

Wholly Amended by Presidential Decree No. 20383, Nov. 15, 2007

Amended by Presidential Decree No. 20547, Jan. 15, 2008

Presidential Decree No. 20680, Feb. 29, 2008

Presidential Decree No. 20789, May 21, 2008

Presidential Decree No. 21025, Sep. 22, 2008

Presidential Decree No. 21241, Dec. 31, 2008

Presidential Decree No. 21229, Dec. 31, 2008

Presidential Decree No. 21325, Feb. 13, 2009

Presidential Decree No. 21586, Jun. 30, 2009

Presidential Decree No. 21626, Jul. 7, 2009

Presidential Decree No. 22075, Mar. 15, 2010

Presidential Decree No. 22100, Mar. 26, 2010

Presidential Decree No. 22224, Jun. 28, 2010

Presidential Decree No. 22601, Dec. 31, 2010

Presidential Decree No. 23488, Jan. 6, 2012

Presidential Decree No. 23792, May 22, 2012

Presidential Decree No. 23967, Jul. 20, 2012

Presidential Decree No. 24344, Jan. 31, 2013

Presidential Decree No. 24451, Mar. 23, 2013

Presidential Decree No. 25050, Dec. 30, 2013

Presidential Decree No. 25144, Feb. 5, 2014

Presidential Decree No. 25532, Aug. 6, 2014

Presidential Decree No. 25751, Nov. 19, 2014

Presidential Decree No. 25950, Dec. 31, 2014

Presidential Decree No. 26229, May 6, 2015

Presidential Decree No. 26419, Jul. 20, 2015

Presidential Decree No. 26705, Dec. 10, 2015

Presidential Decree No. 27062, Mar. 29, 2016

Presidential Decree No. 27200, May 31, 2016

Presidential Decree No. 27299, Jun. 30, 2016

Presidential Decree No. 27392, Jul. 26, 2016

Presidential Decree No. 27802, Jan. 24, 2017  
 Presidential Decree No. 27960, Mar. 27, 2017  
 Presidential Decree No. 28211, Jul. 26, 2017  
 Presidential Decree No. 28243, Aug. 16, 2017  
 Presidential Decree No. 28500, Dec. 26, 2017  
 Presidential Decree No. 28583, Jan. 16, 2018  
 Presidential Decree No. 29313, Nov. 27, 2018  
 Presidential Decree No. 29452, Dec. 31, 2018  
 Presidential Decree No. 29514, Feb. 8, 2019  
 Presidential Decree No. 29518, Feb. 8, 2019

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## CHAPTER I GENERAL PROVISIONS

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### Article 1 (Purpose)

The purpose of this Decree is to provide for the matters mandated by the Clean Air Conservation Act and matters necessary for the enforcement thereof.

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#### Article 1-2 (Establishment and Operation of Environmental Satellite Observation Network)

(1) The Minister of Environment may perform the following duties to efficiently establish and operate the environmental satellite observation network (hereinafter referred to as "environmental satellite observation network") referred to in Article 3-2 of the Clean Air Conservation Act (hereinafter referred to as the "Act") and to collect and utilize the relevant information:

1. Developing an environmental satellite to monitor the atmospheric environment and climate/ecosystem-changing substances and to ascertain environmental impacts of climate change;
2. Establishing and operating an environment satellite ground station;
3. Collecting, producing, analyzing, and disseminating environmental satellite observation data;
4. Data verification and improvement activities to enhance the accuracy of environmental satellite observation data;
5. Research and development to establish and operate an environmental satellite observation network as well as to collect and utilize the relevant information;
6. Cooperation with relevant institutions or organizations to establish and operate an environmental satellite observation network as well as to collect and utilize the relevant information;
7. Any other matters necessary to efficiently establish and operate an environmental satellite observation network as well as to collect and utilize the relevant information.

(2) The Minister of Environment may request the head of a relevant institution to provide relevant data, if necessary to perform the duties referred to in paragraph (1).

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#### Article 1-3 (Areas and Pollutants Subject to Prediction and Announcement of Air Pollution Levels)

(1) Areas subject to prediction and announcement of air pollution levels referred to in Article 7-2 (3) of the Act shall be determined and publicly notified by the Minister of Environment, in consideration of the following matters: <Amended by Presidential Decree No. 27392, Jul. 26, 2016>

1. Air pollution levels;
2. Population;
3. Geographical features and meteorological characteristics.

(2) Pollutants subject to prediction and announcement of air pollution levels referred to in Article 7-2 (3) of the Act shall be the following pollutants, of the pollutants for which environmental standards are established under Article 12 of the Framework Act on Environmental Policy: <Amended by Presidential Decree No. 29514, Feb. 8, 2019>

1. Fine dust (PM-10);
2. Ultrafine dust (PM-2.5);
3. Ozone (O3).

(3) Standards for and details of the prediction and announcement of air pollution levels referred to in Article 7-2 (3) of the Act shall be determined and publicly notified by the Minister of Environment, in consideration of the pollution levels and the degree of the risk a pollutant poses on human health, etc.

(4) The Minister of Environment may request the heads of the relevant agencies to submit necessary data for the prediction and announcement of air pollution levels. In such cases, the heads of the relevant agencies shall comply with such request, unless there is a compelling reason not to do so.

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#### Article 1-4 (Institutions to Be Designated as National Center for Integrated Control of Air Quality)

"Specialized institution prescribed by Presidential Decree such as a national or public research institute" in Article 7-3 (1) of the Act means any of the following institutions specializing in the field of atmospheric environment:

1. A national or public research institute;
2. A Government-funded research institute established under the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes, Etc.

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#### Article 1-5 (Standards for Designation of Integrated Control Center)

The standards for the designation of the National Center for Integrated Control of Air Quality referred to in Article 7-3 (1) of the Act (hereinafter referred to as the "Integrated Control Center") shall be as specified in Appendix 1.

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#### Article 1-6 (Procedures for Designation of Integrated Control Center)

- (1) Where the Minister of Environment intends to designate the Integrated Control Center pursuant to Article 7-3 (1) of the Act, he or she shall first publicly announce a plan, schedules, standards, etc., for the designation in the Official Gazette or on the website of the Ministry of Environment for at least 10 days.
- (2) A specialized institution which intends to be designated as the Integrated Control Center pursuant to Article 7-3 (1) of the Act shall submit, to the Minister of Environment, an application for designation

prescribed by Ministerial Decree of Environment (including an application in electronic form), accompanied by the following documents (including documents in electronic form):

1. A plan to perform forecast affairs, including procedures for forecasting air pollution;
2. A document verifying past records of surveys and research conducted by utilizing data related to air pollution;
3. A document verifying facilities, equipment, and technical personnel.

(3) Where the Minister of Environment has designated the Integrated Control Center pursuant to Article 7-3 (1) of the Act, he or she shall issue a certificate of designation prescribed by Ministerial Decree of Environment to the relevant institution, and publish such fact on the website of the Ministry of Environment.

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#### Article 1-7 (Standards for Revocation of Designation of Integrated Control Center)

Detailed standards for revocation of the designation, or business suspension, of the Integrated Control Center shall be as specified in Appendix 1-2.

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## **Article 2 (Areas for Which Air Pollution Alerts Are Issued)**

(1) Areas for which air pollution alerts are to be issued under Article 8 (4) of the Act shall be designated by the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, a Do Governor, or a Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor"), as the Mayor/Do Governor deems necessary. <Amended by Presidential Decree No. 24344, Jan. 31, 2013; Presidential Decree No. 25144, Feb. 5, 2014; Presidential Decree No. 27392, Jul. 26, 2016>

(2) Pollutants for which air pollution alerts are to be issued under Article 8 (4) of the Act shall be the following pollutants, of the pollutants for which environmental standards are established under Article 12 of the Framework Act on Environmental Policy: <Amended by Presidential Decree No. 23967, Jul. 20, 2012; Presidential Decree No. 25144, Feb. 5, 2014; Presidential Decree No. 29514, Feb. 8, 2019>

1. Fine dust (PM-10);
2. Ultrafine dust (PM-2.5);
3. Ozone (O3).

(3) Levels of air pollution alerts referred to in Article 8 (4) of the Act shall be classified as follows, based upon the concentration of pollutants for which air pollution alerts are to be issued, and the standards for concentration of pollutants for each level of air pollution alert shall be prescribed by Ministerial Decree of Environment: <Amended by Presidential Decree No. 25144, Feb. 5, 2014; Presidential Decree No. 29514, Feb. 8, 2019>

1. Fine dust (PM-10): Warnings, alerts;
2. Ultrafine dust (PM-2.5): Warnings, alerts;
3. Ozone (O3): Warnings, alerts, emergency alerts.

(4) Measures to be taken under each level of alert referred to in Article 8 (4) of the Act shall include the matters classified as follows: Provided, That measures to be taken under each level of alert may be partially adjusted by ordinance of the Special Metropolitan City, a Metropolitan City, a Special Self-Governing City, a Do, or a Special Self-Governing Province based on the characteristics of air pollution and other relevant factors in a specific area: <Amended by Presidential Decree No. 24344, Jan. 31, 2013; Presidential Decree No. 25144, Feb. 5, 2014>

1. Where a warning is issued: Requests for residents to refrain from outdoor activities, driving cars, etc.;
2. Where an alert is issued: Requests for residents to restrict outdoor activities, restrictions on driving cars, urging places of business to reduce use of fuels, etc.;

3. Where an emergency alert is issued: Requests for prohibition from outdoor activities by residents, suspension of vehicle traffic, orders for curtailment of working hours by places of business, etc.

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#### Article 2-2 (Designation and Operation of the Korea Adaptation Center for Climate Change)

(1) The Minister of Environment may designate any of the following institutions or organizations as the Korea Adaptation Center for Climate Change and have it operated under Article 9-2 of the Act. In such cases, the period of designation shall be three years:

1. National or public research institutes;
2. Government-funded research institutes established under the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes, Etc.;
3. The Korea Environment Corporation established under the Korea Environment Corporation Act (hereinafter referred to as the "Korea Environment Corporation");
4. Corporations established upon permission of the Minister of Environment for the development of adaptation technologies to cope with climate change;
5. Any other institutions or organizations prescribed by Ministerial Decree of Environment.



(2) "Projects prescribed by Presidential Decree" in Article 9-2 (2) and (4) of the Act means any of the following: <Amended by Presidential Decree No. 26419, Jul. 20, 2015>

1. Surveys and research for promoting national measures to adapt to climate change;
2. Projects for support and cooperation for measures to adapt to climate change;
3. Education and public relations campaigns related to adaptation to climate change;
4. International exchanges for adaptation to climate change;
5. Projects entrusted by the State, local governments, or public institutions designated under Article 4 of the Act on the Management of Public Institutions in connection with those prescribed in subparagraphs 1 through 4;
6. Any other projects related to adaptation to climate change, which are acknowledged by the Minister of Environment.

(3) and (4) Deleted. <by Presidential Decree No. 26419, Jul. 20, 2015>

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### Article 2-3 (Evaluation of the Korea Adaptation Center for Climate Change)

(1) Where the Minister of Environment conducts an evaluation pursuant to Article 9-2 (3) of the Act, he or she shall do so as classified below: <Amended by Presidential Decree No. 26419, Jul. 20, 2015>

1. Periodic evaluations: To annually evaluate the previous year's performance, etc. of the Korea Adaptation Center for Climate Change;
2. Comprehensive evaluations: To evaluate the overall operation of the Korea Adaptation Center for Climate Change once every three years.

(2) Where deemed necessary for evaluating the Korea Adaptation Center for Climate Change under paragraph (1), the Minister of Environment may organize and operate a group that conducts an evaluation of the Korea Adaptation Center for Climate Change (hereinafter referred to as "evaluation group"), which is comprised of related experts.

(3) Matters necessary for the organization and operation of the evaluation group shall be prescribed by Ministerial Decree of Environment.

(4) Where the Minister of Environment intends to conduct an evaluation pursuant to paragraph (1), he or she shall pre-notify the Korea Adaptation Center for Climate Change of the standards and timing for the evaluation, and any other matters, as prescribed by Ministerial Decree of Environment.

(5) If necessary for granting subsidies referred to in Article 9-2 (4) of the Act or evaluation, etc. referred to in paragraph (1), the Minister of Environment may request the Korea Adaptation Center for Climate Change to submit relevant data. *<Added by Presidential Decree No. 26419, Jul. 20, 2015>*

(6) If the evaluation conducted under paragraph (1) suggests that the performance record turns out to be substantially poor, the Minister of Environment may suspend subsidies referred to in Article 9-2 (4) of the Act or reduce the amount thereof. *<Amended by Presidential Decree No. 26419, Jul. 20, 2015>*

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**Article 3 (Establishment of Comprehensive Measures for Prevention of Damage Caused by Long-Range Transported Air Pollutants)**

(1) "Significant matters prescribed by Presidential Decree" in the latter part of Article 13 (1) of the Act means each of the following: *<Amended by Presidential Decree No. 27200, May 31, 2016>*

1. Domestic measures for the prevention of damage caused by long-range transported air pollutants;
  2. International cooperation to reduce generation of long-range transported air pollutants.
- (2) The head of the relevant central administrative agency and Mayors/Do Governors shall submit documents containing each of the following materials to the Minister of Environment pursuant to Article 13 (4) of the Act by December 31 of each year. In such cases, the Mayors/Do Governors may hear opinions of related experts, local residents, and other interested persons at public hearings, etc., for

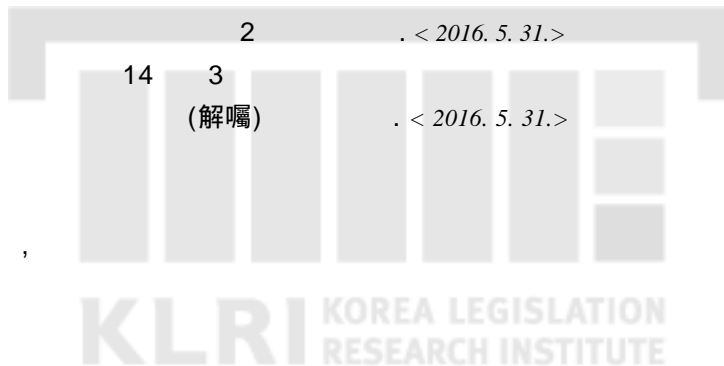
devising implementation programs: <Amended by Presidential Decree No. 27200, May 31, 2016>

1. Results of implementation of programs, within its authority, for the prevention of damage caused by long-range transported air pollutants, and evaluation thereof;
2. Measures for implementation of programs, within its authority, for the prevention of damage caused by long-range transported air pollutants for the following year.

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#### Article 4 (Members of Committee on the Prevention of Long-Range Transported Air Pollutants)

- (1) "Public officials of the central administrative agencies prescribed by Presidential Decree" in Article 14 (3) 1 of the Act means one public official, each recommended by the head of a relevant agency from among members of the Senior Executive Service of the Ministry of Economy and Finance, Ministry of Education, Ministry of Foreign Affairs, Ministry of the Interior and Safety, Ministry of Culture, Sports and Tourism, Ministry of Trade, Industry and Energy, Ministry of Health and Welfare, Ministry of Environment, Ministry of Land, Infrastructure and Transport, Ministry of Oceans and Fisheries, Office for Government Policy Coordination, Ministry of Food and Drug Safety, Korea Meteorological Administration, Rural Development Administration, and Korea Forest Service. <Amended by Presidential Decree No. 24344, Jan. 31, 2013; Presidential Decree No. 24451, Mar. 23, 2013; Presidential Decree No. 25751, Nov. 19, 2014; Presidential Decree No. 28211, Jul. 26, 2017>
- (2) "Fields prescribed by Presidential Decree" in Article 14 (3) 2 of the Act means the fields of forestry, atmospheric environment, meteorology, preventive medicine, public health, chemical accidents, marine

affairs, international cooperation, and journalism. <Amended by Presidential Decree No. 27200, May 31, 2016>

(3) The term of office of a non-public official member shall be two years. <Amended by Presidential Decree No. 27200, May 31, 2016>

(4) The Minister of Environment may discharge or dismiss any of the members referred to in Article 14 (3) of the Act, if the relevant member falls under any of the following cases: <Added by Presidential Decree No. 27200, May 31, 2016>

1. Where the relevant member is unable to perform his or her duties due to mental or physical disability;
2. Where the relevant member commits irregularities in relation to his or her duties;
3. Where the relevant member is deemed inappropriate for a member due to neglect of duty, injury to dignity, or any other cause;
4. Where the relevant member voluntarily declares his or her intention that he or she has difficulty performing his or her duties.

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## Article 5 (Operation of Committee)

(1) The Committee on the Prevention of Long-Range Transported Air Pollutants (hereinafter referred to as the "Committee") shall hold a meeting once a year: Provided, That temporary meetings may be held where the chairperson of the Committee (hereinafter referred to as "chairperson") deems necessary. <Amended by Presidential Decree No. 27200, May 31, 2016>

(2) A majority of the members of the Committee shall constitute a quorum and any decision thereof shall require the concurring vote of at least a majority of those present.

(3) The chairperson shall supervise the affairs of the Committee and preside over the meetings of the Committee.

(4) Where the chairperson is unable to perform his or her duties due to inevitable causes, a member pre-nominated by the chairperson shall act on his or her behalf.



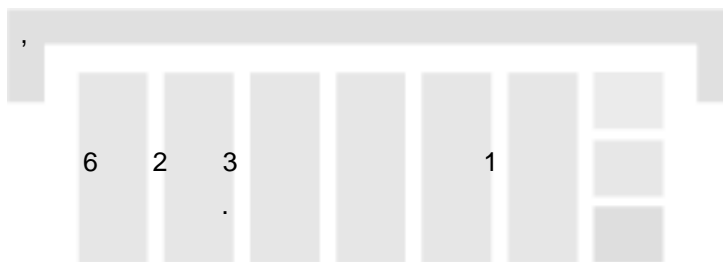
2. One person nominated by the Minister of Environment from among public officials of the National Institute of Environmental Research;
3. Persons with extensive knowledge and experience in atmospheric environmental policies, commissioned by the Minister of Environment.

(3) The term of office of non-public official members shall be two years. *<Amended by Presidential Decree No. 27200, May 31, 2016>*

(4) The working committee shall have one executive secretary to handle the affairs of the working committee, and the executive secretary shall be nominated by the chairperson of the working committee from among the public officials of the Ministry of Environment.

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#### Article 6-2 (Withdrawal of Nomination and Dismissal of Working Committee Members)

(1) A person who has nominated members of the working committee pursuant to Article 6 (2) 1 or 2 may withdraw his or her nomination, if the relevant member falls under any of the following cases:

1. Where the relevant member is unable to perform his or her duties due to mental or physical disability;
2. Where the relevant member commits irregularities in relation to his or her duties;
3. Where the relevant member is deemed inappropriate for a member of the working committee due to neglect of duty, injury to dignity, or any other cause;
4. Where the relevant member voluntarily declares his or her intention that he or she has difficulty performing his or her duties.

(2) The Minister of Environment may dismiss a member referred to in Article 6 (2) 3, if he or she falls under any subparagraph of paragraph (1).

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## Article 7 (Operation of Working Committee)

- (1) Meetings of the working committee shall be held once a year: Provided, That temporary meetings may be held where the chairperson of the working committee deems necessary.
- (2) A majority of the members of the working committee shall constitute a quorum, and any decision thereof shall require the concurring vote of at least a majority of those present.

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## Article 7-2 (Composition of Research Center for Long-Range Transported Air Pollutants)

- (1) The Research Center for Long-Range Transported Air Pollutants referred to in Article 14 (5) of the Act (hereinafter referred to as the "Research Center for Long-Range Transported Air Pollutants") shall be comprised of not more than 25 research members, including one director (hereinafter referred to as the "director of the Research Center"). <Amended by Presidential Decree No. 27200, May 31, 2016>
- (2) The director of the Research Center shall be nominated by the chairperson from among persons with extensive knowledge and experience in the prevention of damage caused by long-range transported air pollutants, and the following persons shall be the research members of the Research Center for Long-Range Transported Air Pollutants (hereinafter referred to as "research center member"): <Amended by Presidential Decree No. 27200, May 31, 2016>
  1. One person responsible for the affairs related to long-range transported air pollutants or expert who is recommended by the central administrative agency to which each member of the Committee belongs;
  2. Persons commissioned by the director of the Research Center from among persons with extensive knowledge and experience in the prevention of damage caused by long-range transported air pollutants.

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**Article 8 (Seeking Opinions of Public Officials of Relevant Agencies)**

The chairperson of the Committee, the chairperson of the working committee, and the director of the Research Center may require public officials of relevant agencies or experts to attend meetings to make a statement, as classified below:

- 1. Chairperson of the Committee and the chairperson of the working committee: When a request is made by the members of the Committee and the working committee or when deliberation is required;
- 2. Director of the Research Center: When it is necessary for the director of the Research Center to conduct a survey or research, or when a request is made by a research center member.

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**Article 9 (Allowances and Travel Expenses)**

Allowances and travel expenses may be paid within budgetary limits in the following cases: Provided, That the same shall not apply where a public official attends a meeting in direct connection with his or her duties: <Amended by Presidential Decree No. 27200, May 31, 2016>

- 1. Where a member of the Committee or the working committee, a relevant public official, or an expert attends a meeting of the Committee or the working committee;
- 2. Where a research center member, a relevant public official, or a relevant expert attends a meeting of the Research Center for Long-Range Transported Air Pollutants.

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Article 10 (Detailed Guidelines for Operation)

Except as provided in this Decree, matters necessary for the operation of the Committee, the working committee, and the Research Center for Long-Range Transported Air Pollutants shall be prescribed by the chairperson, upon resolution of the Committee. <Amended by Presidential Decree No. 24344, Jan. 31, 2013; Presidential Decree No. 27200, May 31, 2016>

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CHAPTER II REGULATION OF EMISSION OF AIR POLLUTANTS FROM PLACES OF BUSINESS

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## Article 11 (Permission for or Reporting on Installation of Emission Facilities)

(1) Emission facilities requiring permission for installation pursuant to Article 23 (1) of the Act shall be as follows: <Amended by Presidential Decree No. 23967, Jul. 20, 2012; Presidential Decree No. 26705, Dec. 10, 2015; Presidential Decree No. 27062, Mar. 29, 2016>

1. Emission facilities emitting specified hazardous air pollutants at levels equal to or higher than those prescribed by Ministerial Decree of Environment;
2. Emission facilities to be installed in special measures areas designated and publicly notified under Article 38 of the Framework Act on Environmental Policy (hereinafter referred to as "special measures areas"): Provided, That emission facilities which do not emit any specified hazardous air pollutant at levels equal to or higher than those specified in subparagraph 1 and are installed in Type V places of business as classified in Appendix 1-3 shall be excluded.

(2) A person who intends to install emission facilities under paragraph (1), with the exception of its subparagraphs, pursuant to Article 23 (1) of the Act shall file a report on the installation of the emission facilities.

(3) A person who intends to obtain permission to install emission facilities or file a report on the installation of emission facilities pursuant to Article 23 (1) of the Act shall submit an application for permission to install emission facilities or file a report thereon to the competent Mayor/Do Governor, accompanied by the following documents: <Amended by Presidential Decree No. 24344, Jan. 31, 2013; Presidential Decree No. 25144, Feb. 5, 2014; Presidential Decree No. 26705, Dec. 10, 2015>

1. A detailed statement estimating the quantity of raw materials (including fuels) used, production volume, pollutants emitted, etc.;
2. A detailed statement on installation of emission facilities and prevention facilities;
3. General drawings of prevention facilities;
4. An annual plan for maintenance of prevention facilities;
5. A detailed statement analyzing ingredients of fuels to be used and estimating concentrations and quantities of sulfur oxides to be emitted, etc. (only applicable to emission facilities referred to in the proviso of Article 41 (3) of the Act);
6. A permit for installation of emission facilities (only applicable to an application for permission for modification).

(4) "Significant matters prescribed by Presidential Decree" in Article 23 (2) of the Act means each of the following cases: <Amended by Presidential Decree No. 26705, Dec. 10, 2015>

1. Expansion of at least 50/100 (at least 30/100 in cases of emission facilities emitting specified hazardous air pollutants referred to in paragraph (1) 1) of the total or cumulative sizes of emission facilities, for which permission for installation was obtained under Article 23 (1) of the Act or permission for modification was obtained or reports on modification were filed under Article 23 (2) of the Act. In such cases, the total or cumulative sizes of emission facilities shall be calculated by each point of emissions;

2. Addition of a new usage to an emission facility for which permission for installation under Article 23 (1) of the Act or permission for modification under Article 23 (2) of the Act was obtained.

(5) Cases in which a report on modification shall be filed under Article 23 (2) of the Act, procedures for filing reports on modification, and any other matters shall be prescribed by Ministerial Decree of Environment.

(6) When a Mayor/Do Governor grants permission to install emission facilities or accepts a report on the installation of emission facilities pursuant to Article 23 (1) of the Act, he or she shall issue a permit for installation of emission facilities or a certificate of reporting on installation of emission facilities to the relevant applicant: Provided, That if he or she grants permission to modify emission facilities pursuant to Article 23 (2) of the Act, matters subject to such permission for modification shall be written in the "Modified Matters" column of the permit already issued. <Amended by Presidential Decree No. 24344, Jan. 31, 2013; Presidential Decree No. 26705, Dec. 10, 2015>

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#### Article 12 (Restrictions on Installation of Emission Facilities)

A Mayor/Do Governor shall restrict the installation of emission facilities in any of the following cases pursuant to Article 23 (6) of the Act: <Amended by Presidential Decree No. 22601, Dec. 31, 2010; Presidential Decree No. 24344, Jan. 31, 2013>

1. Installing facilities which annually emit at least 10 tons of one specified hazardous air pollutant or at least 25 tons of two or more specified hazardous air pollutants in an area with a settled population of at

least 20,000, which is located within one kilometer-radius from the site where such emission facilities are installed;

2. Installing an emission facility which annually emits at least 10 tons of air pollutants (limited to dust, sulfur oxide, and nitrogen oxide) in total in a special measures area (excluding any special measures area designated as an area subject to regulation of total quantity under Article 22 of the Act).

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### Article 13 (Standards for Classification of Places of Business)

The standards for classifying places of business referred to in Article 25 (2) of the Act shall be as specified in Appendix 1-3. <Amended by Presidential Decree No. 27062, Mar. 29, 2016>

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### Article 14 (Standards for Exemption from Installation of Prevention Facilities)

"Where they meet the permissible emission levels prescribed by Presidential Decree" in the proviso of Article 26 (1) of the Act means any of the following cases:

1. Where pollutants are emitted in compliance with the permissible emission levels under Article 16 of the Act in the course of the functioning or processing of emission facilities;
2. Any other cases where the proper treatment of pollutants using methods other than the installation of prevention facilities is possible.

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### Article 15 (Scale of Emission Facilities Subject to Reporting on Commencement of Operation, following Reporting on Modification)

"Modification, not smaller than the scale prescribed by Presidential Decree" in Article 30 (1) of the Act means any modification that expand an emission facility by at least 20/100 (in cases of a report on modification after the expansion of an air emission facility, referring to the cumulative size expansions) than the total size of an emission facility by each point of emissions for which permission for installation or modification has been obtained, or for which a report on installation or modification has been filed pursuant to Article 23 (1) through (3) of the Act. <Amended by Presidential Decree No. 26705, Dec. 10, 2015>

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Article 16 (Facilities for Trial Operation)

"Facilities prescribed by Presidential Decree" in Article 30 (2) of the Act means the following emission facilities:

1. Emission facilities installed with facilities for desulfurizing flue gases;
2. Emission facilities installed with facilities for denitrifying flue gases;
3. Any other emission facilities publicly notified by the Minister of Environment as he or she deems they are in need of trial operation for a considerable period of time after the installation or repair of prevention facilities.

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**Article 17 (Places of Business Subject to Installation of Measuring Devices, and Types of Measuring Devices)**

- (1) Each business entity who operates emission facilities shall install the following measuring devices to verify the quantities of pollutant emissions, their compliance with the permissible emission levels, or whether prevention facilities are properly operated under Article 32 (1) and (2) of the Act:
1. A watt-hour meter;
  2. An automatic smokestack measuring device (including a flow meter, tachometer, thermometer, and data logger; hereinafter the same shall apply).
- (2) Where a business entity is a small and medium enterprise defined in Article 2 of the Framework Act on Small and Medium Enterprises, the Minister of Environment or the relevant Mayor/Do Governor may take measures, such as the installation and operation of measuring devices, with the consent of the business entity under the proviso of Article 32 (1) of the Act (including where an application is filed by a business entity, as prescribed by Ministerial Decree of Environment). <Added by Presidential Decree No. 24344, Jan. 31, 2013>
- (3) In installing measuring devices referred to in Article 32 (1) of the Act, the relevant Mayor/Do Governor may request the Korea Environment Corporation to provide support, such as with regard to the method of installation. <Added by Presidential Decree No. 24344, Jan. 31, 2013>
- (4) Facilities to be installed with a watt-hour meter referred to in paragraph (1) 1 and methods of installation shall be as specified in Appendix 2.
- (5) Places of business subject to the installation of an automatic smokestack measuring device referred to in paragraph (1) 2 shall be Types I through III places of business as classified in Appendix 1-3, and emission facilities to be installed with an automatic smokestack measuring device, measuring items, exemption from installation, timing for installation, and postponement of installation shall be as specified in Appendix 3. <Amended by Presidential Decree No. 27062, Mar. 29, 2016>
- (6) The Minister of Environment or Mayors/Do Governors may use the data measured with automatic smokestack measuring devices and transmitted via computer networks pursuant to Article 32 (7) of the Act (hereinafter referred to as "automatically measured data") as data necessary for verifying whether the permissible emission levels are complied with, or for calculating emission charges under Article 35 of the

Act: Provided, That the same shall not apply where abnormal data has been transmitted due to malfunctions of automatic smokestack measuring devices, computer networks, etc. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

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#### Article 18 (Period for Improvement of Measuring Devices)

(1) Where a Mayor/Do Governor issues an order to take measures under Article 32 (5) of the Act, he or she shall set a period for improvement not exceeding six months. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

(2) Where a person subject to an order to take measures under paragraph (1) is unable to complete such measures within the period set under paragraph (1) due to a natural disaster or any other unavoidable cause, the relevant Mayor/Do Governor may extend the period for improvement by up to six months, if requested by the person. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

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#### Article 19 (Installation and Operation of Smokestack Tele-Monitoring System Control Center)

(1) The Minister of Environment may install and operate a smokestack tele-monitoring system control center (hereinafter referred to as "control center") in order to efficiently manage the computer network to electronically process the measurement results of automatic smokestack measuring devices installed at places of business under Article 32 (7) of the Act. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

(2) Places of business subject to control by the control center and the functions and operation of the control center, management of automatically measured data, and any other necessary matters shall be determined and publicly notified by the Minister of Environment.

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#### Article 19-2 (Disclosure of Measurement Results)

The Minister of Environment shall disclose electronically processed results, such as the names of business entities, the locations of places of business, and the quantities of annual air pollutant emissions, on its official website or the computer network referred to in Article 32 (7) of the Act, by June 30 of each year, pursuant to the former part of Article 32 (8) of the Act.

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#### Article 19-3 (Registration Standards for Agency Business for Managing Measuring Devices)

(1) The standards for facilities, equipment, and technical personnel, which a person intending to register agency business for managing measuring devices must meet under the former part of Article 32-2 (1) of the Act, shall be as specified in Appendix 3-2.

(2) "Significant matters prescribed by Presidential Decree" in the latter part of Article 32-2 (1) of the Act means any of the following:

1. Trade name, title, or representative's name;
2. Location of an office or a laboratory;
3. Status of technical personnel registered under the standards referred to in Appendix 3-2.

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## Article 20 (Period for Improvement of Emission Facilities and Prevention Facilities)

(1) Where a Mayor/Do Governor issues an order for improvement under Article 33 of the Act, he or she shall set a period for improvement not exceeding one year, taking into account measures necessary for improvement, a period of time required to install facilities, etc. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

(2) Where a person subject to an order for improvement under Article 33 of the Act is unable to complete ordered measures within the period set under paragraph (1) due to a natural disaster or any other inevitable cause, he or she may request the relevant Mayor/Do Governor to extend the period for improvement by up to one year before such period for improvement expires. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

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#### **Article 21 (Submission of Improvement Plans)**

(1) A business entity subject to an order to take measures under Article 32 (5) of the Act (excluding an order to take measures, issued for violating the operation and management standards for watt-hour meters; hereafter in this Article, the same shall apply) or an order for improvement under Article 33 of the Act shall submit an improvement plan stating the following matters (where an automatic smokestack measuring device is installed, including a plan in electronic form; hereinafter the same shall apply) to the relevant Mayor/Do Governor, as prescribed by Ministerial Decree of Environment, within 15 days from the date after receipt of such order: Provided, That the Mayor/Do Governor may extend such period if requested by a business entity, when he or she deems it necessary to extend the period, considering the type, scale, etc. of the relevant emission facilities: <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

1. The following matters in cases of an order to take measures issued under Article 32 (5) of the Act:
  - (a) Descriptions about improper operation and management of an automatic smokestack measuring device;
  - (b) Causes of improper operation and management of an automatic smokestack measuring device, and an improvement plan thereof;
  - (c) A plan for self-measurement of pollutants emitted during the period for improvement of an automatic smokestack measuring device;
2. The following matters in cases of an order for improvement issued under Article 33 of the Act:
  - (a) If the business entity intends to make an improvement prior to the expiration of the period for improvement set under Article 33 of the Act, the period required to make such improvement;

(b) If the business entity intends to suspend or restrict the operation of emission facilities during the period for improvement, the period of time required to implement the suspension or restriction, and the details thereof;

(c) If the business entity intends to reduce the emission of pollutants by improving working methods, etc., the details thereof.

(2) Where a business entity fails to submit an improvement plan under paragraph (1) or fails to state the matters referred to in the subparagraphs of paragraph (1) in the submitted improvement plan, he or she shall be presumed to have been continuously operating the emission facilities, emitting pollutants in any of the following states during the period for improvement:

1. In cases falling under Article 32 (5) of the Act, the highest emission concentration of pollutants for the last three months during which the automatic smokestack measuring device has been working normally. In such cases, the emission concentration shall be the value computed by arithmetically averaging the values measured every five minutes during the time from every hour on the hour to 30 minutes past the hour, or from every hour at 30 minutes to the next hour on the hour (hereinafter referred to as "30-minute average value");

2. In cases falling under Article 33 of the Act, the state of pollution indicated in the order for improvement.

(3) In any of the following cases, a business entity not subject to an order to take measures under Article 32 (5) of the Act may make an improvement, after submitting an improvement plan to the Mayor/Do Governor, as prescribed by Ministerial Decree of Environment: *<Amended by Presidential Decree No. 24344, Jan. 31, 2013>*

1. Where it is strictly necessary for improving, modifying, inspecting, or repairing an automatic smokestack measuring device;

2. Where the business entity is unable to properly operate an automatic smokestack measuring device due to a sudden malfunction of major parts, etc. of the automatic smokestack measuring device;

3. Where the business entity is unable to properly operate an automatic smokestack measuring device due to a natural disaster, fire, or any other force majeure.

(4) In any of the following cases, where a business entity not subject to an order for improvement under Article 33 of the Act has emitted or is likely to emit pollutants in excess of the permissible emission levels, he or she may make an improvement, after submitting an improvement plan to the relevant Mayor/Do Governor, as prescribed by Ministerial Decree of Environment: *<Amended by Presidential Decree No. 21229, Dec. 31, 2008; Presidential Decree No. 24344, Jan. 31, 2013>*

1. Where it is strictly necessary for improving, modifying, inspecting, or repairing emission facilities or prevention facilities;

2. Where the business entity is unable to properly operate emission facilities or prevention facilities due to a sudden malfunction of major mechanical parts, etc. of the emission facilities or prevention facilities;

3. Where the business entity is unable to properly operate emission facilities or prevention facilities due to power failure or suspension of water supply;
4. Where the business entity is unable to properly operate emission facilities or prevention facilities due to a natural disaster, fire or any other force majeure.

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## Article 22 (Reporting on and Verification of Performance of Orders for Improvement)

(1) Where a business entity subject to an order to take measures under Article 32 (5) of the Act or an order for improvement under Article 33 of the Act has performed such order, he or she shall report to the relevant Mayor/Do Governor thereon without delay. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

(2) Upon receipt of a report under paragraph (1), the relevant Mayor/Do Governor shall require a relevant public official to verify the performance status of the order without delay. In such cases, if it is necessary to test air pollution levels, he or she shall collect a sample and instruct or request an inspection institution designated by Ministerial Decree of Environment to test such sample. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

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### Article 23 (Pollutants Subject to Emission Charges)

(1) Pollutants subject to basic charges under Article 35 (2) 1 of the Act shall be as follows: <Amended by Presidential Decree No. 24344, Jan. 31, 2013; Presidential Decree No. 29452, Dec. 31, 2018>

1. Sulfur oxides;
2. Dust;
3. Nitrogen oxides.

(2) Pollutants subject to excess charges under Article 35 (2) 2 of the Act (hereinafter referred to as "excess charges") shall be as follows: <Amended by Presidential Decree No. 24344, Jan. 31, 2013; Presidential Decree No. 29452, Dec. 31, 2018>

1. Sulfur oxides;
2. Ammonia;
3. Hydrogen sulfide;
4. Carbon bisulfide;
5. Dust;
6. Fluorides;
7. Hydrogen chloride;
8. Nitrogen oxides;
9. Hydrogen cyanide.

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### Article 24 (Methods of and Criteria for Calculation of Excess Charges)

(1) The amount of excess charges imposed on pollutants referred to in each subparagraph of Article 23 (2) shall be calculated in accordance with each of the following calculation methods: <Amended by Presidential Decree No. 27062, Mar. 29, 2016>

- 1. Cases of improvements made after submitting an improvement plan under Article 21 (4): The amount of charges per kilogram of pollutants × the quantity of a pollutant emitted in excess of the permissible emission level × regional imposition coefficient × annual charges calculation index;
  - 2. Cases other than those falling under subparagraph 1: The amount of charges per kilogram of pollutants × the quantity of a pollutant emitted in excess of the permissible emission level × imposition coefficient for each rate of excess of the permissible emission level × regional imposition coefficient × annual charges calculation index × imposition coefficient for each instance of violation.
- (2) The amount of charges per kilogram of pollutants, imposition coefficient for each rate of excess of permissible emission levels, and regional imposition coefficient necessary for the calculation of excess charges under paragraph (1) shall be as specified in Appendix 4.

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## Article 25 (Calculation of Quantity of Pollutant Emissions to Calculate Excess Charges)

(1) The quantity of a pollutant emitted in excess of the permissible emission levels (hereinafter referred to as "emission quantity in excess of the standard"), which is necessary for calculating excess charges under Article 24 (1), shall be the quantity of pollutants emitted as a result of operation in excess of the permissible emission levels during any of the following emission periods, and shall be calculated by multiplying the daily emission quantity in excess of the standard by the number of days of the emission period: Provided, That where the 30-minute average value of the automatically measured data of a place of business which has an automatic smokestack measuring device to automatically transmit measurement results to the control center under Article 17 (1) 2 (hereinafter referred to as "automatically measuring business place") has exceeded permissible emission levels, the excess emission quantity shall be calculated by multiplying the concentration exceeding the permissible emission levels for every 30 minutes (referring to the value computed by subtracting the permissible emission concentration levels from the 30-minute average value exceeding the permissible emission levels) by the discharge emitted during such 30 minutes, and the emission quantity in excess of the standard shall be calculated by aggregating these amounts every six months:

1. Cases of improvements made after submitting an improvement plan under Article 21 (4): The period from the commencement date of indicated improper operation to the expiration date of the improvement period;
2. Cases other than those falling under subparagraph 1: The period from the date the emission of a pollutant commences (where the date the emission commences is not clearly known, the date a pollutant is collected to inspect whether it exceeded the permissible emission levels) to the expected date of completion of performance of an order for improvement, order for suspension of operation, order for suspension of use or closure under Article 33, 34, or 38 of the Act or the cancellation date of permission under Article 36 of the Act.

(2) The daily emission quantity in excess of the standard referred to in paragraph (1) shall be the quantity converted into kilograms, calculated by multiplying the concentration of a pollutant exceeding the permissible emission levels as of the collection date (in cases of improvements made after submitting an improvement plan under Article 21 (4), the collection date of the pollutant as prescribed by Ministerial Decree of Environment) of the emitted pollutant which is the cause of issuing an order for improvement, order for suspension of operation, cancellation of permission, order for suspension of use, or order for closure under Article 33, 34, 36, or 38 of the Act by the total quantity of gas emitted (hereinafter referred to as "daily discharge") on the date the emission concentration is measured according to the discharge of gas emitted at the time of measurement (hereinafter referred to as "discharge measured").

(3) The daily emission quantity in excess of the standard and daily discharge under paragraph (2) shall be calculated in accordance with Appendix 5, and the discharge measured shall be calculated according to the official test standards for environmental pollution for the field falling under Article 6 (1) 1 of the Environmental Testing and Inspection Act. <Amended by Presidential Decree No. 21229, Dec. 31, 2008>

(4) The emission quantity of a pollutant referred to in each subparagraph of Article 24 (1) shall be the quantity of gas emitted during the emission period, which is indicated in the unit of 1,000, and shall be calculated by multiplying the daily discharge by the number of days of the emission period. In such cases, paragraphs (1) through (3) shall apply mutatis mutandis to the calculation of an emission period and calculation of discharge measured.

(5) In calculating the emission quantities of pollutants exceeding the permissible emission levels subject to the imposition of basic charges under Article 23 (1) in accordance with the proviso of paragraph (1), the deductible portion of the excess emission quantity calculated under Appendix 5-2 shall be deducted from the excess emission quantity, if the average emission concentration for the preceding three months before the date the permissible emission levels are exceeded is less than 30 percent of such levels. <Added by Presidential Decree No. 22601, Dec. 31, 2010; Presidential Decree No. 27062, Mar. 29, 2016>

(6) The emission period under paragraph (1) shall be stated as the number of days, and the calculation of such period shall comply with the Civil Act on condition that the first day is to be included in the calculation.

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## Article 26 (Annual Charges Calculation Index and Imposition Coefficient of Each Instance of Violation)

(1) The annual charges calculation index referred to in Article 24 (1) shall be obtained by multiplying the charges calculation index of the preceding year by the price fluctuation index which the Minister of Environment publicly notifies each year, considering the inflation rate of the preceding year, etc.

(2) The imposition coefficient for each instance of violation referred to in Article 24 (1) shall be obtained by multiplying the imposition coefficient by the rates as classified as follows:

1. No violation: 100/100;
2. First instance of violation: 105/100;
3. At least two occasions of violation: Value obtained by multiplying the imposition coefficient immediately before the violation by 105/100.

(3) The instances of violation referred to in paragraph (2) shall be the number of times of receiving an order for improvement, an order for suspension of operation, cancellation of permission, an order for suspension of use, or an order for closure under Article 33, 34, 36, or 38 of the Act as a result of emitting pollutants, etc. subject to charges imposed under Article 23 in excess of the permissible emission levels. In such cases, the number of instances of violation shall be calculated by each point of emissions of a place of business on the basis of the last two years before the date on which a violation occurs.

(4) Notwithstanding paragraph (3), in cases of automatically measuring business places, the number of instances when the 30-minute average value exceeds the permissible emission levels shall be the number of instances of violation; and where the 30-minute average value exceeds the permissible emission levels on at least two occasions within 24 hours, it shall be considered as one instance, and where the 30-minute average value exceeds the permissible emission levels after an improvement plan is submitted under Article 21 (3), the number of instances of violation during the improvement period shall be considered as one instance. In such cases, the number of instances of violation shall be counted by pollutant under each subparagraph of Article 23 (2) for each point of emissions every three months. <Amended by Presidential Decree No. 22100, Mar. 26, 2010; Presidential Decree No. 27062, Mar. 29, 2016>

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**Article 27 (Base Date and Period for Imposition of Basic Charges and Excess Charges on Automatically Measuring Business Places)**

Basic charges referred to in Article 35 (2) 1 of the Act and excess charges on automatically measuring business places referred to in the proviso of Article 25 (1), with the exception of its subparagraphs, shall be imposed on a half-yearly basis, and the base date and period for imposition shall be as specified in Appendix 6. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

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**Article 28 (Methods of, and Criteria for, Calculation of Basic Charges)**

- (1) The amount of basic charges imposed under Article 35 (2) 1 of the Act shall be the amount computed by multiplying the quantity of pollutants emitted below the permissible emission levels (hereinafter referred to as "emission quantities within the permissible emission levels") by an imposition amount per kilogram of pollutants, annual charges calculation index, the regional imposition coefficient, and the imposition coefficient by concentration. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>
- (2) Article 24 (2) shall apply mutatis mutandis to an imposition amount per kilogram of pollutants, which is necessary for calculating basic charges under paragraph (1); and the regional imposition coefficients of basic charges shall be as specified in Appendix 7, while the imposition coefficient of basic charges by concentration shall be as specified in Appendix 8.
- (3) The annual charges calculation index referred to in paragraph (1) shall be one in the first year of imposition, and shall be calculated from the following year by multiplying the index of the preceding year by the price fluctuation index annually determined and publicly notified by the Minister of Environment,

in consideration of the inflation rate of the preceding year, etc.

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**Article 29 (Calculation of Emission Quantity of Pollutants for Imposition of Basic Charges)**

- (1) Where necessary to verify the emission quantities within the permissible emission levels necessary for calculating the basic charges under Article 28 (1), the relevant Mayor/Do Governor may require the business entities to submit data on the emission quantities within the permissible emission levels, which are actually emitted during the imposition period of basic charges (hereinafter referred to as "actual emission quantity") under Article 82 (1) of the Act. In such cases, the business entities shall submit data on the actual emission quantity within 30 days after expiration of the imposition period. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>
- (2) The actual emission quantity shall be calculated in accordance with the method specified in Appendix 9: Provided, That the same shall not apply where it is calculated on the basis of the results of measurement by automatic smokestack measuring devices.
- (3) Where a business entity who has submitted an improvement plan under Article 21 (3) calculates an actual emission quantity pursuant to the proviso of paragraph (2), the actual emission quantity during the improvement period shall be calculated by applying the value computed by arithmetically averaging the 30-minute average values for the three months during which the automatic smokestack measuring device works normally before the improvement period.
- (4) Matters concerning data to verify the data submitted under paragraph (1) shall be prescribed by Ministerial Decree of Environment.

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### Article 30 (Adjustment of Emission Quantities within Permissible Emission Levels)

Where a business entity fails to submit data under Article 29 or it is deemed that the details submitted are different from the actual facts or have been falsely compiled, the competent Mayor/Do Governor may adjust the emission quantity within the permissible emission levels in accordance with any of the following methods: <Amended by Presidential Decree No. 24344, Jan. 31, 2013; Presidential Decree No. 29452, Dec. 31, 2018>

1. Where a business entity fails to submit data on the actual emission quantity under Article 29 (1): An emission quantity within the permissible emission levels of pollutants presumed to have been emitted by the business entity, meeting all of the following requirements:

- (a) Pollutants shall be emitted within the permissible emission concentration levels by each emission facility during the imposition period;
- (b) Emission facilities or prevention facilities shall be operated at the maximum capacity;
- (c) Operation shall be conducted for 24 hours a day;

2. Where the details of the actual emission quantity (including details concerning used fuels, etc.) submitted by a business entity are found different from the actual facts based on the results of data examination and field inspection: An emission quantity within the permissible emission levels, calculated based on the results of data examination and field inspection;

3. Where the data on the actual emission quantity submitted by a business entity under Article 29 (1) is found explicitly false: An emission quantity within the permissible emission levels equivalent to 120/100 of the emission quantity presumed pursuant to subparagraph 1.

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**Article 31 (Submission of Data and Inspections)**

Where it is necessary to adjust the emission quantity within the permissible emission levels pursuant to Article 30 because it is deemed that the details of the actual emission quantity submitted by a business entity is substantially different from those of other places of business of similar size or not true, the competent Mayor/Do Governor may require the business entity to submit relevant data under Article 82 (1) of the Act. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

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**Article 31-2 (Grant of Collection Expenses)**

(1) The Minister of Environment shall grant an amount classified as follows to the relevant Mayor/Do Governor as collection expenses under Article 35 (8) of the Act: <Amended by Presidential Decree No. 25144, Feb. 5, 2014>

1. Where the ratio of the amount actually collected to the charges and surcharges imposed under Article 35 of the Act or imposed after adjustment under Article 35-3 of the Act (hereinafter referred to as "collection rate") by the Mayor/Do Governor is less than 60 percent: 7/100 of the charges and surcharges collected;
2. Where the collection rate is not less than 60 percent but less than 80 percent: 10/100 of the charges and surcharges collected;
3. Where the collection rate is not less than 80 percent: 13/100 of the charges and surcharges collected.

(2) The Minister of Environment shall calculate the collection expenses referred to in paragraph (1) on a monthly basis, out of the charges and surcharges paid to the special accounts for environmental improvement under the Framework Act on Environmental Policy, and pay them to the relevant Mayor/Do Governor by the following month. <Amended by Presidential Decree No. 25144, Feb. 5, 2014>

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## Article 32 (Exemption from Charges)

(1) A business entity who operates emission facilities using any of the following fuels under Article 35-2

(1) 1 of the Act shall not be subject to charges for sulfur oxides: Provided, That emission facilities burning a mixture of a fuel referred to in subparagraph 1 or 2 and a fuel other than that referred to in subparagraph 1 or 2, which are capable of complying with the permissible emission levels, shall not be subject to

charges for sulfur oxides equivalent to the quantity of the fuel used referred to in subparagraph 1 or 2:  
<Amended by Presidential Decree No. 24344, Jan. 31, 2013>

1. Power-generating facilities which use liquid or solid fuels, the sulfur content of which does not exceed 0.3 percent; and emission facilities other than power-generating facilities (including combined heat and power generating facilities, the capacity of which does not exceed 100 megawatts) which use liquid fuels, the sulfur content of which does not exceed 0.5 percent, or use solid fuels, the sulfur content of which is less than 0.45 percent, capable of observing the permissible emission levels. In such cases, the sulfur content of solid fuels shall be the average sulfur content of various solid fuels injected into the burning apparatus;

2. Emission facilities which use gas generated as a by-product in the process, the sulfur content of which does not exceed 0.05 percent, and are capable of observing the permissible emission levels;

3. Emission facilities which burn a mixture of fuels referred to in subparagraphs 1 and 2 and are capable of observing the permissible emission levels.

(2) Charges for dust and sulfur oxides shall not be imposed on business entities operating emission facilities which use liquefied natural gas or liquefied petroleum gas as fuels under Article 35-2 (1) 1 of the Act. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

(3) "Optimum prevention facilities prescribed by Presidential Decree" in Article 35-2 (1) 2 of the Act means the prevention facilities capable of observing the permissible emission levels and maintaining the designed removal efficiency of air pollutants, which the Minister of Environment publicly notifies upon consultation with the heads of relevant central administrative agencies. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

(4) Where the Minister of National Defense intends to seek consultation pursuant to Article 35-2 (1) 3 of the Act, he or she shall submit a document stating the use of military facilities which intend to be exempted from charges, grounds for exemption, etc. to the Minister of Environment: Provided, That the same shall not apply to military facilities defined in subparagraph 2 of Article 2 of the Protection of Military Bases and Installations Act. <Amended by Presidential Decree No. 21025, Sep. 22, 2008; Presidential Decree No. 24344, Jan. 31, 2013>

(5) "Emission facilities prescribed by Presidential Decree" in Article 35-2 (2) 1 of the Act means emission facilities of small and medium enterprises defined in Article 2 of the Framework Act on Small and Medium Enterprises and of Type IV and Type V places of business as classified in Appendix 1-3, which comply with the permissible emission levels, among the business places where measuring devices are installed under Article 32 (1) of the Act. <Amended by Presidential Decree No. 24344, Jan. 31, 2013; Presidential Decree No. 27062, Mar. 29, 2016>

(6) Procedures for exemption from, or reduction of, charges under Article 35-2 of the Act, and any other necessary matters shall be prescribed by Ministerial Decree of Environment. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

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### Article 33 (Notice of Payment of Charges)

(1) A payment notice of excess charges shall be given at the time the ground for imposition of excess charges arises (where the 30-minute average value of the automatically measured data exceeds the permissible emission levels, within 60 days after the termination of each half-year term) and a payment notice of basic charges, within 60 days after the termination of the period for submission of data on the actual emission quantity during the period in which the basic charges are imposed: Provided, That a payment notice may be given immediately where emission facilities are closed, or where the ownership of emission facilities is transferred to another person.

(2) Where a Mayor/Do Governor imposes charges (including adjusted charges under Article 35-3 of the Act), he or she shall give a written notice of the quantity of a pollutant on which the charges are imposed, the amount imposed, the period and place for payment, and any other necessary matters to the relevant business entity. In such cases, the period for payment of charges shall be 30 days after the issuance of a payment notice. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

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#### Article 34 (Adjustment of Charges)

(1) “Grounds prescribed by Presidential Decree” in Article 35-3 (1) of the Act means any of the following cases: <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

1. Where the emission period of a pollutant or an emitted substance which is the basis of the calculation of excess charges has changed because an order for improvement, an order for suspension of operation, an order for suspension of use, or an order for closure is complied with or not complied with by the expiration date of the improvement period under Article 25 (1) or the scheduled completion date for performance of the order;

2. Where the emission quantity of a pollutant or an emitted substance is found to differ from that measured on the first occasion, after re-measurement of such emission quantity as it is deemed that the state of emission of pollutants, etc., measured on the first occasion has been changed since the imposition of excess charges;

3. Where a business entity has submitted the actual emission quantity erroneously calculated by negligence, or the relevant Mayor/Do Governor has erroneously adjusted the emission quantity within the permissible emission levels pursuant to Article 30.

(2) In cases of adjusting excess charges pursuant to paragraph (1) 1, the excess charges shall be calculated, deeming the completion date of improvement prescribed by Ministerial Decree of Environment, or the date on which a report on the performance of an order is filed under Article 22 (1) to be the last date of the emission period of a pollutant or an emitted substance.

(3) In cases of adjusting excess charges pursuant to paragraph (1) 2, the excess charges shall be calculated based only on the emission quantity re-measured during a period after the date of re-check.

(4) The imposition of an adjusted excess charges or a refund of excess charges on any ground referred to in paragraph (1) 1 shall be made within 30 days after the date of verification as to whether an order for completion of improvement, an order for suspension of operation, an order for suspension of use, or an order for completion of closure has been complied with for the relevant emission facilities or prevention

facilities. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

(5) In cases of adjusting basic charges under paragraph (1) 3, the basic charges shall be calculated based on the data submitted at the time of application for permission for installation of emission facilities, permission for modification, a report on installation, or a report on modification under Article 23 (1) through (3) of the Act, the operation record of emission facilities or prevention facilities under Article 31 (2) of the Act, a record of self-measurements under Article 39 (1) of the Act, findings from inspections conducted under Article 82 of the Act. <Amended by Presidential Decree No. 26705, Dec. 10, 2015>

(6) Where a Mayor/Do Governor imposes or refunds the difference under Article 35-3 (1) of the Act, he or she shall give a written notice of the amount, date, time, place, and any other necessary matters. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

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### Article 35 (Applications for Adjustment of Charges)

- (1) A business entity in receipt of an order to pay charges (hereinafter referred to as "payer of charges") may apply for adjustment of the charges in cases falling under any subparagraph of Article 34 (1).
- (2) An application for adjustment referred to in paragraph (1) shall be filed within 60 days after receipt of the payment notice of charges. <Amended by Presidential Decree No. 22601, Dec. 31, 2010>
- (3) Upon receipt of an application for adjustment, the Mayor/Do Governor shall notify the relevant applicant of the result thereof within 30 days. <Amended by Presidential Decree No. 24344, Jan. 31, 2013>
- (4) An application for adjustment referred to in paragraph (1) shall not affect the period for payment of charges.

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## Article 36 (Deferment of Collection of and Installment Payment of Charges, and Procedures for Collection Thereof)

(1) A person who intends to be granted the deferment of the collection of charges or to make installment payments of the charges under Article 35-4 (1) or (2) of the Act shall file an application for deferment of collection of the charges or an application for installment payments of the charges with the competent Mayor/Do Governor.

(2) The deferment of collection under Article 35-4 (1) of the Act shall comply with the period for deferment of collection and the number of installment payments during such period as classified in each of the following:

1. Basic charges: The period from the date following the date of deferment to the date preceding the date the imposition period begins, and up to four installments;
2. Excess charges: Within two years from the date following the date of deferment, and up to 12 installments.

(3) The period for deferment of collection under Article 35-4 (2) of the Act shall be up to three years from the date following the date of deferment, and the number of installment payments shall be up to 18 installments.

(4) The deadline for installment payments of charges, the amount thereof, and any other matters necessary for the imposition and collection of charges shall be prescribed by Mayors/Do Governors.

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### Article 37 (Payment of Emission Charges by Credit Cards)

- (1) A payer of charges may pay the charges via an emission charge payment agency using a credit card, debit card, etc. (hereinafter referred to as "credit card, etc.").
- (2) Where an emission charge is paid by credit card, etc., the date of acceptance by an emission charge payment agency shall be deemed the date of payment.
- (3) An emission charge payment agency referred to in paragraph (1) shall be any of the following:
1. The Korea Financial Telecommunications and Clearings Institute established with permission from the Financial Services Commission under Article 32 of the Civil Act;
  2. An entity designated and publicly notified by the Minister of Environment as an emission charge payment agency in consideration of its facilities, business performance capacity, capital size, etc.
- (4) An emission charge payment agency may receive convenience fees from a payer of charges within 10/1,000 of the emission charges in return for its service of vicarious processing of the emission charge payment by credit card, etc., as prescribed by the Minister of Environment.

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### Article 38 (Imposition of Penalty Surcharges)

"Cases prescribed by Presidential Decree" in Article 37 (1) of the Act, with the exception of its subparagraphs, means any of the following cases:

1. Where products are produced for the purpose of exporting them to foreign countries after opening a letter of credit;
2. Where an explosion or a fire is likely to occur due to such causes as chemical reactions between materials, subsidiary materials, or products, which are put into an emission facility, as a result of the suspension of operation;
3. Where products are produced through melting or dissolving materials.

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Article 38-2 (Types of Business Subject to Reduction of Fugitive Emissions)

"Type of business prescribed by Presidential Decree" in Article 38-2 (1) of the Act means any of the types of business specified in Appendix 9-2.

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Article 39 (Qualification Standards for Environmental Engineers and Term of Appointment)

(1) Where a business entity intends to appoint an environmental engineer under Article 40 (1) of the Act, he or she shall appoint such engineer during the periods of time as classified below: <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

1. Where emission facilities are first installed, at the time of filing a report on the commencement of operation;
  2. Where an environmental engineer is appointed to replace the existing one, within five days after the ground for replacement occurs: Provided, That where it is impracticable to employ an environmental engineer within five days in a place of business requiring an environmental engineer qualified as a Grade I or II environmental engineer or higher due to an unavoidable circumstance, such place of business may appoint an environmental engineer based on the standards for Types IV and V places of business as classified in Appendix 10 within a period of up to 30 days.
- (2) The qualification standards for environmental engineers to be employed by each place of business under Article 40 (1) of the Act shall be as specified in Appendix 10.

CHAPTER III REGULATIONS OF EMISSION OF AIR POLLUTANTS IN LIVING ENVIRONMENT

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**Article 40 (Use of Low-Sulfur Oil)**

(1) The standards concerning areas to be supplied with oils for fuels (hereinafter referred to as "low-sulfur oil"), the sulfur content levels of which have been determined under Article 41 (1) of the Act (hereinafter referred to as "sulfur content level"), the extent of facilities using such oils for fuels, etc. shall be as specified in Appendix 10-2. <Amended by Presidential Decree 21229, Dec. 31, 2008>

(2) Pursuant to Article 41 (4) of the Act, the relevant Mayor/Do Governor shall order a person who has supplied or sold oil not meeting the standards stipulated in Appendix 10-2 to prohibit the supply or sale of such oil or to recall such oil, and shall order a person who has used such oil to prohibit the use thereof. <Amended by Presidential Decree No. 21229, Dec. 31, 2008; Presidential Decree No. 24344, Jan. 31, 2013>

(3) A person subject to an order to recall or prohibit the use of the relevant oil under paragraph (2) shall submit a completion report specifying the following matters to the relevant Mayor/Do Governor within five days after receipt of such order: <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

- 1. The supply period or use period, and the quantities of supply or use of the relevant oil;
- 2. The quantity of the relevant oil recalled, and the method and period of recall thereof;
- 3. Matters concerning data, etc. verifying the supply or use of low-sulfur oil.

(4) Deleted. <by Presidential Decree No. 24344, Jan. 31, 2013>

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## Article 41 (Use of Fuels Other Than Low-Sulfur Oil)

The Minister of Environment or the Mayor/Do Governor may permit low-sulfur oil-using facilities located in low-sulfur oil-supplied areas under Article 40 (1), which fall under any of the following subparagraphs, to use fuels other than low-sulfur oil: <Amended by Presidential Decree No. 26705, Dec. 10, 2015>

1. Facilities using by-product gases referred to in Article 32 (1) 2 or waste heat acknowledged by the Minister of Environment;
2. Facilities exempted from the payment of charges through installation of the optimum prevention facilities under Article 32 (3);
3. Any other facilities which emit sulfur oxides in compliance with the permissible emission levels which apply to the relevant facilities using low-sulfur oils when using fuels other than low-sulfur oils, and for which permission for the installation of emission facilities or permission for modification is granted or a report on installation or a report on modification is filed under Article 23 of the Act.

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## Article 42 (Prohibition on Use of Solid Fuels)

(1) In order to prevent air pollution caused by the use of fuels, the Minister of Environment or the Mayor/Do Governor may restrict the use of any of the following solid fuels for the areas falling under Appendix 11-2 in accordance with Article 42 of the Act: Provided, That in cases falling under subparagraph 3, the use of the relevant solid fuels may be restricted only when the prohibition thereon is particularly required for the relevant area: <Amended by Presidential Decree No. 21229, Dec. 31, 2008>

1. Coal;
2. Coke;
3. Firewood and charcoal;
4. Any other combustible wastes including plastic refuse prescribed by the Minister of Environment, or fuels produced through processing such materials.

(2) The Minister of Environment or the Mayor/Do Governor shall order business entities in the areas prescribed in paragraph (1) not to use solid fuels: Provided, That the same shall not apply to business entities equipped with any of the following facilities:

1. Smelting furnaces, etc. in a foundry or iron and steel mill in which mineral solid fuels have to be used in the process of melting fuels for manufacturing;
2. Kilns of cement, lime, etc., and other similar facilities, in which the emissions of pollutants generated in the process of burning are reduced considerably by means of suction, absorption, and other methods in the manufacturing process;
3. Wastes treatment facilities (including facilities using energy generated from wastes) under Article 2 of the Wastes Control Act;
4. Facilities emitting pollutants in compliance with the permissible emission levels even when using solid fuels referred to in paragraph (1), which are approved by the Minister of Environment or the Mayor/Do Governor for the use of solid fuels.

(3) If the owner or occupant of a facility under paragraph (2) 4 intends to use solid fuels, he or she shall submit an application for approval for the use of solid fuels to the Minister of Environment or the Mayor/Do Governor as prescribed by Ministerial Decree of Environment.

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#### Article 43 (Use of Clean Fuels)

(1) Pursuant to Article 42 of the Act, the Minister of Environment or the Mayor/Do Governor may, notwithstanding measures to restrict the use of fuels under Articles 40 and 42, order the areas or facilities under Appendix 11-3 not to use fuels other than gaseous fuels which emit only little amount of pollutants, such as liquefied natural gas and liquefied petroleum gas (hereinafter referred to as "clean fuels").

<Amended by Presidential Decree No. 21229, Dec. 31, 2008>

(2) The Minister of Environment or the Mayor/Do Governor shall order petroleum refiners or petroleum sellers under the Petroleum and Alternative Fuel Business Act to prohibit the supply or sale of oil for fuels to facilities required to use clean fuels.

(3) With respect to power plants, integrated energy supply facilities, heat supply facilities not larger than a specific size, etc. which are deemed to exert a significant influence over the supply and demand of clean fuels because of their excessive use of fuels, or of which energy conservation has a substantial air pollution reduction effect, the Minister of Environment may have them use fuels other than clean fuels pursuant to Appendix 11-3. <Amended by Presidential Decree No. 21229, Dec. 31, 2008>

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#### Article 44 (Business Generating Fugitive Dust)

"Business prescribed by Presidential Decree" in the former part of Article 43 (1) of the Act means each of the following business, which are prescribed by Ministerial Decree of Environment: <Amended by Presidential Decree No. 26419, Jul. 20, 2015>

- 1. Business of manufacturing and processing cement, lime, plaster, and cement-related products;
- 2. Business of extracting, manufacturing, and processing non-metallic materials;
- 3. Business of manufacturing primary metals;
- 4. Business of manufacturing fertilizer and fodder products;
- 5. Construction business (limited to foundation works, building architecture and civil engineering works, and landscape architecture);
- 6. Business of transporting cement, coal, earth and sand, fodder, grain, and steel scrap;
- 7. Business of manufacturing transportation equipment;
- 8. Business requiring the installation of coal storage facilities;
- 9. Business of loading and unloading, and storing steel scrap, grain, fodder, timber, and ore;
- 10. Business of manufacturing and processing metal products;
- 11. Business of installing and operating waste reclamation facilities.

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## Article 45 (Regulation of Volatile Organic Compounds)

(1) "Facilities prescribed by Presidential Decree" in Article 44 (1) of the Act, with the exception of its subparagraphs, means each of the following facilities (limited to forwarding facilities of oil reservoirs under subparagraph 2 and facilities under subparagraph 3, in cases of additional areas subject to the emission control of volatile organic compounds under Article 44 (1) 3 of the Act): Provided, That the same shall not apply where they are used in any of the type of business prescribed in Article 38-2: <Amended by Presidential Decree No. 24344, Jan. 31, 2013; Presidential Decree No. 26419, Jul. 20, 2015>

1. Manufacturing facilities, storage facilities, and forwarding facilities for petroleum refining, and manufacturing facilities, storage facilities, and forwarding facilities of business of manufacturing petrochemicals;
  2. Storage facilities and forwarding facilities of oil reservoirs;
  3. Storage facilities and pumping facilities of gas stations;
  4. Cleaning facilities;
  5. Any other facilities emitting volatile organic compounds, which the Minister of Environment publicly notifies after consultation with the heads of the relevant central administrative agencies.
- (2) The scale of facilities falling under each of the subparagraphs of paragraph (1) shall be publicly notified by the Minister of Environment, in consultation with the heads of the relevant central administrative agencies.

(3) "Grounds prescribed by Presidential Decree" in Article 45 (4) of the Act means either of the following cases: <Amended by Presidential Decree No. 24344, Jan. 31, 2013>

1. Where special technology, which is unavailable in the Republic of Korea, is needed;
2. Where a natural disaster or any other cases deemed unavoidable by the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, a Do Governor (excluding a city with the population of at least 500,000 among the districts within his or her jurisdiction), a Special Self-Governing Province Governor, or the mayor of a city with the population of at least 500,000, excluding the Special Metropolitan City, Metropolitan Cities, and a Special Self-Governing City.

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**Article 45-2 (Order to Take Measures When Paint Exceeds Volatile Organic Compound Content Levels)**

- (1) Where the Minister of Environment issues an order to take measures under Article 44-2 (3) or (4) of the Act, he or she shall do so with a document stating the details of the order to take measures, an implementation period not exceeding 10 days, etc.
- (2) A person ordered to take measures under Article 44-2 (3) of the Act shall submit, to the Minister of Environment, a report on the completion of implementation specifying the following matters within the relevant implementation period, as prescribed by Ministerial Decree of Environment:
- 1. The period of the supply or sale of the relevant paint, and the supply quantity or sales thereof;
  - 2. The quantity of the relevant paint recalled, and the method and period spent, for recalling thereof;
  - 3. Any other matters on data to verify the suspension of the supply or sale of the relevant paint or recalling thereof.
- (3) A person ordered to take measures under Article 44-2 (4) of the Act shall submit, to the Minister of Environment, a report on the completion of implementation specifying the following matters within the relevant implementation period, as prescribed by Ministerial Decree of Environment:
- 1. The period of the supply or sale of the relevant paint, and the supply quantity or sales thereof;
  - 2. Matters on data to verify the quantity of the relevant paint owned and the suspension of the supply or sale thereof.

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**CHAPTER IV REGULATION OF EXHAUST EMISSIONS FROM  
MOTOR VEHICLES AND SHIPS**

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**Article 46 (Types of Exhaust Emissions)**

"Pollutants prescribed by Presidential Decree" in Article 46 (1) of the Act means the following substances:

1. In cases of motor vehicles using gasoline, alcohol, or gas:

- (a) Carbon monoxide;
- (b) Hydrocarbon;
- (c) Nitrogen oxides;
- (d) Aldehyde;

2. In cases of motor vehicles using diesel fuel:

- (a) Carbon monoxide;
- (b) Hydrocarbon;
- (c) Nitrogen oxides;
- (d) Smoke;
- (e) Particulate.



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#### **Article 47 (Motor Vehicles Eligible for Exemption from or Omission of Certification)**

(1) Motor vehicles eligible for exemption from certification under the proviso of Article 48 (1) of the Act shall be as follows: <Amended by Presidential Decree No 21241, Dec. 31, 2008; Presidential Decree No. 22100, Mar. 26, 2010; Presidential Decree No. 24451, Mar. 23, 2013>

1. Motor vehicles used for special official purposes of the State, such as military duties and patrol service, and motor vehicles for fire-fighting;
  2. Motor vehicles used by foreign embassies or diplomats in the Republic of Korea, or other persons similarly treated, for official purposes, as confirmed by the Minister of Foreign Affairs;
  3. Motor vehicles used by members of foreign armies in the Republic of Korea for official purposes;
  4. Motor vehicles for export, and those temporarily brought in by participants in expositions or any other similar events for exhibition purposes;
  5. Motor vehicles temporarily brought in by travelers, etc. on condition that they bring them out after a certain period;
  6. Motor vehicles imported by motor vehicle manufacturers, motor vehicle-related research institutes, etc. for purposes other than travelling, which include motor vehicle development or exhibitions;
  7. Deleted; <by Presidential Decree No. 21229, Dec. 31, 2008>
  8. One motor vehicle which a foreigner, or a Korean national who has resided overseas for at least one year brings in as one of his or her articles of immigration in order to change his or her residence.
- (2) Motor vehicles eligible for omission of certification under the proviso of Article 48 (1) of the Act shall be as follows: <Amended by Presidential Decree No. 20680, Feb. 29, 2008>

1. Motor vehicles used by or for the training of national athletes, as confirmed by the Minister of Culture, Sports and Tourism;

2. Motor vehicles donated by foreign countries as a gift to domestic public institutions or nonprofit organizations;
3. Motor vehicles brought in by families of foreign diplomats or foreign soldiers in the Republic of Korea for personal use;
4. Motor vehicles used for aircraft groundwork;
5. Motor vehicles that a person who has not obtained certification under Article 48 (1) of the Act manufactures by purchasing the motors of the motor vehicles certified;
6. Motor vehicles eligible for omission of certification under international agreements, etc.;
7. Any other motor vehicles for which the Minister of Environment deems it necessary to omit certification.

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**Article 47-2 (Criteria for Imposition of Penalty Surcharges)**

- (1) Criteria for the imposition of penalty surcharges under Article 48-4 (2) of the Act shall be as follows:
1. Penalty surcharges shall be calculated by multiplying the number of days of business suspension by the amount to be imposed per day, in accordance with the standards for administrative dispositions determined under Article 84 of the Act;
  2. The amount to be imposed per day under subparagraph 1 shall be 200,000 won.
- (2) Any violation subject to business suspension for at least six months among the violations provided for in the subparagraphs of Article 48-2 (2) of the Act shall not be subject to the imposition of penalty surcharges.

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#### Article 48 (Types of Inspections on Permissible Emission Levels for Manufactured Motor Vehicles)

(1) With respect to manufactured motor vehicles, the Minister of Environment shall conduct inspections as classified in each of the following subparagraphs pursuant to Article 50 (1) of the Act:

1. Occasional inspections: Inspections conducted where necessary, to verify at any time whether motor vehicles in the manufacturing process comply with the permissible emission levels for manufactured motor vehicles;
  2. Regular inspections: Inspections conducted periodically, based on the number of manufactured motor vehicles by model to verify whether motor vehicles in the manufacturing process comply with the permissible emission levels for manufactured motor vehicles.
- (2) A person who has an objection to the result of an inspection conducted under paragraph (1) may file an application for reinspections as prescribed by Ministerial Decree of Environment.

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#### Article 49 (Omission of Inspections of Permissible Emission Levels for Manufactured Motor Vehicles)

The regular inspections under Article 48 (1) 2 may be omitted pursuant to Article 50 (2) of the Act.

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#### Article 49-2 (Order to Replace, Give Refunds for, or Repurchase Motor Vehicles)

(1) An order for replacement of, a refund for, or repurchase (hereafter in this Article referred to as "replacement, etc.") of a motor vehicle issued pursuant to Article 50 (8) of the Act shall comply with the following criteria:

1. Replacement: Where the relevant motor vehicle manufacturer manufactures any motor vehicle which is categorized as the same motor vehicle as the one subject to replacement, etc. according to the sub-classification by size and sub-classification by type under Article 3 (3) of the Motor Vehicle Management Act;
  2. Refund: Where the relevant motor vehicle manufacturer does not fall under subparagraph 1 or where the owner of the motor vehicle does not want its replacement: Provided, That a refund may be given only when one year has not passed since the date of initial registration of the motor vehicle subject to replacement, etc. listed in the motor vehicle register provided for in Article 5 of the Motor Vehicle Management Act (hereafter in this Article referred to as "motor vehicle register");
  3. Repurchase: Where the criteria specified in subparagraph 1 or 2 are not satisfied.
- (2) Where an order to give a refund is issued pursuant to paragraph (1) 2, the amount to be refunded shall be the amount calculated by aggregating the supply value of the motor vehicle subject to replacement, etc., value-added tax, and acquisition tax (hereafter in this Article referred to as "standard amount").
- (3) Where an order for repurchase is issued pursuant to paragraph (1) 3, the amount of repurchase shall be calculated according to the following formula. In such cases, the number of months of operation shall be calculated from the date of initial registration of the motor vehicle subject to replacement, etc. listed in the motor vehicle register:

Amount of repurchase = Standard amount - [(Number of months of operation of the motor vehicle subject to replacement, etc./12) x (Standard amount x 0.1)]

- (4) Where the amount calculated pursuant to paragraph (3) is less than 30/100 of the standard amount, the amount of repurchase shall be the amount equivalent to 30/100 of the standard amount.
- (5) In issuing an order for replacement, etc. of a motor vehicle pursuant to paragraph (1), the Minister of Environment may require the relevant motor vehicle manufacturer to additionally pay the owner of the motor vehicle expenses incurred in replacement, etc. thereof, within the limit not exceeding 10/100 of the

standard amount.

(6) Upon receipt of an order for replacement, etc. under paragraph (1), the relevant motor vehicle manufacturer shall formulate an implementation plan, including the scope of motor vehicles subject to replacement, etc., estimated expenses, a plan to give notice to the owners of the motor vehicles, etc., and execute the plan with the approval of the Minister of Environment within 60 days after receipt of such order; and shall report the results of execution of the plan to the Minister of Environment.

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#### Article 50 (Reporting on Current Status of Correction of Defective Parts and Current Status of Analysis of Cause of Defects)

(1) Where a motor vehicle manufacturer falls under all of the following subparagraphs, he or she shall report on the current status of correction of defective parts to the Minister of Environment pursuant to the main sentence of Article 53 (1) of the Act, verifying the details of correction, etc. within 30 days after the end of each quarter, starting from the relevant quarter: <Amended by Presidential Decree No. 23792, May 22, 2012>

1. Where the number of requests for correction of defects for the same part of the same motor vehicle model sold in the same year is at least 40;
2. Where the ratio of requests for correction of defects for the same part of the same motor vehicle model sold in the same year to the number of motor vehicles sold (hereinafter referred to as "rate of requests for correction of defects") is at least two percent.

(2) Where a motor vehicle manufacturer falls under all of the following subparagraphs, he or she shall report on the current status of analysis of the cause of defects to the Minister of Environment pursuant to

the main sentence of Article 53 (1) of the Act within 90 days after the end of each quarter, starting from the relevant quarter: <Amended by Presidential Decree No. 23792, May 22, 2012; Presidential Decree No. 29313, Nov. 27, 2018>

- 1. Where the number of requests for correction of defects for the same part of the same motor vehicle model sold in the same year is at least 50;
  - 2. Where the rate of requests for correction of defects is at least four percent.
- (3) The period for reporting under paragraph (1) or (2) shall end in the quarter during which the warranty period of exhaust emission-related parts expires.
- (4) Details, etc. of reporting under paragraphs (1) and (2) shall be prescribed by Ministerial Decree of Environment.

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**Article 50-2 (Requirements for Reporting on Current Status of Correction of Defects)**

A motor vehicle manufacturer shall report the current status of correction of defects to the Minister of Environment by the end of January each year, pursuant to Article 53 (2) of the Act in either of the following cases:

- 1. Where the number of requests for correction of defects for the same part of the same motor vehicle model sold in the same year does not exceed 40;
- 2. Where the rate of requests for correction of defects does not exceed two percent.

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< 2012. 5. 22., 2016. 5. 31., 2018. 11. 27.>

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**Article 51 (Requirements for Orders to Correct Defective Parts)**

(1) Where cases fall under all of the following subparagraphs, the Minister of Environment shall issue an order to correct the relevant defective parts pursuant to the main sentence of Article 53 (3) of the Act:

1. Where the number of cases of defects for the same part of the same motor vehicle model sold in the same year (referring to the number of cases of adjustment or replacement of parts due to manufacturing defects; hereafter in this paragraph, the same shall apply) is at least 50;
2. Where the rate of requests for correction of defects for the same part of the same motor vehicle model sold in the same year is at least four percent.

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56 2 , 가  
12 . < 2017. 12. 26. >

The criteria for the imposition of penalty surcharges based on the types of violations, the degree of increase or decrease in exhaust emissions, and other factors under Article 56 (2) of the Act shall be as specified in Appendix 12. *<Amended by Presidential Decree No. 28500, Dec. 26, 2017>*

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"Specialized institution prescribed by Presidential Decree" in Article 62-2 (1) of the Act means the Korea Transportation Safety Authority under the Korea Transportation Safety Authority Act. *<Amended by Presidential Decree No. 29518, Feb. 8, 2019>*

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"Areas prescribed by Presidential Decree" in Article 63 (1) 2 of the Act means the following areas:  
*<Amended by Presidential Decree No. 24344, Jan. 31, 2013>*

1. Gwangju Metropolitan City, Daejeon Metropolitan City, and Ulsan Metropolitan City;
2. Yongin-si, Jeonju-si, Changwon-si, Cheonan-si, Cheongju-si, and Pohang-si.

55 <2013. 1. 31.>

**Article 55 Deleted.** <by Presidential Decree No. 24344, Jan. 31, 2013>

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**Article 56 (Standards for Registration of Specialized Maintenance Business)**

The facilities, equipment, and technical personnel that a person who intends to file for registration of specialized exhaust emission maintenance business under Article 68 (1) of the Act (hereinafter referred to as “specialized maintenance business”) is required to have shall be as specified in Appendix 13.

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**Article 57 (Modification of Registered Matters of Specialized Maintenance Business)**

"Significant registered matter prescribed by Presidential Decree" in the latter part of Article 68 (1) of the Act means each of following matters:

1. Representative's name;
2. Technical personnel;
3. Trade name;
4. Location of a place of business;
5. Items of maintenance, checkup, and inspections for confirmation.

58 <2009. 6. 30.>

**Articles 58 and 59 Deleted.** <by Presidential Decree No. 21586, Jun. 30, 2009>

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Article 60 (Kinds of Air Pollutants from Ships)

"Air pollutants prescribed by Presidential Decree" in Article 76 (1) of the Act means nitrogen oxides.

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CHAPTER IV-2 CONTROL OF GREENHOUSE GAS  
EMISSIONS FROM MOTOR VEHICLES

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Article 60-2 (Scope of Sales Figures)

"Sales figures prescribed by Presidential Decree" in the main sentence of Article 76-6 (1) of the Act means the sales figures of the year during which the permissible levels of greenhouse gas emissions from motor vehicles defined in subparagraph 21 of Article 2 of the Act are not complied with.

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Article 60-3 (Methods of Computation of Penalty Surcharges)

(1) Methods of calculation, etc. of penalty surcharges under Article 76-6 (1) of the Act shall be as specified in Appendix 14.

(2) When imposing a penalty surcharge under Article 76-6 (1) of the Act, the Minister of Environment shall give a written notice clearly stating the grounds for imposition of the penalty surcharge and the amount thereof in the year following the end of the period prescribed by Ministerial Decree of Environment under Article 76-5 (2) of the Act.

(3) A motor vehicle manufacturer in receipt of a notice under paragraph (2) shall pay the relevant penalty surcharge to a collecting agency prescribed by the Minister of Environment by not later than September 30 of the year he or she receives such notice: Provided, That where he or she is unable to pay the penalty surcharge during such period due to a natural disaster or any other unavoidable cause, he or she shall pay it within 30 days from the date such cause ceases to exist.

(4) A collecting agency which receives a penalty surcharge under paragraph (3) shall issue a receipt to the payer.

(5) Except as provided in paragraphs (1) through (4), detailed matters necessary for the imposition of penalty surcharges shall be determined and publicly notified by the Minister of Environment.

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### CHAPTER IV-3 MANAGEMENT OF REFRIGERANTS

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#### Article 60-4 (Standards for Registration of Refrigerant Collection Business)

(1) The standards for facilities, equipment, and technical personnel to be met by those who intend to file for registration of refrigerant collection business pursuant to Article 76-11 (1) of the Act shall be as specified in Appendix 14-2.

(2) “Significant matters prescribed by Presidential Decree” in Article 76-11 (2) of the Act means the following:

1. Trade name;
2. Representative’s name (for a sole proprietor, his or her name);

3. Location of a place of business;
4. Technical personnel.

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## CHAPTER V SUPPLEMENTARY PROVISIONS

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### Article 61 (Objects, Procedures, and Methods for Financial Support)

(1) Financial support under Article 81 (3) of the Act shall be provided to the following projects: *<Amended by Presidential Decree No. 27200, May 31, 2016>*

1. Research projects related to long-range transported air pollutants;
2. Domestic and overseas projects for the prevention of damage caused by long-range transported air pollutants.

(2) A corporation or organization which intends to receive financial support shall make an application for financial support to a competent government agency by December 31 each year.

(3) A competent government agency which has received an application under paragraph (2) shall determine whether to provide financial support after consultation with relevant government agencies and deliberation by the Committee.

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Article 62 (Cooperation with Related Agencies)

"Matters prescribed by Presidential Decree" in subparagraph 12 of Article 83 of the Act means each of the following matters: <Amended by Presidential Decree No. 21586, Jun. 30, 2009; Presidential Decree No. 25144, Feb. 5, 2014>

- 1. Restoration of land damaged by installing tourist facilities, industrial facilities, etc. to its original state;
- 2. Regulation of fuel use by motor vehicle model;
- 3. Regulation of the engine power by motor vehicle model;
- 4. Matters concerning the restriction of the power sources of motor vehicles used in a specific zone for a specific use to electricity, solar energy, hydrogen, natural gas, etc.

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• . < 2016. 7. 26., 2017. 12. 26.>

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Article 62-2 (Installation and Operation of Electronic Data Processing System)

The Minister of Environment may establish and operate an electronic data processing system necessary for the efficient processing of the following affairs: <Amended by Presidential Decree No. 27392, Jul. 26, 2016; Presidential Decree No. 28500, Dec. 26, 2017>

- 1. Subsidization for persons who purchase low-emission motor vehicles under Article 58 (3) of the Act;
- 2. Placement of identification marks on low-emission motor vehicles, etc. under Article 58 (11) of the Act.

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### Article 63 (Delegation of Authority)

(1) The Minister of Environment shall delegate the following authority to Mayors/Do Governors pursuant to Article 87 (1) of the Act: <Amended by Presidential Decree No. 21586, Jun. 30, 2009; Presidential Decree No. 24344, Jan. 31, 2013; Presidential Decree No. 25144, Feb. 5, 2014>

1. Extension of periods, or postponement of, motorcycle regular inspections under Article 62 (3) of the Act;
2. Issuance of orders for motorcycles to undergo regular inspections under Article 62 (4) of the Act;
3. Designation of designated maintenance business entities to perform affairs related to motorcycle regular inspections under Article 62-3 (1) of the Act;
4. Issuance of business suspension orders to designated maintenance business entities for motorcycle regular inspections and the revocation of designation under Article 62-4 (1) of the Act;
5. Issuance of orders for improvement under Article 70 of the Act;
6. Issuance of orders for suspension of operation of motor vehicles under Article 70-2 of the Act.

(2) The Minister of Environment shall delegate the following authority to the heads of river basin environmental offices, the heads of regional environmental offices, or the head of the Metropolitan Air Quality Management Office pursuant to Article 87 (1) of the Act: Provided, That the authority provided for in subparagraphs 1 and 3 shall be delegated to the head of the Metropolitan Air Quality Management Office: <Amended by Presidential Decree No. 21229, Dec. 31, 2008; Presidential Decree No. 21325, Feb. 13, 2009; Presidential Decree No. 21586, Jun. 30, 2009; Presidential Decree No. 24344, Jan. 31, 2013; Presidential Decree No. 25144, Feb. 5, 2014; Presidential Decree No. 26419, Jul. 20, 2015; Presidential Decree No. 27392, Jul. 26, 2016; Presidential Decree No. 27802, Jan. 24, 2017>

1. Installation of measuring networks and constant measurement of air pollution levels under Article 3 (1) of the Act (limited to those under the jurisdiction of the head of the Metropolitan Air Quality Management Office);
2. Determination, alteration, public notification, and inspection of measuring network installation plans under Article 4 (1) of the Act;

3. Expropriation or use of land, etc. under Article 5 (1) of the Act (limited to that related to the affairs delegated under subparagraph 1);
4. Receipt and evaluation of statements on implementation outcomes and the authority to entrust business affairs to specialized institutions under Article 19 (3) through (5) of the Act;
- 4-2. Registration of agency business for managing measuring devices and registration of modification under Article 32-2 of the Act; revocation of registration of such agency business and issuance of orders to suspend business under Article 32-3 of the Act; and hearings referred to in subparagraph 1-2 of Article 85 of the Act;
- 4-3. Receipt of reports on the installation and operation of fugitive emission facilities under Article 38-2 (1) of the Act and reports on modification under Article 38-2 (2) of the Act;
- 4-4. Issuance of orders to take measures under Article 38-2 (6) of the Act;
- 4-5. Issuance of orders to take measures or orders for withdrawal under Article 44-2 (3) of the Act;
- 4-6. Issuance of orders to suspend supply or sale under Article 44-2 (4) of the Act;
- 4-7. Inspections of motor vehicle fuels, additives, or catalysts under Article 74 (3) of the Act;
5. Regulation of the manufacture, sale, or use of motor vehicle fuels, additives, or catalysts under Article 74 (5) of the Act;
6. Issuance of orders to suspend manufacture or to withdraw products under Article 75 (1) of the Act;
- 6-2. Issuance of orders to suspend supply or sale under Article 75 (2) of the Act;
- 6-3. Authority concerning orders to make a report and requests for submission of data, as well as authority concerning access, collection, and inspection referred to in Article 82 (1) of the Act (limited to where such authority is required to verify whether agency business for managing measuring devices referred to in Article 32-2 of the Act is properly performed, whether the facility management standards referred to in Article 38-2 (3) of the Act are complied with, or whether the volatile organic compound content levels referred to in Article 44-2 of the Act are complied with; and to conduct inspections under Article 74 of the Act);

7. Deleted. <by Presidential Decree No. 27802, Jan. 24, 2017>

(3) The Minister of Environment shall delegate the following authority to the President of the National Institute of Environmental Research pursuant to Article 87 (1) of the Act: <Amended by Presidential Decree No. 21229, Dec. 31, 2008; Presidential Decree No. 21325, Feb. 13, 2009; Presidential Decree No. 21586, Jun. 30, 2009; Presidential Decree No. 22100, Mar. 26, 2010; Presidential Decree No. 24344, Jan. 31, 2013; Presidential Decree No. 25144, Feb. 5, 2014; Presidential Decree No. 27200, May 31, 2016; Presidential Decree No. 29452, Dec. 31, 2018>

1. Installation of measuring networks and constant measurement of air pollution levels under Article 3 (1) of the Act (limited to long-range transported air pollutants outside the jurisdiction of the head of the Metropolitan Air Quality Management Office);
2. Expropriation or use of land, etc. under Article 5 (1) of the Act (limited to that related to the affairs delegated under subparagraph 1);



discovered that a place of business violates statutes or regulations after checkup and verification under paragraph (1), he or she shall notify the competent Mayor/Do Governor of the details thereof and his or her opinions on measures to be taken. <Amended by Presidential Decree No. 29452, Dec. 31, 2018>

(3) Upon receipt of a notice given under paragraph (2), the competent Mayor/Do Governor shall take measures accordingly, and report or notify the results thereof to the Minister of Environment, the head of the relevant river basin environmental office, the head of the relevant regional environmental office, or the head of the Metropolitan Air Quality Management Office. <Amended by Presidential Decree No. 29452, Dec. 31, 2018>

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#### Article 65 (Reporting)

Where a Mayor/Do Governor, the head of a river basin environmental office, the head of a regional environmental office, the head of the Metropolitan Air Quality Management Office, or the President of the National Institute of Environmental Research has completed the affairs delegated under Article 87 (1) of the Act, he or she shall file a report on the details thereof with the Minister of Environment, as prescribed by Ministerial Decree of Environment.

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**Article 66 (Entrustment of Duties)**

(1) Pursuant to Article 87 (2) of the Act, the Minister of Environment shall entrust the following duties to the Korea Environment Corporation: <Amended by Presidential Decree No. 21325, Feb. 13, 2009; Presidential Decree No. 21586, Jun. 30, 2009; Presidential Decree No. 22100, Mar. 26, 2010; Presidential Decree No. 23792, May 22, 2012; Presidential Decree No. 24344, Jan. 31, 2013; Presidential Decree No. 25950, Dec. 31, 2014; Presidential Decree No. 26419, Jul. 20, 2015; Presidential Decree No. 27200, May 31, 2016; Presidential Decree No. 27392, Jul. 26, 2016; Presidential Decree No. 27802, Jan. 24, 2017; Presidential Decree No. 28500, Dec. 26, 2017; Presidential Decree No. 29313, Nov. 27, 2018; Presidential Decree No. 29452, Dec. 31, 2018>

1. Installation of measuring networks and constant measurement of air pollution levels under Article 3 (1) of the Act (limited to pollutants other than long-range transported air pollutants outside the jurisdiction of the head of the Metropolitan Air Quality Management Office);
- 1-2. Establishment and operation of a computer network under Article 3 (3) of the Act;
2. Expropriation or use of land, etc. under Article 5 (1) of the Act (limited to that related to the duties delegated under subparagraph 1);
- 2-2. Projects to reduce the emissions of climate/ecosystem-changing substances under Article 9 (2) of the Act;
- 2-3. Deleted; <by Presidential Decree No. 29313, Nov. 27, 2018>
- 2-4. Verifying the performance, etc. of facilities having a combustion control for which provision of support for installation is due under Article 26 (3) of the Act, or such facilities already installed;
- 2-5. Installation and operation of measuring devices under the proviso of Article 32 (1) of the Act;
3. Operation of computer networks and technical assistance to Mayors/Do Governors or business entities under Article 32 (7) of the Act;
4. Omission of certification under the proviso of Article 48 (1) of the Act;
5. through 7. Deleted; <by Presidential Decree No. 24344, Jan. 31, 2013>
8. Operation and management of computer networks under Article 54 of the Act;
- 8-2. Subsidization for persons who purchase low-emission motor vehicles under Article 58 (3) of the Act (limited to electric vehicles described in subparagraph 1 of Article 3 of the Enforcement Decree of the Special Act on the Improvement of Air Quality in Seoul Metropolitan Area and to hybrid vehicles described in subparagraph 2 of that Article);
- 8-3. Subsidization for persons who install facilities for charging electricity to electric vehicles under Article 58 (3) of the Act (hereinafter referred to as “facilities for charging electric vehicles”);
- 8-4. Management of the current status of placement of identification marks on low-emission motor vehicles, etc., under Article 58 (11) of the Act;
- 8-5. Establishment and operation of computer networks for the management of information on charging electric vehicles under Article 58 (15) of the Act;
- 8-6. Installation of facilities for charging electric vehicles under Article 58 (16) of the Act;
- 8-7. Evaluation of the performance of electric vehicles under Article 58 (17) of the Act;



9. Occasional checkups of the emission state of exhaust emissions from motor vehicles under Article 61 (1) of the Act;
- 9-2. Ascertaining whether the standards for managing refrigerants under Articles 76-10 (1) and 76-12 (2) of the Act are complied with;
- 9-3. Registration of refrigerant collection business, registration of modification, and issuance of registration certificates under Article 76-11 (1) through (3) of the Act;
- 9-4. Technical assistance for projects deemed necessary by the Minister of Environment pursuant to Article 81 (1) 7 of the Act, which are performed by refrigerant collection business entities under Article 76-11 (1) of the Act;
- 9-5. Receipt of reports on sales volume of refrigerants under Article 76-14 of the Act;
- 9-6. Establishment and operation of a computer network for management of refrigerant information under Article 76-15 of the Act;
10. Technical assistance for business entities, which implement the projects under Article 81 (1) 3-2 of the Act.
- (2) Pursuant to Article 87 (2) of the Act, the Minister of Environment shall entrust his or her authority for training of environmental engineers under Article 77 of the Act to the Korea Environmental Preservation Association established under Article 59 of the Framework Act on Environmental Policy. <Amended by Presidential Decree No. 23967, Jul. 20, 2012>
- (3) Pursuant to Article 87 (2) of the Act, the Minister of Environment shall entrust the following duties to Korea Automobile Environmental Association established under Article 78 of the Act: <Amended by Presidential Decree No. 27392, Jul. 26, 2016; Presidential Decree No. 28500, Dec. 26, 2017; Presidential Decree No. 29452, Dec. 31, 2018>
1. Subsidizing persons who install facilities for supplying fuels to low-emission motor vehicles under Article 58 (3) of the Act (limited to facilities for supplying hydrogen fuels) and facilities for charging electric vehicles;
  2. Installing and operating facilities for charging electricity vehicles under Article 58 (16) of the Act;
  3. Developing and disseminating educational and promotional programs related to eco-friendly driving under Article 77-2 (1) 1 of the Act.
- (4) When the President of the Korea Environment Corporation, the Environmental Preservation Association, or Korea Automobile Environmental Association has performed the duties delegated under paragraphs (1) through (3), he or she shall report the details thereof to the Minister of Environment, as prescribed by Ministerial Decree of Environment. <Amended by Presidential Decree No. 21586, Jun. 30, 2009; Presidential Decree No. 23792, May 22, 2012; Presidential Decree No. 29452, Dec. 31, 2018>

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7. 54 가 : 2014 1 1
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#### Article 66-2 (Re-Examination of Regulation)

The Minister of Environment shall examine the appropriateness of the following matters every three years, counting from the following base dates (referring to the period that ends on the day before the base date of every third year), and shall take measures, such as making improvements: <Amended by Presidential Decree No. 27062, Mar. 29, 2016>

1. Permission for and reporting on installation, etc., of emission facilities under Article 11: January 1, 2014;
2. Places of business subject to installation of measuring devices, the types of measuring devices, etc. under Article 17 and Appendixs 1-3, 2, and 3: January 1, 2014;
3. Methods of, and criteria for, the calculation of basic charges under Article 28 and Appendixs 7 and 8: January 1, 2014;
4. Qualification standards for environmental engineers and their term of appointment under Article 39 and Appendix 10: January 1, 2014;
5. Use of low-sulfur oil under Article 40 and Appendix 10-2: January 1, 2014;
6. Use of clean fuels under Article 43 and Appendix 11-3: January 1, 2014;
7. Areas requiring sophisticated inspections of exhaust emissions from in-use motor vehicles under Article 54: January 1, 2014;
8. Standards for the registration of specialized maintenance business under Article 56 and Appendix 13: January 1, 2014.

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. < 2013. 1. 31., 2014. 2. 5., 2014. 8. 6., 2014. 12. 31., 2016. 3. 29., 2017. 3. 27., 2017. 12. 26., 2018. 11.

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#### **Article 66-3 (Management of Personally Identifiable Information)**

The Minister of Environment (including persons to whom the Minister of Environment's authority is delegated or entrusted under Articles 63 and 66), Mayors/Do Governors, or the heads of Sis/Guns/Gus (including persons to whom the relevant authority is delegated or entrusted, if applicable) may manage the data which contains resident registration numbers, passport numbers, or alien registration numbers referred to in Article 19 of the Enforcement Decree of the Personal Information Protection Act, if it is inevitable to perform the following affairs: <Amended by Presidential Decree No. 24344, Jan. 31, 2013; Presidential Decree No. 25144, Feb. 5, 2014; Presidential Decree No. 25532, Aug. 6, 2014; Presidential Decree No. 25950, Dec. 31, 2014; Presidential Decree No. 27062, Mar. 29, 2016; Presidential Decree No. 27960, Mar. 27, 2017; Presidential Decree No. 28500, Dec. 26, 2017; Presidential Decree No. 29313, Nov. 27, 2018>

1. Affairs related to raising citizens' awareness of climate change and support for practice under Article 9 (2) 4 of the Act;
2. through 4. Deleted; <by Presidential Decree No. 27062, Mar. 29, 2016>
5. Affairs related to inspections for confirmation and correction of defects under Article 51 of the Act;
6. Affairs related to the early scrapping of motor vehicles under Article 58 of the Act;
- 6-2. Affairs related to subsidies under Article 58 (3) of the Act;
- 6-3. Affairs related to the placement of identification marks on low-emission motor vehicles, etc. under Article 58 (11) of the Act;
7. Affairs related to the registration, etc., of specialized exhaust emission maintenance business under Article 68 of the Act;
8. Affairs related to inspections of motor vehicle fuels, additives, or catalysts conducted under Article 74 (2) of the Act;
9. Affairs related to registration of refrigerant collection business and registration of modification under Article 76-11 of the Act.

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## Article 67 (Administrative Fines)

Criteria for the imposition of administrative fines referred to in Article 94 (1) through (6) of the Act shall be as specified in Appendix 15. <Amended by Presidential Decree No. 24344, Jan. 31, 2013; Presidential Decree No. 25144, Feb. 5, 2014>

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## ADDENDA

### **Article 1 (Enforcement Date)**

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of subparagraph 2 of Article 54 shall enter into force on January 1, 2008; the amended provisions of Article 60 (limited to diesel engines in the range between 130 kilowatts and 294 kilowatts from among small diesel engines under the proviso of Article 1 of the Addenda of the Clean Air Conservation Act (Act No. 7779)) on June 29, 2009; and the amended provisions of Article 45 (1) 3 on the date prescribed by Ministerial Decree of Environment.

### **Article 2 (Applicability to Restrictions on Installation of Emission Facilities)**

(1) The amended provisions of subparagraph 1 of Article 12 shall begin to apply to emission facilities installed on or after August 31, 1996, which is the enforcement date of subparagraph 1 of Article 5 of the Enforcement Decree of the Clean Air Conservation Act (Presidential Decree No. 15143).

(2) The amended provisions of subparagraph 2 of Article 12 shall begin to apply to emission facilities installed on or after January 1, 2004, which is the enforcement date of subparagraph 2 of Article 5 of the Enforcement Decree of the Clean Air Conservation Act (Presidential Decree No. 18042).

### **Article 3 (Applicability to Reporting on Current Status of Correction of Defects and Defective Parts and Requirements for Mandatory Correction of Defects)**

The amended provisions of Articles 50 and 51 shall begin to apply to motor vehicles released on or after January 1, 2007.

### **Article 4 (Transitional Measures concerning Approval for Use of Fuels)**

Where the use of fuels other than low-sulfur oil, or solid fuels is allowed under the previous provisions as of January 1, 1998, which is the enforcement date of the Enforcement Decree of the Clean Air Conservation Act (Presidential Decree No. 15583), the permission or reports under subparagraph 3 of Article 41 or approval under Article 42 (2) 4 shall be deemed obtained or made.

### **Article 5 (Transitional Measures concerning Types of Places of Business)**

A place of business legally established or for which authorization and permission for establishment have been obtained under other statutes and regulations as of June 30, 2003, which is the enforcement date of the Enforcement Decree of the Clean Air Conservation Act (Presidential Decree No. 18042), shall be deemed a place of business of the type in compliance with the relevant statutes and regulations, notwithstanding the amended provisions of Appendix 10.

### **Article 6 (Transitional Measures concerning Installation of Watt-Hour Meter)**



Emission facilities to be installed with automatic smokestack measuring devices by December 31, 2007 under the proviso of Article 7 (1) of the Addenda from among emission facilities which have been installed and are in operation after obtaining permission for installation or making a report on installation on or before April 15, 2005 which is the enforcement date of the Enforcement Decree of the Clean Air Conservation Act (Presidential Decree No. 18788), and are installed with a prevention facility to which a watt-hour meter is to be installed under the amended provisions of Article 17 (2) shall be installed with a watt-hour meter by December 31, 2007.

#### **Article 7 (Transitional Measures concerning Installation of Automatic Smokestack Measuring Devices)**

(1) Emission facilities which have been installed and are in operation after obtaining permission for installation or making a report on installation on or before April 15, 2005 which is the enforcement date of the Enforcement Decree of the Clean Air Conservation Act (Presidential Decree No. 18788), and are required to be installed with an automatic smokestack measuring device under the amended provisions of Article 17 (3) shall be installed with an automatic smokestack measuring device by December 31, 2005 and shall be operated to normally transmit the results of measurement to the control center: Provided, That emission facilities under the amended provisions of subparagraph 1 (a) (ii) through (iv), (b), (c) (ii) a (applicable only to decomposition facilities of heavy oil), (c) (iii) b (applicable only to dust from among measuring items), (c) (iii) c (applicable only to hydrochloric acid recovery facilities), (c) (iii) d (applicable only to nitrogen recovery and recycling facilities), (c) (iv) a, (c) (iv) b (applicable only to dust from among measuring items), (c) (v) (applicable only to dust from among measuring items), (c) (vi) and (vii), (d), (e), (f) (ii) through (v), (i) (excluding continuous incineration facilities for household wastes), (j), and (k) of Appendix 3 shall be installed with an automatic smokestack measuring device by June 31, 2007 and emission facilities under the amended provisions of item (f) (i) of the same subparagraph, which are cooling facilities for cement manufacturing facilities, by December 31, 2007, and shall be operated to normally transmit the results of measurement to the control center.

(2) Notwithstanding paragraph (1), in cases of an emission facility under subparagraph 2 of Appendix 8, which is found to constantly emit pollutants below 30 percent of the permissible emission level based on the results of measurement of emission quantity on at least one occasion each month for one year on or before the expiration date of the deadline for installation under paragraph (1), the installation of an automatic smokestack measuring device shall be postponed until the emission quantity of pollutants reaches at least 30 percent of the permissible emission levels: Provided, That where the emission quantity is at least 30 percent of the permissible emission levels, the emission facility shall be installed with an automatic smokestack measuring device within six months from such date and shall be operated to normally transmit the results of measurement to the control center.

#### **Article 8 (Transitional Measures concerning Designation of Inspection Agencies for Motor Vehicle Fuels or Additives)**

An institution designated as an inspection agency for motor vehicle fuels or as an inspection agency for additives as prescribed by the Minister of Environment on or before December 31, 2006 which is the enforcement date of the Enforcement Decree of the Clean Air Conservation Act (Presidential Decree No. 19770) shall be deemed an institution designated under the amended provisions of Article 58.

#### **Article 9 (Transitional Measures concerning Administrative Disposition)**

Permission granted by or other acts conducted by administrative agencies, or reports made to or other acts conducted to administrative agencies under the previous provisions as at the time this Decree enters into force shall be deemed acts conducted by or to the relevant administrative agencies under this Decree.

#### **Article 10 Omitted.**

#### **Article 11 (Relationship to Other Statutes and Regulations)**

Where other statutes and regulations have cited the provisions of the previous Enforcement Decree of the Clean Air Conservation Act as at the time this Decree enters into force, if the provisions corresponding thereto exist in this Decree, they shall be deemed cited the relevant provisions of this Decree in lieu of the previous provisions.

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ADDENDA <Presidential Decree No. 20547, Jan. 15, 2008>

#### **Article 1 (Enforcement Date)**

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

#### **Article 2 (Transitional Measures concerning Installation of Automatic Smokestack Measuring Device)**

(1) Emission facilities which have been installed or are under installation with permission, etc., under the previous provisions as at the time this Decree enters into force and which are required to be installed

with automatic smokestack measuring devices under the amended provisions of subparagraph 1 of Appendix 3 shall be installed with automatic smokestack measuring devices within six months (within one year where the installation of an automatic smokestack measuring device is required to measure dust of the facilities under subparagraph 1 (a) (iii) of Appendix 3 and where the same place of business required to be newly installed with an automatic smokestack measuring device has at least 10 points of emissions) and shall be operated to normally transmit the results of measurement to the control center.

<20680, 2008. 2. 29.> ( )

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ADDENDA <Presidential Decree No. 20680, Feb. 29, 2008>

**Article 1 (Enforcement Date)**

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

**Articles 2 and 3 Omitted.**

<20789, 2008. 5. 21.> ( )

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ADDENDA <Presidential Decree No. 20789, May 21, 2008>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on May 26, 2008.

**Articles 2 through 6 Omitted.**

<21025, 2008. 9. 22.> ( )

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ADDENDA <Presidential Decree No. 21025, Sep. 22, 2008>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 4 Omitted.**

<21229, 2008. 12. 31.>

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ADDENDUM <Presidential Decree No. 21229, Dec. 31, 2008>

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 47 (1) 7 shall enter into force on January 1, 2010.

<21241, 2008. 12. 31.> ( )

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ADDENDA <Presidential Decree No. 21241, Dec. 31, 2008>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on January 1, 2009.

**Article 2 Omitted.**

<21325, 2009. 2. 13.>

ADDENDUM <Presidential Decree No. 21325, Feb. 13, 2009>

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

<21586, 2009. 6. 30.>

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ADDENDUM <Presidential Decree No. 21586, Jun. 30, 2009>

This Decree shall enter into force on July 1, 2009; provided, the amended provisions of Article 66 (1) and (3) shall enter into force on January 1, 2010.

<21590, 2009. 6. 30.> ( )

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ADDENDA <Presidential Decree No. 21590, Jun. 30, 2009>

#### Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2009: Provided, That the amended provisions of Articles 8 and 9 shall enter into force on January 1, 2010.

#### Article 2 (Period of Validity following Amendment to the Enforcement Decree of the Farmland Act)

(1) The amended provisions of subparagraph 46 of Appendix 2 of the Enforcement Decree of the Farmland Act shall remain in effect until June 30, 2011.

(2) The amended provisions of subparagraph 46 of Appendix 2 of the Enforcement Decree of the Farmland Act shall begin to apply to permission for diversion of farmland (including permission for modification, and authorization or permission by which permission for diversion of farmland or permission for modification is deemed granted pursuant to other statutes or regulations; hereafter in this paragraph, the same shall apply) applied for, or a report on diversion of farmland (including a report on modification; hereafter in this paragraph, the same shall apply) filed on or after the date this Decree enters into force, and shall also apply to permission for diversion of farmland or a report on diversion of farmland applied for or filed by June 30, 2011.

#### Article 3 (Applicability following Amendment to the Enforcement Decree of the Tourism Promotion Act)

The amended provisions of subparagraph 1 of Article 32 of the Enforcement Decree of the Tourism Promotion Act shall also apply to a person who obtained or applied for, approval of a business plan under Article 15 of the Act before this Decree enters into force.

#### **Article 4 (Applicability following Amendment to the Enforcement Decree of the Industrial Sites and Development Act)**

(1) The amended provisions of Article 40 (2) of the Enforcement Decree of the Industrial Sites and Development Act shall begin to apply to a plan for sales in lots prepared on or after the date this Decree enters into force.

(2) Matters mandated to municipal ordinance under the amended provisions of Article 40 (2) of the Enforcement Decree of the Industrial Sites and Development Act shall be governed by the previous provisions until such municipal ordinance is enacted or amended.

#### **Article 5 (Transitional Measures following Amendment to the Enforcement Decree of the Employment Insurance Act)**

The amended provisions of Article 13 (1) 2 of the Enforcement Decree of the Employment Insurance Act shall begin to apply to a place of business that reduces working hours under Article 13 (1) of the Enforcement Decree of the Employment Insurance Act on or after the date this Decree enters into force.

#### **Article 6 (Transitional Measures following Amendment to the Enforcement Decree of the Act on the Management and Promotion of Real Estate Development Business)**

The imposition of administrative fines for violations committed before this Decree enters into force shall be governed by the previous provisions.

#### **Article 7 (Transitional Measures following Amendment to the Enforcement Decree of the New Harbor Construction Promotion Act)**

The amended provisions of the latter part of Article 9 (5) of the Enforcement Decree of the New Harbor Construction Promotion Act shall apply to a person who applied for an extension of the application period for approval of a plan to implement a new harbor construction project under the previous provisions as at the time this Decree enters into force, if the extended period has not expired, and such person shall be deemed granted an extension once under the aforesaid amended provisions.

#### **Article 8 (Transitional Measures following Amendment to the Enforcement Decree of the Act on the Promotion of Saving and Recycling of Resources)**

The imposition of administrative fines for violations committed before this Decree enters into force shall be governed by the previous provisions.

#### **Article 9 (Transitional Measures following Amendment to the Enforcement Decree of the Sewerage Act)**

(1) The first retraining referred to in the amended provisions of Article 38 (2) 2 (a) of the Enforcement Decree of the Sewerage Act shall be conducted in the year in which the fifth anniversary of the date of completing the last retraining conducted before this Decree enters into force falls.

(2) The amended provisions of Article 38 (2) 2 (b) of the Enforcement Decree of the Sewerage Act shall begin to apply to business suspension ordered on or after the date this Decree enters into force.



<21626, 2009. 7. 7.> ( )

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ADDENDUM <Presidential Decree No. 21626, Jul. 7, 2009>

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

<22075, 2010. 3. 15.> ( )

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ADDENDA <Presidential Decree No. 22075, Mar. 15, 2010>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on March 19, 2010. (Proviso Omitted.)

**Article 2 Omitted.**

<22100, 2010. 3. 26.>

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ADDENDUM <Presidential Decree No. 22100, Mar. 26, 2010>

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 47 (1) 8, 63 (3) 4, 5, and 7, 66 (1) 4, 5, and 7 shall enter into force on July 1, 2010, while the amended provisions of Articles 63 (3) 6, and 66 (1) 6 shall enter into force on January 1, 2011.

<22224, 2010. 6. 28.> ( )

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ADDENDA <Presidential Decree No. 22224, Jun. 28, 2010>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on July 1, 2010.

**Articles 2 through 5 Omitted.**

<22601, 2010. 12. 31.>

ADDENDUM <Presidential Decree No. 22601, Dec. 31, 2010>

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

<23488, 2012. 1. 6.> ( )

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ADDENDA <Presidential Decree No. 23488, Jan. 6, 2012>

**Article 1 (Enforcement Date)**

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

**Article 2 Omitted.**

<23792, 2012. 5. 22.>

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ADDENDA <Presidential Decree No. 23792, May 22, 2012>

**Article 1 (Enforcement Date)**

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

**Article 2 (Applicability to Reporting on Current Status of Correction of Defects)**

The amended provisions of Article 50 (1) and (2) shall begin to apply to motor vehicles delivered on or after the date this Decree enters into force.

<23967, 2012. 7. 20.> ( )

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ADDENDA <Presidential Decree No. 23967, Jul. 20, 2012>

**Article 1 (Enforcement Date)**

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

**Articles 2 and 3 Omitted.**

<24344, 2013. 1. 31.>

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ADDENDA <Presidential Decree No. 24344, Jan. 31, 2013>

#### Article 1 (Enforcement Date)

This Decree shall enter into force on May 24, 2013: Provided, That the amended provisions of Articles 23, 27, 28, 32, 33, 34 (1), with the exception of its subparagraphs, 36, 39, 53 through 57, 63 (1) 11 and 17 and 18, 63 (2) 7 and (3), 66 (1) 5 through 7 and 9, 66-3, 67, and Appendixs 10-2, 13, and 15 (excluding subparagraph 2 (a) and (p)) shall enter into force on February 2, 2013.

#### Article 2 (Transitional Measures following Amendment to Statutes and Regulations)

"Relevant Mayor/Do Governor" in the amended provisions of Article 33 (2) shall be construed as "the Minister of Environment" until May 23, 2013; " relevant Mayor/Do Governor" in the amended provisions of Article 36 (1) as "the Minister of Environment" until May 23, 2013; "relevant Mayor/Do Governor" in the amended provisions of Article 36 (4) as "the Minister of Environment" until May 23, 2013; "Article 94 (3) 1-2 of the Act" in the amended provisions of subparagraph 2 (b) of Appendix 15 as "Article 94 (3) 1 of the Act" until May 23, 2013; and "Article 74 (4) of the Act" in the amended provisions of subparagraph 2 (za) of the same Table as "Article 74 (3) of the Act" until May 23, 2013, respectively.

<24451, 2013. 3. 23.> ( )

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### Article 1 (Enforcement Date)

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

**Articles 2 through 4 Omitted.**

<25050, 2013. 12. 30.> ( )

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

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

<25144, 2014. 2. 5.>

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ADDENDA <Presidential Decree No. 25144, Feb. 5, 2014>

#### Article 1 (Enforcement Date)

This Decree shall enter into force on February 6, 2014: Provided, That the amended provisions of Articles 1-2 (2) 2 and 3, and 2 (2) 1 and 2, and (3) 1 and 2 shall enter into force on January 1, 2015, and the amended provisions of Article 63 (1) 3 and 4 on July 17, 2016.

#### Article 2 (Transitional Measures concerning Granting of Collection Expenses)

Notwithstanding the amended provisions of Article 31-2 (1), the granting of expenses for collection of charges and surcharges imposed by Mayors/Do Governors under Article 35 of the Act before this Decree enters into force shall be governed by the previous provisions.

#### Article 3 (Transitional Measures concerning Permission for or Documents for Reporting on Installation of Emission Facilities)

Notwithstanding the amended provisions of Article 11 (3) 1, a person who has submitted a report on the installation of emission facilities to a Mayor/Do Governor in accordance with the previous Article 11 (3) before this Decree enters into force shall be governed by the previous provisions.

<25532, 2014. 8. 6.> ( )  
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ADDENDUM <Presidential Decree No. 25532, Aug. 6, 2014>

This Decree shall enter into force on August 7, 2014.

<25751, 2014. 11. 19.> ( )

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ADDENDA <Presidential Decree No. 25751, Nov. 19, 2014>

#### Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided That, among the Presidential Decrees amended under Article 5 of the Addenda, amendments to Presidential Decrees, which were promulgated before this Decree enters into force but the enforcement dates of which have yet to arrive, shall enter into force on the enforcement date of the relevant Presidential Decree, respectively.

#### Articles 2 through 5 Omitted.

<25950, 2014. 12. 31.>

ADDENDUM <Presidential Decree No. 25950, Dec. 31, 2014>

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

<26229, 2015. 5. 6.>

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ADDENDUM <Presidential Decree No. 26229, May 6, 2015>

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

<26419, 2015. 7. 20.>

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ADDENDUM <Presidential Decree No. 26419, Jul. 20, 2015>

This Decree shall enter into force on July 21, 2015: Provided, That the amended provisions of Article 38-2, subparagraph 11 of Article 44, and Appendix 9-2 shall enter into force on January 1, 2016, and the amended provisions of the main sentence of Article 45 (1), with the exception of its subparagraphs, shall enter into force on January 21, 2017.

<26705, 2015. 12. 10.>

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ADDENDA <Presidential Decree No. 26705, Dec. 10, 2015>

**Article 1 (Enforcement Date)**

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

**Article 2 (Transitional Measures concerning Permission for Installation of Emission Facilities Emitting Specified Hazardous Air Pollutants)**



(1) A person who is required to file a report on installation under the amended provisions of Article 11 (1) and paragraph (2) of that Article, among persons who have obtained permission for installation of emission facilities emitting specified hazardous air pollutants under the previous provisions, shall be deemed to have filed a report under Article 23 (1) of the Act.

(2) Where it is intended to take an administrative disposition under Article 36 or 38 of the Act against a facility which becomes subject to a report on installation under the amended provisions of Article 11 (1) and paragraph (2) of that Article, among facilities subject to permission for installation under the previous provisions of Article 11 (1) and (4), for violations relating to permission or permission for modification obtained or a report on modification filed under Article 23 (1) or (2) of the Act before this Decree enters into force, the provisions concerning a report or a report on modification under Article 36 or 38 of the Act shall apply.

**Article 3 Omitted.**

<27062, 2016. 3. 29.>

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ADDENDA <Presidential Decree No. 27062, Mar. 29, 2016>

**Article 1 (Enforcement Date)**

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

**Article 2 Omitted.**

<27200, 2016. 5. 31.>

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ADDENDA <Presidential Decree No. 27200, May 31, 2016>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on June 2, 2016.

**Article 2 (Applicability to Reporting on Current Status of Correction of Defects)**

The amended provisions of Article 50-2 shall begin to apply to the owner or entity of a motor vehicle who requires the relevant motor vehicle manufacturer to correct defective exhaust emission-related parts of a motor vehicle pursuant to Article 52 (1) of the Act, on or after the date this Decree enters into force.

<27299, 2016. 6. 30.> ( )  
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ADDENDA <Presidential Decree No. 27299, Jun. 30, 2016>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on July 1, 2016. (Proviso Omitted.)

**Articles 2 through 15 Omitted.**

<27392, 2016. 7. 26.>  
 2016. 7. 28. , 1 2 1 7 , 1 1  
 2 2017. 1. 28 , 14 3  
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ADDENDUM <Presidential Decree No. 27392, Jul. 26, 2016>

This Decree shall enter into force on July 28, 2016: Provided, That the amended provisions of Articles 1-2 through 1-7 and Appendixs 1 and 1-2 shall enter into force on January 28, 2017; while the amended provisions of subparagraph 3 of Appendix 14 shall enter into force on the date of its promulgation.

<27802, 2017. 1. 24.>

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ADDENDA <Presidential Decree No. 27802, Jan. 24, 2017>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on January 28, 2017: Provided, That the amended provisions of subparagraph 3 and subparagraphs 9 through 13 of Appendix 9-2 shall enter into force on January 1, 2018; while the amended provisions of Article 66 (1) 1-2, subparagraph 1 (b) of Appendix 10-2, subparagraph 2 (a) of Appendix 11-3, and subparagraph 1 of Appendix 15 shall enter into force on the date of its promulgation.

**Article 2 (Transitional Measures concerning Reporting on Fugitive Emission Facilities)**

Any business entity engaging in any type of business specified in the amended provisions of subparagraph 3 (c) through (e) of Appendix 9-2 or subparagraphs 9 through 13 of that Table, who has installed and operated fugitive emission facilities as of January 1, 2018, may install and operate fugitive emission facilities of the type of business without filing a report on the fugitive emission facilities under Article 38-2 (1) of the Act, until June 30, 2018.

<27960, 2017. 3. 27.> ( )

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ADDENDUM <Presidential Decree No. 27960, Mar. 27, 2017>

This Decree shall enter into force on March 30, 2017. (Proviso Omitted.)

<28211, 2017. 7. 26.> ( )

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ADDENDA <Presidential Decree No. 28211, Jul. 26, 2017>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on the date of its promulgation: Provided, That amendments to Presidential Decrees, which were promulgated before this Decree enters into force but the enforcement dates of which have not yet arrived, among the Presidential Decrees amended pursuant to Article 8 of the Addenda, shall enter into force on the enforcement date of the relevant Presidential Decree, respectively.

**Articles 2 through 8 Omitted.**

<28243, 2017. 8. 16.> ( 19 )

ADDENDUM <Presidential Decree No. 28243, Aug. 16, 2017>

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

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This Decree shall enter into force on December 28, 2017.

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## Article 1 (Enforcement Date)

**Article 2 Omitted.**

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This Decree shall enter into force on November 29, 2018.

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ADDENDA <Presidential Decree No. 29452, Dec. 31, 2018>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on January 1, 2019: Provided, That the amended provisions of Article 23 (1) 3 and (2) 8, and Appendixs 4, 5, and 8 concerning nitrogen oxides shall enter into force on January 1, 2020.

**Article 2 (Special Cases concerning Standards for Calculating Emission Charges for Business Entities That Emit Nitrogen Oxides)**

When imposing an emission charge on a business entity that emits nitrogen oxides (limited to an emission charge due to the emission of nitrogen oxides; hereinafter the same shall apply) on or after the enforcement date pursuant to the proviso of Article 1 of these Addenda, the amount of imposition per kilogram of nitrogen oxides emitted shall be 1,490 won by December 31, 2020, and 1,810 won from January 1, 2021 to December 31, 2021, notwithstanding the amended provisions of Appendix 4.

**Article 3 (Special Cases concerning Imposition of Emission Charges on Places of Business in Process of Improving Prevention Facilities)**

(1) Where a business entity emitting nitrogen oxides, which is in the process of improving prevention facilities as at the time this Decree enters into force, submits a plan for improving prevention facilities and completes the improvement of the prevention facilities by December 31, 2020 pursuant to Article 21 (4), the competent Mayor/Do Governor need not impose the basic charge in the emission charge for the period between the enforcement date pursuant to the proviso of Article 1 of these Addenda and the time of completing the prevention facility improvement (hereinafter referred to as “improvement period”).

(2) Where a business entity exempt from the basic charge under paragraph (1) is found to have reduced the emission of nitrogen oxides to the maximum extent possible during the improvement period by submitting and implementing a plan for additional reduction actions, as well as improving its prevention facilities, the competent Mayor/Do Governor need not impose any excess charge in the emission charge for the improvement period.

(3) Where a business entity is exempt from the emission charge under paragraphs (1) and (2), if its average daily value of the emission concentration exceeds 30 percent of the permissible emission levels during the period subject to the imposition of emission charge for the first time after completing the prevention facility improvement, the emission charge not imposed for the improvement period shall be imposed retroactively.

**Article 4 (Special Cases concerning Period for Imposition of Emission Charges on Places of Business in Process of Improving Prevention Facilities)**

(1) Where a Mayor/Do Governor has not imposed any emission charge on a business entity emitting nitrogen oxides for the improvement period under Article 3 of these Addenda, the emission quantity in excess of the standard for automatically measuring business places to be applied when an emission charge is first imposed after the end of the improvement period shall be the sum of the excesses of the permissible emission levels emitted during the period between the date of improvement completion and the end of the half-year term that first arrives after six months therefrom.

(2) Where a Mayor/Do Governor has not imposed any emission charge on a business entity emitting nitrogen oxides for the improvement period under Article 3 of the Addenda, the base date for imposing the basic charge and the excess charge on an automatically measuring business place to be applied when an emission charge is first imposed after the end of the improvement period shall be the last day of the half-year term that first arrives after six months from the date of improvement completion, and the period for imposition thereof shall be the period between the date of improvement completion and the end of the half-year term that first arrives after six months therefrom.

(3) Where a Mayor/Do Governor has not imposed any emission charge for nitrogen oxides for the improvement period under Article 3 of the Addenda, the basic charge imposed after the end of the improvement period (excluding where it is retroactively imposed under Article 3 (3) of the Addenda) shall be subject to Appendix 4 and subparagraphs 1 (b) and 2 (a) (iii) of Appendix 8, notwithstanding Article 2 of the Addenda and subparagraph 2 (a) (i) and (ii) of Appendix 8.

<29514, 2019. 2. 8.> ( )

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ADDENDA <Presidential Decree No. 29514, Feb. 8, 2019>

#### Article 1 (Enforcement Date)

This Decree shall enter into force on February 15, 2019. (Proviso Omitted.)

**Article 2 Omitted.**

<29518, 2019. 2. 8.> ( )

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ADDENDA <Presidential Decree No. 29518, Feb. 8, 2019>

## Article 1 (Enforcement Date)

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

**Articles 2 and 3 Omitted.**