation of a small-scale environmental impact assessment report, etc. shall be determined and publicly notified by the Minister of Environment.

Article 61 (Methods of Submitting Small-scale Environmental Impact Assessment Reports, Timing for Requesting Consultations, etc.)

(1) Pursuant to Article 44 (1) or (2) of the Act, a small-scale environmental impact assessment report shall be printed, bound, and submitted in book form, and the number of copies to be submitted to each relevant authority is as follows:
   1. The head of the approving agency: Five copies;
   2. The head of the consulting agency: Ten copies.

(2) The timing for consultations on a small-scale environmental impact assessment report under Article 44 (2) of the Act is as prescribed in attached Table 4.

(3) Upon receipt of a small-scale environmental impact assessment report under Article 44 (1) of the Act, the head of the approving agency shall request the head of the consulting agency to hold consultations within ten days from receipt of the small-scale environmental impact assessment report.

Article 62 (Period for Notification of Agreed Terms and Conditions)

(1) "The period specified by Presidential Decree" in Article 45 (1) of the Act means 30 days (40 days, if the head of the consulting agency extends the period due to an exceptional situation): Provided, That the period shall be 20 days in cases of small-scale development projects referred to in Article 60 (2) (30 days, if the head of the consulting agency extends the period due to an exceptional situation). <Amended by Presidential Decree No. 26807, Dec. 30, 2015>

(2) The period that the head of the approving agency or the project implementer needs to supplement the small-scale environmental impact assessment report and holidays shall not be included in the period for notification specified in paragraph (1). <Newly Inserted by Presidential Decree No. 26807, Dec. 30, 2015>

Article 63 (Amendment, Adjustment, etc. of Small-Scale Environmental Impact Assessment Reports)

(1) "The reasons specified by Presidential Decree“ in Article 45 (3) of the Act means the following cases:
1. Where a small-scale environmental impact assessment report has not been prepared in accordance with the contents, method, etc. prescribed in Article 60;

2. Where the implementation of a project subject to small-scale environmental impact assessment is likely to harm the environment, and it is deemed necessary to adjust or amend the relevant project plan.

(2) If the head of the consulting agency deems necessary for reviewing a small-scale environmental impact assessment report, he/she may request the head of the approving agency to furnish him/her with relevant data, etc. In such cases, the head of the approving agency shall comply with such request, except in extenuating circumstances.

(3) Except as provided by paragraphs (1) and (2), the guidelines for the review on small-scale environmental impact assessment reports or matters necessary for the supplementation, adjustments, etc. of such reports shall be prescribed by the Minister of Environment. <Newly Inserted by Presidential Decree No. 26807, Dec. 30, 2015>

Article 64 (Scope of Projects subject to Summary Process)

"A project specified by Presidential Decree" in Article 51 (1) of the Act means a project that meets all the following requirements:

1. A project, the scale of which is not more than 200 percent of the scale subject to small-scale environmental impact assessment under attached Table 3 and the environmental impact of which is insignificant;

2. A project that does not include any of the following areas highly valued for environmental and ecological conservation in the project zone:

   (a) A zone rated first grade in the ecological zoning map under Article 34 of the Natural Environment Conservation Act;
   (b) A wetlands conservation area and managed wetland environs under Article 8 of the Wetlands Conservation Act;
   (c) A natural park under subparagraph 1 of Article 2 of the Natural Parks Act;
   (d) A special protection district for wildlife or a protection district for wildlife under Article 27 or 33 of the Wildlife Protection and Management Act;
   (e) A protection zone under Article 2 (4) of the Cultural Heritage Protection Act;
   (f) A riparian zone under Article 4 of the Act on Water Management and Resident Support in the Geum River Basin;
   (g) A riparian zone under Article 4 of the Act on Water Management and Resident Support in the Nakdong River Basin;
   (h) A riparian zone under Article 4 of the Act on Water Management and Resident Support in the Yeongsan and Seomjin River Basins;
   (i) A riparian zone under Article 4 of the Act on the Improvement of Water Quality and Support for Residents of the Han River Basin.
Article 65 (Preparation of Summary Assessment Reports)
(1) A summary assessment report under Article 51 (1) of the Act shall include the following matters:
   1. The items, etc. of environmental impact assessment, determined under Article 24 (1) and (2) of the Act, and measures taken therefor;
   2. Matters specified in Article 34 (1).
(2) Further details about the method of preparing summary assessment reports shall be determined and publicly notified by the Minister of Environment.

Article 66 (Period for Deliberation on Determining Projects subject to Summary Process)
"The period specified by Presidential Decree" in Article 51 (4) of the Act means the period from the day on which a project plan subject to environmental impact assessment is formulated to the day immediately before the completion of a draft environmental impact assessment report.

Article 67 (Preparation of Assessment Reports including Agreed Terms and Conditions, etc.)
(1) "The period specified by Presidential Decree" in Article 52 (3) of the Act means 40 days. In such cases, holidays shall be excluded from the period for presenting opinions.
(2) An environmental impact assessment report under Article 52 (1) or (2) of the Act shall include the following matters: <Amended by Presidential Decree No. 26807, Dec. 30, 2015>
   1. The items, etc. of environmental impact assessment, determined under Article 24 (1) or (2) of the Act, and measures taken therefor;
   2. The results of review of opinions of residents, etc. under Article 33 (2);
   3. The matters specified in Article 34 (1);
   4. Opinions of residents, experts, and relevant administrative agencies on the summary assessment report and the project implementer's opinion of review thereon;
   5. Appendices:
      (a) Literature and references cited in environmental impact assessment;
      (b) Personal data of participants in environmental impact assessment;
      (c) A document that indicates the contract amount for summary environmental impact assessment agency service, such as a copy of an agreement on summary environmental impact assessment agency service (limited to where an agent is engaged for the formulation of a summary environmental impact assessment report);
      (d) Glossary, etc.

Article 67-2 (Institutions and Organizations subject to Evaluation of Capability to Perform Projects)
"Institutions and organizations specified by Presidential Decree" in Article 53 (2) 4 of the Act means the following institutions, etc.:
1. An institution funded by the State or by a local government;
2. The implementer of a project entrusted by the State, a local government, or a public enterprise or a quasi-governmental institution defined by Article 5 (3) 1 or 2 of the Act on the Management of Public Institutions;
3. A project implementer defined by subparagraph 7 of Article 2 of the Act on Public-Private Partnerships in Infrastructure or a person entrusted by such project implementer with the implementation of a project.

**Article 67-3 (Subjects and Standards of Evaluation of Capability to Perform Projects)**

(1) The projects subject to the evaluation of capability to perform projects under Article 53 (2) of the Act are as follows:

1. A project for providing agency service to formulate an environmental impact assessment report, etc., if the estimated price for the project is at least 210 million won;
2. A project for providing agency service to formulate an environmental impact assessment report, etc., if the project shall be awarded through bidding under Article 18 of the Enforcement Decree of the Act on Contracts to Which the State Is a Party;
3. A project for providing agency service to formulate an environmental impact assessment report, etc., if excessive competition is likely to bring about poor outcomes.

(2) Notwithstanding paragraph (1), a contracting authority may elect not to evaluate an agent's capability to perform a project for agency service to formulate an environmental impact assessment report, etc., if the project can be awarded by a no-bid contract under the proviso to Article 7 (1) of the Act on Contracts to Which the State Is a Party, notwithsanding paragraph (1).

(3) The standards for the evaluation of capability to perform projects under Article 53 (2) of the Act shall be as prescribed in attached Table 4-2.

**Article 67-4 (Method and Procedure of Evaluation of Capability to Perform Projects)**

(1) Where a contracting authority is required to evaluate an agent's capability to perform projects under Article 53 (2) of the Act, the contracting authority shall give public notice on the implementation plan, including the matters specified by Ordinance of the Ministry of Environment, by not later than 60 days before the scheduled date of public notice on bidding for agency service for formulating the relevant environment impact assessment report, etc.

(2) A person who intends to participate in a project publicly notified under paragraph (1) for providing agency service for formulating an environment impact assessment report, etc. shall file an application for participation in performance of the project with the contracting authority by not later than 30 days before the scheduled date of public notice on bidding for the relevant project. If two or more persons intend to jointly participate in a project in such cases, the persons shall file an application for participation in performance of the project under the joint name.

(3) Pursuant to Article 53 (2) of the Act, a contracting authority shall evaluate the capability of the persons who have filed an application for participation in performance of the project in accordance with paragraph (2) and may permit the environment impact assessment agents who are competent for the relevant project for providing agency service for formulating an environment impact assessment report, etc. in the bidding process. The data prepared by the Environmental Impact Assessment Association under Article 67-5 with respect to the evaluation of capability to perform projects may be utilized in such cases.
(4) A contracting authority shall give notice on the results of evaluation to the environment impact assessment agents who are evaluated as competent under paragraph (3).

**Article 67-5 (Association's Cooperation)**

Upon receipt of a request from a contracting authority for cooperation under Article 53 (3) of the Act, the Environmental Impact Assessment Association established pursuant to Article 71 of the Act may provide the contracting authority with data regarding the evaluation of capability of environment impact assessment agents to perform projects by utilizing the following data:

1. Current status of the registration of environmental impact assessment businesses under Article 54 of the Act;
2. Records of performance of agency service for environmental impact assessment under Article 61 of the Act;
3. Other data regarding the evaluation of capability of environment impact assessment agents to perform projects.

**Article 68 (Registration of Environmental Impact Assessment Businesses)**

(1) A person who intends to register his/her business as an agent for environmental impact assessment under Article 54 (1) of the Act (hereinafter referred to as "environmental impact assessment business") shall file an application for registration of the environmental impact assessment business (or an application in an electronic form) with the Minister of Environment, along with the following documents, as prescribed by Ordinance of the Ministry of Environment:

1. A business registration certificate (or matching relevant data in lieu thereof, against the corporate registration certificate available for sharing administrative information under Article 36 (1) of the Electronic Government Act, if the applicant is a corporation);
2. Documents evidencing technical capacity and qualifications in possession;
3. A list of facilities and equipment (a copy of a contract for engagement of a measuring agent, if such contract exists).

(2) Technical personnel, facilities, equipment, etc. of environmental impact assessment businesses by rating category under Article 54 (4) of the Act are as prescribed in attached Table 5.

(3) The scope of business activities of environmental impact assessment businesses for each rating category under Article 54 (4) of the Act is as follows:

1. Class-I environmental impact assessment businesses:
   (a) Acting as an agent for making a draft strategic environmental impact assessment report under Article 9 of the Act (including a preparatory statement for assessment) and for preparing an assessment report;
   (b) Acting as an agent for preparing an environmental impact assessment report under Article 22 of the Act (including a preparatory statement for assessment) and for preparing an assessment report;
   (c) Acting as an agent for preparing reports on follow-up survey of environmental impacts under Article 36 of the Act;
(d) Acting as an agent for preparing an environmental impact assessment report under Municipal Ordinance of a City/Do pursuant to Article 42 of the Act;
(e) Acting as an agent for preparing a small-scale environmental impact assessment report under Article 43 of the Act;
(f) Acting as an agent for preparing a summary assessment report or an environmental impact assessment report under Article 51 or 52 of the Act;
(g) Acting as an agent for preparing reports on the survey, forecasting, and assessing an impact on the natural and ecological environment and for preparing a conservation plan, as necessary for making an assessment report or survey report under items (a) through (f);

2. Class-II environmental impact assessment businesses: Business activities specified in subparagraph 1 (g).

(4) A person who operates a Class-I environmental impact assessment business registered under paragraph (3) 1 (hereinafter referred to as "Class-I environmental impact assessment agent") may subcontract business affairs for the survey, forecasting, and assessment of an impact on the natural and ecological environment and for preparing a conservation plan, as necessary for preparing an assessment report or survey report under paragraph (3) 1, to a person who engages in a Class-II environmental impact assessment business registered under paragraph (3) 2.

Article 69 (Amendment to Registered Descriptions of Environmental Impact Assessment Businesses)

(1) "The material facts specified by Presidential Decree" in Article 54 (2) of the Act are as follows:
   1. Trade name or name;
   2. Representative;
   3. Technical personnel in service and the scope of business;
   4. The location of the department in charge of assessment and the laboratory;
   5. The measuring agent and details of the relevant contract (only where a contract for engagement of a measuring agent has been signed in accordance with attached Table 5).

(2) An environmental impact assessment agent who intends to register any change in registration in accordance with Article 54 (2) of the Act, shall file an application for registration of the change with the Minister of Environment, along with documents evidencing the details of the change and the certificate of the environmental impact assessment business, within 60 days from the day on which such change occurs, as prescribed by Ordinance of the Ministry of Environment.

Article 70 (Qualification Examinations)

(1) The Minister of Environment shall administer qualification examinations for environmental impact assessors under Article 63 (1) of the Act (hereinafter referred to as "qualification examinations") at least annually but may determine not to administer qualification examinations in a specific year, based upon the conditions of supply and demand of environmental impact assessors.

(2) The Minister of Environment may entrust a specialized institution designated and publicly notified by the Minister of Environment with the performance of administrative affairs related to qualification
examinations under paragraph (1) and the management of qualifications.

(3) The State and local governments shall preferentially treat persons qualified as environmental impact assessors to the extent that such preferential treatment does not breach any other statute.

**Article 71 (Qualifications for Examinations)**

The qualification of an applicant for a qualification examination under Article 63 (5) of the Act is as prescribed in attached Table 6.

**Article 72 (Standards and Methods for Testing)**

(1) Questions in a qualification examination shall be appropriate to ascertain whether the applicants have learned the knowledge or abilities specified in the following subparagraphs:

1. Expertise in environmental impact assessment and related systems;
2. The ability to assess environmental appropriateness of site location and plans in regard to various administrative plans and development projects;
3. The ability to comprehensively adjust environmental impact assessments in each stage;
4. The ability to comprehensively adjust items of assessment.

(2) A qualification examination shall be divided into the primary test and the secondary test.

(3) Persons who successfully pass the primary test are qualified for the secondary test.

(4) The primary test shall be a written test in description or essay format, while the secondary test shall be an oral test, and examination subjects are as prescribed in attached Table 7.

(5) In order to pass the primary or secondary test, a person shall obtain 40 points for each subject and at least average 60 points for all subjects, out of 100 points per subject.

(6) Public announcement of a qualification examination, the procedure for filing an application for examination, the imposition and refund of fees, the issuance of qualification certificates, the commissioning of test organizers, and other necessary matters shall be prescribed by Ordinance of the Ministry of Environment.

**Article 73 (Partial Exemption from Examination Subjects, etc.)**

(1) The Minister of Environment shall exempt a person who successfully passes a primary test from the primary tests only for two examinations conducted after the day on which the person passes the primary test.

(2) The criteria for persons eligible for partial exemption from subjects of the qualification examination under Article 63 (5) of the Act and exempted subjects are as prescribed in attached Table 8.

**Article 74 (Persons Obliged to Attend Educational and Training Programs)**

(1) The Minister of Environment shall conduct the following educational and training programs in order to improve environmental impact assessors' skills for performing their duties pursuant to Article 63 (3) and (5) of the Act:

1. Initial educational programs: Initial education provided to persons who acquire the qualification of environmental impact assessor for at least 40 hours in regard to practices of environmental impact assessment, assessment techniques, on-site practical training, related laws and regulations, etc.;
2. Continuing educational programs: In-service education provided to environmental impact assessors who finished initial educational programs for not more than 20 hours regularly once every three years in order to improve their expertise.

(2) If an environmental impact assessor is unable to attend any of the educational programs under paragraph (1), he/she shall file an application for deferment of the educational program, as prescribed by Ordinance of the Ministry of Environment.

**Article 75 (Procedure for Education and Training, etc.)**

(1) The educational and training programs under Article 74 (1) may be conducted by means of e-learning defined under subparagraph 1 of Article 2 of the Act on Development of E-Learning Industry and Promotion of Utilization of E-Learning, collective training, or a combination of e-learning and collective training.

(2) The Minister of Environment may impose a certain amount of fee upon persons who attend any educational or training program under Article 74 (1), and the amount of such fees shall be determined and publicly notified by the Minister of Environment, taking into consideration actual costs and other factors.

(3) The Minister of Environment may entrust an institution or organization that meets the following standards with the conduct of educational and training programs referred to in Article 74 (1):

1. An institution or organization shall fall under any of the following items:
   (a) The National Institute of Environmental Human Resources Development;
   (b) A non-profit corporation established with permission of the Minister of Environment under Article 32 of the Civil Act;
   (c) A public institution defined under Article 4 (1) of the Act on the Management of Public Institutions;
   (d) A government-funded research institute established pursuant to the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes or the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes, Etc;
   (e) A university or college defined under subparagraph 1 of Article 2 of the Higher Education Act;

2. An institution or organization shall meet all of the following requirements:
   (a) It shall have a classroom with a seating capacity of at least 30 persons;
   (b) It shall have an organization specializing in educational and training programs;
   (c) It shall have a track record of performing educational programs related to environment during at least the latest one year.

(4) The Minister of Environment shall give public notice of the institutions or organizations to which education and training of environmental impact assessors are entrusted under paragraph (3) (hereinafter referred to as "institutions entrusted with education and training"), the plan for education and training of each institution entrusted with education and training, etc. each year on the Official Gazette and web-sites.

(5) The head of an institution entrusted with education and training may evaluate the performance of an educational or training program.
(6) The head of an institution entrusted with education and training shall issue a certificate of completion of an educational or training program to an environmental impact assessor who completes the educational or training program.

(7) The head of an institution entrusted with education and training shall report the results of an educational or training program to the Minister of Environment within 14 days from the day on which the educational or training program is completed.

Article 76 (Publication of Environmental Impact Assessment Reports, etc.)

(1) When the head of the consulting agency intends to publish an environmental impact assessment report, etc., pursuant to Article 66 (1) of the Act, he/she shall publish it by using the information support system for environmental impact assessment during the period specified in any of the following subparagraphs:

Provided, That the timing for publishing such report may be changed, if the project implementer or the head of the approving institution requests to publish it at a different time specified by him/her: <Amended by Presidential Decree No. 25713, Nov. 11, 2014>

1. An environmental impact assessment report, etc., and agreement terms and conditions thereof: Within 30 days from the date the head of the consulting agency gives notice of agreed terms and conditions;
2. Re-consultation of an environmental impact assessment report, etc., and agreement terms and conditions thereof: Within 30 days from the day the head of the consulting agency gives notice of agreed terms and conditions;
3. Consultation of an amendment to an environmental impact assessment report, etc., a plan for environmental conservation, or an opinion of review (only where it is required to seek the opinion of the head of the consulting agency): Within 30 days from the day the head of the consulting agency gives notice of agreed terms and conditions;
4. A report on a follow-up survey of environmental impact: Within 30 days from the day the report on follow-up survey of environmental impact is delivered;
5. An assessment report reflecting the agreed terms and conditions, etc. under Article 52 of the Act: Within 15 days from the day the assessment report is submitted.

(2) Except as otherwise provided for in paragraph (1), matters necessary for publication of environmental impact assessment reports, etc. shall be determined by the Minister of Environment.

Article 77 (Delegation or Entrustment)

(1) Pursuant to Article 72 (1) of the Act, the Minister of Environment shall delegate his/her authority over the following administrative affairs to the heads of regional environmental agencies and offices:

1. Issuing an order or to suspend construction works or to take other necessary measures under Article 34 (4) or requesting to take such measures;
2. Receiving notices for designating a manager under Article 35 (3) of the Act;
3. Receiving notice of the results of the follow-up survey of environmental impact under Article 36 (1) of the Act;
4. Receiving notice of commencement of a project under Article 37 of the Act;
5. Receiving notice of the progress of performance of agreed terms and conditions and the ground for succession under Article 38 (2) of the Act;
6. Requesting to submit data or entering a place of business to conduct an inspection under Article 39 (2) of the Act;
7. Receiving the results of ascertaining fulfillment of agreed terms and conditions and ascertaining fulfillment thereof under Article 39 (3) of the Act;
8. Ascertaining whether agreed standards have been complied with and issuing an order to suspend construction works or to take other necessary measures under Article 40 (3) of the Act;
9. Receiving notice of an order issued to take measures or to suspend construction works and notice of results of measures taken under Article 40 (4) of the Act;
10. Issuing an order to suspend construction works or to take other necessary measures under Article 47 (3) of the Act or requesting to take such measures;
11. Receiving notice of commencement of a project under Article 48 of the Act;
12. Requesting to submit data, ascertaining the fulfillment of agreed terms and conditions, or issuing an order to take measures under Article 49 of the Act;
13. Cancelling registration or issuing an order to suspend business operations under Article 58 of the Act;
14. Issuing orders to submit a report or data or conducting an inspection under Article 60 of the Act;
15. Revoking or suspending qualification under Article 65 of the Act;
16. Holding hearings under Article 67 of the Act;
17. Imposing and collecting an administrative fine under Article 76 of the Act;
18. The authority over the following affairs with respect to any of the projects specified in attached Table 9:

(a) Forming and operating the Environmental Impact Assessment Council under Article 8 of the Act (excluding affairs related to the adjustment of agreed terms and conditions under Article 31 of the Act);
(b) Receiving draft strategic environmental impact assessment reports under Article 12 (2) of the Act and presenting opinions thereon;
(c) Receiving strategic environmental impact assessment reports under Article 16 of the Act;
(d) Reviewing, amending, and adjusting strategic environmental impact assessment reports under Article 17 of the Act;
(e) Giving notice of agreed terms and conditions of strategic environmental impact assessment reports under Article 18 of the Act;
(f) Receiving notice of the results of measures taken or plans for taking measures under Article 19 of the Act and consulting with the head of the competent administrative agency thereon;
(g) Re-consulting on strategic environmental impact assessment reports under Article 20 of the Act;
(h) Consulting on amendments to a strategic environmental impact assessment report under Article 21 of the Act;
(i) Determining and giving notice of the items, scope, etc. of assessment under Article 24 (3) or (4) of the Act;
(j) Receiving draft environmental impact assessment reports under Article 25 (2) of the Act and presenting opinions thereon;
(k) Consulting on environmental impact assessment reports under Article 27 of the Act;
(l) Reviewing, amending, and adjusting environmental impact assessment reports under Article 28 of the Act;
(m) Giving notice of agreed terms and conditions under Article 29 of the Act;
(n) Receiving notice of the results of reflection of agreed terms and conditions under Article 30 of the Act and requesting to reflect agreed terms and conditions;
(o) Re-consulting on environmental impact assessment reports under Article 32 of the Act;
(p) Consulting on amendments to an environmental impact assessment report under Article 33 of the Act;
(q) Reviewing the results of the follow-up survey of environmental impact under Article 36 (1) of the Act;
(r) Receiving small-scale environmental impact assessment reports under Article 44 (2) of the Act;
(s) Giving notice of agreed terms and conditions of a small-scale environmental impact assessment report under Article 45 (1) of the Act;
(t) Requesting to amend or adjust a small-scale environmental impact assessment report or the relevant project plan under Article 45 (3) of the Act;
(u) Receiving notice of the results of reflection of agreed terms and conditions under Article 46 (2) of the Act and requesting to reflect agreed terms and conditions;
(v) Receiving requests to determine whether an environmental impact assessment may be conducted in accordance with the summary process under Article 51 (3) or (4) of the Act and giving notice of the results thereof;
(w) Giving notice of opinions, where the opinion presented under Article 52 (1) or (2) of the Act differs from agreed terms and conditions;
(x) Giving notice of an opinion under Article 52 (3) of the Act;
(y) Receiving environmental impact assessment reports under Article 52 (4) of the Act;
(z) Publishing environmental impact assessment reports, etc. under Article 66 (1) of the Act;
(aa) Receiving requests for non-publication of an environmental impact assessment report, etc., under Article 66 (2) of the Act and taking measures therefor.

(2) Pursuant to Article 72 (2) of the Act, the Minister of Environment shall entrust the performance of the following administrative affairs to the institutions designated and publicly notified under paragraphs (3)
and (4):

1. Registration of environmental impact assessment businesses under Article 54 of the Act and of amendments thereto;
2. Receipt of reports on permanent or temporary closure of business under Article 57 of the Act;
3. Receipt of reports from environmental impact assessment agents under Article 60 of the Act;
4. Receipt of reports from environmental impact assessment agents on the performance of environmental impact assessments under Article 61 of the Act and publication of records of performance of each environmental impact assessment agent and the details of administrative dispositions;
5. Affairs related to the qualification examinations for environmental impact assessors under Article 63 of the Act, the issuance of qualification certificates, testing, the management of qualification, etc.

(3) The institutions to which the administrative affairs under paragraph (2) may be entrusted are as follows:

1. The environmental impact assessment association under Article 71 of the Act;
2. The Korean environmental Preservation Association under Article 59 of the Framework Act on Environmental Policy;
3. A government-funded research institute established pursuant to the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes or the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes;
4. A non-profit corporation incorporated with permission of the Minister of Environment under Article 32 of the Civil Act;
5. The Korean environmental Industry and Technology Institute under Article 5-2 of the Environmental Technology and Industry Support Act;
6. The Korea Environment Corporation under the Korea Environment Corporation Act;
7. The Human Resources Development Service of Korea under the Human Resources Development Service of Korea Act.

(4) When the Minister of Environment designates an entrusted institution under paragraph (2), he/she shall publicly notify the name, address, and representative of the entrusted institution, the scope of entrusted affairs, the methods for handing such affairs, and other necessary matters.

(5) An institution entrusted with affairs under paragraph (2) shall submit a semi-annual report on the results of entrusted and handled affairs to the Minister of Environment by not later than the last day of the month immediately following the end of each half-year.

Article 77-2 (Review of Regulations)

The Minister of Environment shall review the validity of the following matters tri-annually from the relevant reference date specified in the following subparagraphs (referring to the day immediately before every third anniversary from the reference date) and shall take measures for improvement:
1. Projects subject to environmental impact assessment and the scope thereof under Article 31 and attached Table 3: January 1, 2014;
2. The methods for submitting environmental impact assessment reports and the timing for requesting consultation under Article 47 and attached Table 3: January 1, 2014;

**Article 78 (Guidelines, etc. for Imposition of Administrative Fines)**

The guidelines for the imposition of administrative fines under Article 76 (1) through (3) of the Act are as provided for in attached Table 10.

**Article 79 (Handling of Personally Identifiable Information)**

If the Minister of Environment (including the person entrusted with the authority of the Minister of Environment under Article 77 (2)) deems it inevitable to perform the following administrative affairs, he/she may handle data containing resident registration numbers referred to in subparagraph 1 of Article 19 of the Enforcement Decree of the Personal Information Protection Act: <Amended by Presidential Decree No. 26807, Dec. 30, 2015>

1. Administrative affairs for the registration of environmental impact assessment businesses under Article 54 and the registration of amendments thereto;
2. Administrative affairs for examinations for qualification of environmental impact assessors under Article 63 of the Act, the issuance of qualification certificates, etc.

**ADDENDA**

**Article 1 (Enforcement Date)**

This Decree shall enter into force on July 22, 2012. (Proviso Omitted.)

**Article 2 (Applicability to Projects subject to Environmental Impact Assessments, etc.)**

The amended provisions of subparagraph 1 (e) (iii) and (f) and 2 (k) (iii) and (l), (m) (ix), (x), and (xxiii) of attached Table 2 and subparagraph 15 (b) (ii) of attached Table 3, and note 7 to attached Table 4 shall apply to a plan or project that a project implementer not subject to approval, etc., finalizes or a plan or project for which a project implementer subject to approval, etc., applies for approval, etc., after this Decree enters into force.

**Article 3 (Transitional Measure concerning Amendment to Guidelines for Registration of Environmental Impact Assessment Businesses)**

An environmental impact assessment agent registered under the former provisions before this Decree enters into force shall be deemed registered his/her business as a Class-I environmental impact assessment business but shall meet the requirements under the guidelines for registration under the amended provisions of subparagraph 2 (a) of attached Table 5 (excluding guidelines for the registration of environmental impact assessors under the amended provisions of subparagraph 2 (a) of attached Table 5) by not later than July 21, 2015 and the guidelines for the registration of environmental impact assessors by not later than December 31, 2019 respectively.
Articles 4 and 5 Omitted.

Article 6 (Relationship to Other Statutes)

A citation of the former Framework Act on Environmental Policy or of any provision thereof or any provision of the former Enforcement Decree of the Environmental Impact Assessment Act by any other statutes in force at the time this Decree enters into force shall be deemed a citation of this Decree or of the relevant provision of this Decree in lieu of the former provision, if such relevant provision exists in this Decree.

ADDENDA <Presidential Decree No. 24451, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDUM <Presidential Decree No. 25050, Dec. 30, 2013>

This Decree shall enter into force on January 1, 2014. (Proviso Omitted.)

ADDENDA <Presidential Decree No. 25339, Apr. 29, 2014>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 25448, Jul. 7, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 8, 2014.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 25456, Jul. 14, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 15, 2014.

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 25713, Nov. 11, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measure concerning Projects subject to Environmental Impact Assessments, etc.)
Notwithstanding the amended provisions of subparagraph 15 (b) and 16 (a) of attached Table 3, note 2 to attached Table 4, and the proviso to note 4 to attached Table 4, former provisions shall apply to a project that a project implementer not subject to approval, etc., finalized or a project for which a project implementer obliged to obtain approval, etc., applied for approval, etc., before this Decree enters into force.

**Article 3 (Transitional Measure concerning Standards for Technical Personnel of Environmental Impact Assessment Businesses)**

A person who engages in an environmental impact assessment business registered before this Decree enters into force shall meet the standards for technical personnel under the amended provisions of subparagraph 2 (b) (i) of attached Table 5 by not later than July 21, 2015.

**Article 4 Omitted.**

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**ADDENDA**

*Presidential Decree No. 25942, Dec. 30, 2014*

**Article 1 (Enforcement Date)**

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

**Articles 2 through 4 Omitted.**

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*Presidential Decree No. 26170, Mar. 30, 2015*

**Article 1 (Enforcement Date)**

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 55-2 shall enter into force on July 21, 2015.

**Article 2 (Transitional Measure concerning Projects subject to Environmental Impact Assessment)**

Notwithstanding the amended provisions of subparagraph 2 (d) of attached Table 3 and subparagraph 5 (b) of attached Table 4, the former provisions shall apply to a project that was finally determined by a project implementer, who was not obliged to obtain approval, etc. therefor, or the project for which a project implementer, who was obliged to obtain approval, etc. therefor, filed an application for approval, etc., before this Decree enters into force.

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*Presidential Decree No. 26438, Jul. 24, 2015*

**Article 1 (Enforcement Date)**

This Decree shall enter into force on July 29, 2015.

**Articles 2 through 5 Omitted.**

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*Presidential Decree No. 26807, Dec. 30, 2015*

**Article 1 (Enforcement Date)**

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 67-2 through 67-5 and of attached Table 4-2 shall enter into force on January 21,
Article 2 (Transitional Measures concerning Formation of Environmental Impact Assessment Council)

Notwithstanding the amended provisions of Article 4 (2), the former provisions shall apply to the Environmental Impact Assessment Council formed pursuant to the former provisions before this Decree enters into force.

Article 3 (Transitional Measures concerning Period for Notification of Agreed Terms and Conditions of Small-Scale Environmental Impact Assessment Reports)

Notwithstanding the amended provisions of Article 62, the former provisions shall apply to the projects on which the head of the consulting agency was requested for consultation before this Decree enters into force.

Article 4 (Transitional Measures concerning Plans subject to Strategic Environmental Impact Assessment)

Notwithstanding the amended provisions of subparagraphs 1 (f) and 2 (a) and (m) of attached Table 2, the former provisions shall apply to a plan that was finally determined by the head of an administrative agency, who was not obliged to obtain approval, etc. therefor, or the plan for which the head of an administrative agency, who was obliged to obtain approval, etc. therefor, filed an application for approval, etc., before this Decree enters into force.

Article 5 (Transitional Measures concerning Projects subject to Environmental Impact Assessment or Small-Scale Environmental Impact Assessment)

Notwithstanding the amended provisions of subparagraph 3 of attached Table 3, subparagraph 11 (f), 12 (b), and 15 (b) of the aforesaid Table, subparagraph 4 (c) in the Remarks of the aforesaid Table, subparagraph 7 of attached Table 4 and subparagraphs 7 and 11 in the Remarks of the aforesaid Table, the former provisions shall apply to a project that was finally determined by an project implementer, who was not obliged to obtain approval, etc. therefor, or the project for which a project implementer, who was obliged to obtain approval, etc. therefor, filed an application for approval, etc., before this Decree enters into force.

Article 6 (Transitional Measures concerning Projects under Jurisdiction of Head of River Basin Environmental Office or Head of Regional Environmental Office and subject to Environmental Impact Assessment, etc.)

Notwithstanding the amended provisions of subparagraph 1 of attached Table 9, the former provisions shall apply to the projects subject to environmental impact assessment, etc., on which the head of the consulting agency was requested for consultation before this Decree enters into force.