

ACT ON THE MANAGEMENT AND USE OF LIVESTOCK EXCRETA

Act No. 8010, Sep. 27, 2006

Amended by Act No. 8354, Apr. 11, 2007

Act No. 8466, May 17, 2007

Act No. 8852, Feb. 29, 2008

Act No. 8957, Mar. 21, 2008

Act No. 9433, Feb. 6, 2009

Act No. 10035, Feb. 4, 2010

Act No. 10615, Apr. 28, 2011

Act No. 10893, Jul. 21, 2011

Act No. 10973, Jul. 28, 2011

Act No. 11965, Jul. 30, 2013

Act No. 11998, Aug. 6, 2013

Act No. 12516, Mar. 24, 2014

Act No. 13526, Dec. 1, 2015

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to contribute to the sustainable development of the livestock industry in harmony with the environment and to the improvement of national health by converting livestock excreta into resources or disposing thereof properly, thereby preventing environmental pollution.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 2 (Definitions)

The terms used in this Act shall be defined as follows: <Amended by Act No. 13526, Dec. 1, 2015>

1. The term "livestock" means cattle, swine, horses, chickens, and other domesticated animals prescribed by Presidential Decree;
2. The term "livestock excreta" means excrement and urine excreted by livestock, or a mixture of water used in the course of raising livestock and excrement and urine of livestock;
3. The term "waste-generating facility" means any facility or place that produces livestock excreta in the course of raising livestock, such as livestock pens, playgrounds, and other places prescribed by Ordinance of the Ministry of Environment;
4. The term "resource recovery plant" means a facility for converting livestock excreta into manure, liquid manure, or bio-energy (hereinafter referred to as "resource recovery") referred to in subparagraph 2 (f) of Article 2 of the Act on the Promotion of the Development, Use and Diffusion of New and Renewable Energy;
- 4-2. The term "livestock excreta solid fuel" means solid fuel produced through separation, drying, formulation, etc. of livestock excreta;
5. The term "manure" means any substance excluding liquid manure, made by fermenting livestock excreta containing ingredients of fertilizers, which meets standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs;
6. The term "liquid manure" means any substance made by fermenting livestock excreta in liquid form, which meets standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs;

7. The term "purification facility" means a facility for treating livestock excreta according to the methods prescribed by Ordinance of the Ministry of Environment (hereinafter referred to as "purification"), such as sedimentation, decomposition;

8. The term "disposal facility" means a resource recovery plant or purification facility for recycling or purifying livestock excreta (hereinafter referred to as "disposal");

9. The term "public disposal facilities" means the following facilities:

(a) A disposal facility installed by the head of a local government;

(b) A resource recovery plant installed by an association or a national federation (hereinafter referred to as "agricultural cooperative") prescribed in Article 2 of the Agricultural Cooperatives Act with approval from the Special Metropolitan City Mayor, Metropolitan City Mayor, Do Governor (hereinafter referred to as the "Mayor/Do Governor"), Metropolitan Autonomous City Mayor, or Special Self-Governing Province Governor under Article 24 (3);

10. The term "producers' organization" means any of the following organizations:

(a) An agricultural cooperative;

(b) A cooperative, federation of cooperatives, social cooperative, or federation of social cooperatives prescribed in Article 2 of the Framework Act on Cooperatives, the members of which are livestock farmers;

(c) A cooperative, industrial cooperative, or federation of cooperatives from among the small and medium enterprise cooperatives prescribed in Article 3 of the Small and Medium Enterprise Cooperatives Act, the members of which are livestock farmers;

(d) A nonprofit corporation consisting of livestock farmers.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 3 (Responsibilities of State, Local Governments, and Livestock Farmers)

(1) The Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, and the head of a Si/Gun/Gu (the head of a Gu refers to the head of an autonomous Gu; hereinafter referred to as the "head of a Si/Gun/ Gu") shall endeavor to prevent environmental pollution caused by livestock excreta and to recover livestock excreta by measures such as ascertaining the current status of livestock excreta generated in his/her jurisdiction, installing public disposal facilities as provided for in this Act.

(2) The Mayor/Do Governor shall provide the head of a Si/Gun/Gu with technical and financial support so that the head of a Si/Gun/Gu can perform his/her duties under paragraph (1) in good faith.

(3) The State shall conduct research and development of, and provide support for, technology of treating livestock excreta, and provide each Mayor/Do Governor and the head of a Si/Gun/Gu with necessary technical and financial support to enable each of them to perform his/her duties under paragraph (1) or (2) in good faith.

(4) Each livestock farmer shall endeavor to conserve the environment and prevent environmental pollution by creating an environment for environment-friendly raising of livestock and disposing of livestock excreta appropriately.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 4 (Wider Disposal of Livestock Excreta)

If it is deemed necessary to jointly dispose of livestock excreta generated in at least two Special Metropolitan Cities, Metropolitan Cities, or Dos (hereinafter referred to as "City/Do"), or Metropolitan Autonomous Cities, Special Self-Governing Provinces, or Sis/Guns/Gus (Gu refers to an autonomous Gu; hereinafter referred to as "Si/Gun/Gu"), the local governments having the jurisdiction over the relevant areas may jointly install and operate public disposal facilities.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 5 (Basic Plans, etc. for Management of Livestock Excreta)

(1) The Mayor/Do Governor, Metropolitan Autonomous City Mayor, or Special Self-Governing Province Governor shall formulate a basic plan for the management of livestock excreta in his/her jurisdiction (hereinafter referred to as a "basic plan for the management of livestock excreta") every

ten years and obtain approval therefor from the Minister of Environment. The same shall apply when revising important matters of a basic plan for the management of livestock excreta, which are prescribed by Ordinance of the Ministry of Environment.

(2) When the Minister of Environment intends to approve the formulation or revision of a basic plan for the management of livestock excreta pursuant to paragraph (1), he/she shall consult with the Minister of Agriculture, Food and Rural Affairs and the heads of relevant central administrative agencies.

(3) Where any ground for the formulation, revision, etc. of the following basic plans arises, the Mayor/Do Governor, Metropolitan Autonomous City Mayor, or Special Self-Governing Province Governor shall reflect such ground in the revision of the basic plan for the management of livestock excreta:

1. The framework plan for sewerage management under Article 6 of the Sewerage Act;
2. The basic plan for waste treatment under Article 9 of the Wastes Control Act;
3. Any other public plan necessary for the management of livestock excreta.

(4) The head of a Si/Gun/Gu shall formulate a detailed plan for the management of livestock excreta within his/her jurisdiction (hereinafter referred to as “detailed plan for the management of livestock excreta”) based on a basic plan for the management of livestock excreta, and submit it to the Mayor/Do Governor: Provided, That in cases of a Metropolitan Autonomous City or Special Self-Governing Province, procedures for formulating a detailed plan for the management of livestock excreta shall be determined by ordinance of the relevant local government.

(5) Matters to be included in basic plans for the management of livestock excreta and a detailed plan for the management of livestock excreta and other necessary matters shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 6 Deleted. <by Act No. 10035, Feb. 4, 2010>

CHAPTER II MANAGEMENT OF LIVESTOCK

Article 7 (Investigation on Actual Status of Livestock Excreta, etc.)

(1) The Minister of Agriculture, Food and Rural Affairs, the Minister of Environment, the Mayor/Do Governor, the Metropolitan Autonomous City Mayor, or the Special Self-Governing Province Governor may investigate the actual status of the quantity of fertilizers contained in farmland, the quantity of fertilizers supplied, and environmental pollution caused by livestock excreta, etc., (hereinafter referred to as “investigation on the actual status of livestock excreta”) in order to formulate and implement policies related to the management and use of livestock excreta efficiently.

(2) Investigation item by investigation purpose, designation of an area subject to an investigation, investigation methods, and other necessary matters for the investigation of actual status of livestock excreta shall be prescribed by Presidential Decree.

(3) When the Minister of Agriculture, Food and Rural Affairs or the Minister of Environment conducts an investigation on the actual status of livestock excreta, the head of the relevant local government shall provide cooperation so that such investigation can be performed smoothly.

(4) Where the Mayor/Do Governor, the Metropolitan Autonomous City Mayor, or the Special Self-Governing Province Governor conducts an investigation on the actual status of livestock excreta, he/she shall report the plan for, and results of, the investigation on the actual status of livestock excreta to the Minister of Agriculture, Food and Rural Affairs or the Minister of Environment, as prescribed by Ordinance of the Ministry of Environment.

(5) If livestock farmers in an area where the quantity of fertilizers contained in farmland is found to be excessive or the quantity of fertilizers supplied is found to exceed its demand in the course of an investigation on the actual status on livestock excreta relocate or demolish their livestock pens, the Minister of Agriculture, Food and Rural Affairs may subsidize costs incurred in

relocating or demolishing the livestock pens, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 7-2 (Access to Land Owned by Others, etc.)

(1) Where necessary to investigate the actual status of livestock excreta, the Minister of Agriculture, Food and Rural Affairs, the Minister of Environment, the Mayor/Do Governor, the Metropolitan Autonomous City Mayor, or the Special Self-Governing Province Governor may allow a relevant public official to access the relevant area or an adjacent land owned by others, or to collect a minimum amount of samples necessary for the investigation, and if it is particularly required, he/she may remove or alter trees or other obstacles (hereinafter referred to as “obstacles, etc.”).

(2) When a person intends to access land owned by others pursuant to paragraph (1), he/she shall notify it to the occupant of relevant land in advance, and when a person intends to use land owned by others or to remove or alter obstacles, etc., he/she shall notify it to an owner and an occupant of such land in advance and gather consensus therefrom: Provided, That when it is impracticable to make a prior notification, a notification may be made in a method prescribed by Presidential Decree.

(3) Before or after dark, no access to a housing lot or land owned by others which is surrounded by walls or fences shall be allowed without approval from an occupant of relevant land.

(4) No occupant of relevant land shall refuse or interfere with access to or use of land under paragraph (1) without justifiable grounds.

(5) A person who intends to access land owned by others under paragraph (1) shall carry an identification indicating his/her authority, and show it to relevant persons, where requested.

(6) Matters necessary for identification referred to in paragraph (5) shall be determined by Ordinance of the Ministry of Environment.

[This Article Newly Inserted by Act No. 12516, Mar. 24, 2014]

Article 8 (Restrictions, etc. on Raising of Livestock)

(1) The head of a Si/Gun/Gu may designate and publicly announce a specific area to impose restrictions on raising livestock within the area, as prescribed by ordinance of the local government, if it is deemed necessary to impose such restrictions on raising livestock in any of the following areas in order to preserve living environment of residents or the quality of potable water sources: Provided, That where there is a request of an adjacent local government in the border area between local governments, he/she may impose restrictions on raising livestock by designating and publicly announcing a certain area in consultation with the relevant local governments; <Amended by Act No. 13526, Dec. 1, 2015>

1. A high-density residential area, the living environment of which needs to be protected;

2. A water-source protection area under Article 7 of the Water Supply and Waterworks Installation Act, an area subject to special measures under Article 38 of the Framework Act on Environmental Policy, or any similar area, the water environment of which needs to be preserved;

3. Waterfront areas designated and publicly announced pursuant to Article 4 (1) of the Act on the Improvement of Water Quality and Support for Residents of the Han River Basin; Article 4 (1) of the Act on Water Management and Resident Support in the Nakdong River Basin; Article 4 (1) of the Act on Water Management and Resident Support in the Geum River Basin; and Article 4 (1) of the Act on Water Management and Resident Support in the Yeongsan and Seomjin River Basins;

4. An area that exceeds environmental standards under Article 12 of the Framework Act on Environmental Policy;

5. An area which is requested by the Minister of Environment or the Mayor/Do Governor to be designated and publicly announced as a zone where the raising of livestock can be restricted under paragraph (2).

(2) In cases of an area which has caused or is likely to cause damage or harm to the conservation of water quality or the aquatic ecosystem due to livestock excreta, etc., from among

the areas where an investigation on the actual conditions of livestock excreta has been conducted under Article 7 (1) and areas described in subparagraphs 2 through 4 of paragraph (1), the Minister of Environment or the Mayor/Do Governor may request the head of a relevant Si/Gun/Gu to designate and announce such area as a zone where the raising of livestock can be restricted.

(3) The head of a Si/Gun/Gu may order a person who raises livestock within an area designated and announced as a zone in which livestock raising is restricted pursuant to paragraph (1) (hereinafter referred to as a "livestock-raising restriction zone") to relocate livestock pens, remove hazards, and take other necessary measures.

(4) When the head of a Si/Gun/Gu issues an order to relocate livestock pens pursuant to paragraph (3), he/she shall grant a grace period of at least one year, and shall provide reasonable compensation for relocation, such as financial support, arranging a site in accordance with the standards and procedures prescribed by Presidential Decree.

(5) Where deemed necessary to change or cancel the designation of a livestock-raising restriction zone, the head of a Si/Gun/Gu shall change or cancel the designation of a livestock-raising restriction zone, as prescribed by ordinance of the relevant local government, and publically announce such: Provided, That in cases of a livestock-raising restriction zone prescribed in paragraph (1) 5, the head of relevant Si/Gun/Gu shall consult with the Minister of Environment or the Mayor/Do Governor who has made the request for such designation and announcement.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 9 (Designation of Environment-Friendly Livestock Farms)

(1) The Minister of Agriculture, Food and Rural Affairs may designate a livestock farm that maintains livestock pens in an environment-friendly manner and contributes to appropriate management and use of livestock excreta as an environment-friendly livestock farm.

(2) The Minister of Agriculture, Food and Rural Affairs may attach the following conditions when designating an environment-friendly livestock farm:

1. The density of raised livestock shall be maintained in compliance with matters to be observed prescribed in Article 26 of the Livestock Industry Act, and its living environment shall be improved;
2. Livestock excreta shall be recovered and shall be fully reinstated as farmland;
3. An environment-friendly livestock pen shall be created by planting trees for landscaping, etc.;
4. Facilities for reducing offensive odors shall be installed and operated so as not to undermine the living conditions in nearby areas;
5. Other standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs shall be observed.

(3) The Minister of Agriculture, Food and Rural Affairs or the Minister of Environment may render the following assistance to livestock farms designated as environment-friendly livestock farms:

1. Financial support necessary for the management of livestock pens and livestock excreta;
2. Exemption from reporting and inspections under Article 41;
3. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(4) If a person whose farm is designated as an environment-friendly livestock farm falls under any of the following, the Minister of Agriculture, Food and Rural Affairs may cancel such designation: Provided, That the designation shall be cancelled in cases falling under subparagraph 1:

1. If the person obtains the designation by fraudulent or other illegal means;
2. If the person fails to fulfill any condition attached pursuant to paragraph (2);
3. If the farm ceases to meet any of the standards for the designation prescribed in paragraph

(6);

4. If the person becomes subject to an administrative disposition, punishment, or administrative fine for violating this Act or the Livestock Industry Act, making his/her farm inappropriate as an environment-friendly livestock farm.

(5) The Minister of Agriculture, Food and Rural Affairs, the Minister of Environment, the Mayor/Do Governor, the head of a Si/Gun/Gu, and each producers' organization shall proactively utilize exemplary cases of the operation of an environment-friendly livestock farm for education or public relations.

(6) Matters necessary for standards for the designation of environment-friendly livestock farms, the procedures for application, and other relevant matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 10 (Duty to Treat Livestock Excreta, Manure, and Liquid Manure)

(1) No person who discharges, collects, transports, disposes of, or sprays livestock excreta, manure, or liquid manure shall commit an act of flowing or with a risk of flowing livestock excreta, manure, or liquid manure to public waters provided for in subparagraph 9 of Article 2 of the Water Quality and Aquatic Ecosystem Conservation Act (hereinafter referred to as "public waters") by leaking or neglecting the same or by spraying liquid manure in violation of any of the standards for spraying liquid manure prescribed in Article 17 (1) 5.

(2) Where a living environment or public waters has been polluted or is at the risk of being polluted due to livestock excreta, manure, or liquid manure flown out or neglected, the head of a Si/Gun/Gu may order a person who discharges, collects, transports, disposes of, or sprays livestock excreta, manure, or liquid manure and others who are an owner or manager of livestock excreta, manure, or liquid manure to take necessary measures for the prevention of environmental pollution, such as changing the way they keep livestock excreta, manure, or liquid manure, the collection of livestock excreta, manure, or liquid manure.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

CHAPTER III MANAGEMENT OF WASTE-GENERATING FACILITIES AND DISPOSAL FACILITIES, AND SPRAYING OF MANURE OR LIQUID MANURE, ETC.

Article 11 (Installation of Waste-Generating Facilities)

(1) A person who intends to install, or has been installing or operating a waste-generating facility at least the size prescribed by Presidential Decree, shall prepare a plan for the installation of the waste-generating facility as prescribed by Presidential Decree, and obtain permission from the head of the competent Si/Gun/Gu. <Amended by Act No. 13526, Dec. 1, 2015>

(2) When a person who obtained permission under paragraph (1) intends to alter any significant matter prescribed by Ordinance of the Ministry of Environment, he/she shall obtain permission for alteration, and when he/she intends to alter any matter other than significant matters, he/she shall report on such proposed alteration.

(3) A person who intends to install, or has been installing or operating a waste-generating facility at least the size prescribed by Presidential Decree, shall report thereon to the head of the competent Si/Gun/Gu as prescribed by Ordinance of the Ministry of Environment, if the waste-generating facility is not subject to permission under paragraph (1). The same shall apply to any intended alteration to the reported matters prescribed by Ordinance of the Ministry of Environment. <Amended by Act No. 13526, Dec. 1, 2015>

(4) No person shall use a waste-generating facility installed or altered without permission, permission for alteration, a report, or a report on alteration prescribed in paragraphs (1) through (3), or entrust the raising of livestock (hereinafter referred to as "entrustment of livestock raising") by providing his/her livestock, feed, etc. to those who raise livestock by using such facility.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 12 (Duty, etc. to Install Disposal Facilities)

(1) A person who holds permission for installation or alteration, or a person who completes reporting on alteration under Article 11 (1) or (2), or a person who completes reporting or reporting

on alteration under paragraph (3) of the aforesaid Article (hereinafter referred to as “waste-generating facility installer”) shall install or alter disposal facilities: Provided, That where a person can appropriately dispose of livestock excreta other than by installing or altering disposal facilities, as prescribed by Presidential Decree, such person may not install or alter disposal facilities.

(2) A waste-generating facility installer may install a facility for jointly disposing of livestock excreta (hereinafter referred to as a “co-disposal facility”), in any of the following cases. In such cases, it shall be deemed that a relevant disposal facility has been installed for each waste-generating facility:

1. Where a waste-generating facility installer intends to install a resource recovery plant for disposing of livestock excreta discharged from waste-generating facilities located in the same Si/Gun/Gu;

2. Where a waste-generating facility installer intends to jointly install a resource recovery plant or a purification facility because waste-generating facilities are located adjacent to each other (including cases where waste-generating facilities are not located in the same Si/Gun/Gu).

(3) The State or a local government may provide a person who installs or alters disposal facilities or co-disposal facilities under paragraph (1) or (2) with necessary technical and financial support.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 12-2 (Standards, etc. for Installation of Disposal Facilities)

(1) A person who intends to install a disposal facility (hereinafter referred to as “disposal facility installer”), from among waste-generating facility installers, co-disposal facility installers, public disposal facility installers, recycling reporters prescribed in Article 27, and a person with permission for the livestock excreta disposal business pursuant to Article 28 (1) 2, shall comply with the standards for the installation of disposal facilities prescribed by Ordinance of the Ministry of Environment.

(2) A person who installs a resource recovery plant for producing liquid manure shall secure grassland, farmland, an area designated as an experimental forest under Article 47 of the Creation and Management of Forest Resources Act, or golf courses among sports facilities under Article 3 of the Installation and Utilization of Sports Facilities Act, which are necessary for spraying the liquid manure (hereinafter referred to as “areas permitted for spraying liquid manure”) in accordance with standards prescribed by Ordinance of the Ministry of Environment, subject to prior consultations with the Minister of Agriculture, Food and Rural Affairs.

(3) A person who installs a purification facility shall install facilities capable of separating livestock excreta into excrement and urine for separate storage, as prescribed by Ordinance of the Ministry of Environment: Provided, That the foregoing shall not apply where such person can observe the quality standards for discharged water under Article 13 (hereinafter referred to as “quality standards for discharged water”) without separation and storage of livestock excreta, or where such person meets requirements prescribed otherwise by Presidential Decree.

(4) If a person obligated to install facilities for separating livestock into excrement and urine for separate storage pursuant to paragraph (3) fails to install such facilities, the head of a Si/Gun/Gu may order him/her to install the facilities within a specified period, as prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 12516, Mar. 24, 2014]

Article 13 (Standards for Quality of Discharged Water)

(1) Quality standards for discharged water of purification facilities shall be prescribed by Ordinance of the Ministry of Environment. In such cases, as to an area subject to special measures under Article 38 of the Framework Act on Environmental Policy or an area prescribed by Presidential Decree as necessary for the preservation of the quality of potable water sources, living environment, or natural environment, different standards may be set for the quality of discharged water.

(2) Where the Mayor/Do Governor, Metropolitan Autonomous City Mayor, or Special Self-Governing Province Governor deems it difficult to maintain the environmental standards provided for in Article 12 (1) or (3) of the Framework Act on Environmental Policy, he/she may apply more stringent standards than the quality standards for discharged water under paragraph (1) by local government ordinance.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 13-2 (Standards for Converting Excreta into Manure and Liquid Manure etc.)

(1) The standards for converting excreta into manure or liquid manure of a resource recovery plant (hereinafter referred to as “standards for converting excreta into manure or liquid manure”) shall be prescribed by Presidential Decree: Provided, That in cases of manure or liquid manure prescribed in the Fertilizer Control Act, it shall meet the legal standards for manure or liquid manure (hereinafter referred to as “legal standards”) among the legal standards for fertilizers publicly announced pursuant to subparagraph 4 of Article 2 of the same Act.

(2) The standards for compositions, etc. of livestock excreta solid fuel of resource recovery plants (hereinafter referred to as “standards for solid fuel”) shall be prescribed by Ordinance of the Ministry of Environment. <Newly Inserted by Act No. 13526, Dec. 1, 2015>

[This Article Newly Inserted by Act No. 12516, Mar. 24, 2014]

Article 14 (Succession, etc. to Status of Waste-Generating Facility Installers, etc.)

(1) If a waste-generating facility installer or a disposal facility installer transfers his/her waste-generating facility or disposal facility to a third person or dies, or if a waste-generating facility installer or a disposal facility installer is merged with another corporation, the transferee, heir, or the corporation surviving or incorporated following such merger shall succeed to the status of the preceding waste-generating facility installer or disposal facility installer.

(2) A person who takes over a waste-generating facility or a disposal facility as a whole in accordance with any of the following procedures shall succeed to the status of the preceding waste-generating facility installer or disposal facility installer:

1. Auction pursuant to the Civil Execution Act;
2. Liquidation pursuant to the Debtor Rehabilitation and Bankruptcy Act;
3. Sale of seized property under the National Tax Collection Act, the Customs Act, or the Framework Act on Local Taxes;
4. Other procedures equivalent to the provisions in subparagraphs 1 through 3.

(3) A person who succeeds to the status of the preceding waste-generating facility installer or disposal facility installer pursuant to paragraphs (1) and (2) shall report to the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 15 (Completion Inspections, etc. of Waste-Generating Facilities, etc.)

(1) When a waste-generating facility installer or a disposal facility installer has completed the installation or alteration of a waste-generating or disposal facility, he/she shall file an application for completion inspection with the head of the competent Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Environment, to undergo a completion inspection (hereinafter referred to as “completion inspection”): Provided, That this shall not apply to any person who has completed the registration of a fertilizer production business pursuant to Article 11 of the Fertilizer Control Act. In such cases, documents prescribed by Ordinance of the Ministry of Environment may be submitted in lieu of a completion inspection.

(2) In receipt of an application for a completion inspection, the head of a Si/Gun/Gu shall inspect whether facilities subject to the inspection have been installed in compliance with the following and shall determine and notify whether the facilities successfully pass the completion inspection within 15 days from the date an application is filed:

1. Details of the permission or permission for alteration or report for installation or alteration under Article 11;
2. Standards for installation, etc. under Article 12-2 (1) through (3);

3. Details of a report on recycling or a report on alteration of recycling under Article 27;
 4. Details of permission for, permission for alternation of, or a report on alternation of the livestock excreta disposal business prescribed in Article 28 (1) 2.
- (3) When necessary to change a period for completion inspection for inevitable reasons, a person who has filed an application for completion inspection pursuant to paragraph (1) shall apply for the change of a completion inspection period, as prescribed by Ordinance of the Ministry of Environment, before a completion inspection under paragraph (2) commences.
- (4) A disposal facility installer who is notified of the passing of a completion inspection pursuant to paragraph (2) shall operate the facility to treat livestock excreta in conformity with the standards falling under each subparagraph of the followings within a period prescribed by Ordinance of the Ministry of Environment. In such cases, Articles 17 (4), 53 (1) 1 through 3 and (2) 2 shall not apply during the aforesaid period. <Amended by Act No. 13526, Dec. 1, 2015>
1. Quality standards for discharged water under Article 13;
 2. Standards for converting excreta into manure or liquid manure under Article 13-2 (1) or legal standards of commercial fertilizer in cases of manure or liquid manure to which the Fertilizer Control Act applies;
 3. Standards for solid fuel under Article 13-2 (2).
- (5) With respect to facilities for which a notification of passing a completion inspection has been made pursuant to paragraph (2), the head of a Si/Gun/Gu shall inspect the operational status of such facilities without delay after the period pursuant to paragraph (4), and request an inspection agency prescribed by Presidential Decree to conduct an inspection by collecting a sample in order to examine whether the standards of each subparagraph of paragraph (4) are met. <Amended by Act No. 13526, Dec. 1, 2015>
- (6) An agency, in receipt of a request for an inspection under paragraph (5), shall examine as to whether a relevant sample satisfies the standards of each subparagraph of paragraph (4), and notify the head of a Si/Gun/Gu of the results thereof within one month from the date an inspection is requested. <Amended by Act No. 13526, Dec. 1, 2015>
- (7) The standards for taking a sample, the methods for examining the quality of discharged water, manure, liquid manure or livestock excreta solid fuel pursuant to paragraphs (5) and (6), and other necessary matters shall be prescribed by Presidential Decree. <Amended by Act No. 13526, Dec. 1, 2015>

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 15-2 (Use Reports of Livestock Excreta Solid Fuel)

- (1) A person who intends to use livestock excreta solid fuel shall report to the head of a Si/Gun/Gu as prescribed by Ordinance of the Ministry of Environment in any of the following cases:
1. Where he/she intends to firstly use livestock excreta solid fuel;
 2. Where he/she intends to re-use livestock excreta solid fuel after having stopped using it for at least one year;
 3. Where he/she intends to use livestock excreta solid fuel of which any of the following is changed:
 - (a) Suppliers of livestock excreta solid fuel;
 - (b) Kinds of livestock excreta solid fuel.
- (2) A person who uses livestock excreta solid fuel shall use it in the facilities prescribed by Ordinance of the Ministry of Environment.

[This Article Newly Inserted by Act No. 13526, Dec. 1, 2015]

Article 16 (Designing and Building Disposal Facilities)

- (1) Any person who intends to install or alter a disposal facility shall order any of the following persons to design and construct it: Provided, That this shall not apply when a waste-generating facility installer intends to install or alter a disposal facility (limited to resource recovery

plants into manure or liquid manure) on the basis of a standard drawing determined by the Minister of Environment, in consultation with the Minister of Agriculture, Food and Rural Affairs:

1. A person who has registered the design and construction business pursuant to Article 34 (1);
2. A person who has registered the specialized environmental construction business under Article 15 of the Environmental Technology and Industry Support Act (limited to the field of water quality);
3. A person who has registered the design and construction business for private sewage treatment facilities under Article 51 of the Sewerage Act;
4. A person who has registered a category of the construction business prescribed by Presidential Decree among those who have registered the construction business under Article 9 (1) of the Framework Act on the Construction Industry.

(2) Notwithstanding paragraph (1), a person who intends to install or alter a disposal facility of size and work classification prescribed by Presidential Decree shall have a person, who is equipped with the facility, equipment, and technological capacity that meet the standards prescribed by Presidential Decree from among those falling under any subparagraph of paragraph (1), engage in design and construction.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 17 (Management, etc. of Waste-Generating and Disposal Facilities)

(1) A waste-generating facility installer and an operator of the installed waste-generating facility (hereinafter referred to as “waste-generating facility installer and operator”), a disposal facility installer and an operator of the installed disposal facility (hereinafter referred to as “disposal facility installer and operator”), or a person who sprays manure or liquid manure shall not engage in any of the following conduct in disposing of livestock excreta or spraying manure or liquid manure:

<Amended by Act No. 13562, Dec. 1, 2015>

1. Discharging livestock excreta without treating it through a disposal facility or installing a facility through which livestock excreta can be discharged without treating it through a disposal facility;
2. Discharging livestock excreta flowing into a disposal facility without resource recovery or without discharging it through the final discharge outlet (hereinafter referred to as “halfway discharge”) or installing a facility for discharging livestock excreta halfway: Provided, That this shall not apply where the head of the competent Si/Gun/Gu recognizes that halfway discharge is necessary for producing liquid manure in the process of disposing of livestock excreta, etc. by a disposal facility;
3. Mixing water with livestock excreta flowing into a purification facility in an attempt to purify it, or discharging livestock excreta after mixing it with water: Provided, that this shall not apply where the head of the competent a Si/Gun/Gu recognizes that it is possible to purify livestock excreta only by mixing it with water in such process, subject to consultation with the Korea Environment Corporation under the Korea Environment Corporation Act or other relevant specialized institutions;
4. Producing and using manure or liquid manure which fails to meet any of the standards for converting excreta into manure or liquid manure, or transferring such manure or liquid manure to a third person, where livestock excreta is disposed at a resource recovery plant: Provided, That this shall not apply where manure or liquid manure which fails to meet any of the standards for converting excreta into manure or liquid manure is transferred to a person who intends to use it after fermenting it again, as prescribed by Presidential Decree;
5. Spraying liquid manure produced at a resource recovery plant into liquid manure over any place other than where the installer of a relevant resource recovery plant has secured to spray liquid manure, or violating spraying standards prescribed by Ordinance of the Ministry of Environment;
6. Dumping manure or liquid manure without using it as a fertilizer, or dumping livestock excreta solid fuel without using it as fuel;

7. Discharging livestock excreta not in compliance with the quality standards for discharged water by not operating purification facilities properly without justifiable grounds.

(2) Where the installer and operator of a disposal facility find it difficult to ensure the normal operation of a purification facility in extenuating circumstances prescribed by Presidential Decree, and thus if there is a concern of failure to meet the quality standards for discharged water, such installer and operator shall report it to the head of a Si/Gun/Gu in advance as prescribed by Ordinance of the Ministry of Environment, and take necessary measures to prevent the leakage of livestock excreta.

(3) Any installer and operator of a waste-generating facility, or the installer and operator of a discharge facility shall operate their waste-generating facility or disposal facility in compliance with standards prescribed for the management by Ordinance of the Ministry of Environment.

(4) If the head of a Si/Gun/Gu finds that a waste-generating facility or a disposal facility has been operated in breach of paragraph (1) or (3), he/she may order the installer and operator of a relevant waste-generating facility, the installer and operator of a relevant discharge facility, or a person who sprays manure or liquid manure, to make necessary improvements to the relevant facility, the act of spraying manure or liquid manure, etc. within a specified period as prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 18 (Cancellation, etc. of Permission)

(1) Where an installer or operator of a waste-generating facility or an operator of a disposal facility installed by the waste-generating facility installer falls under any of the following, the head of a Si/Gun/Gu may cancel the relevant permission for installation or alteration of the waste-generating facility, or order its closure or the suspension of its use for not more than six months: Provided, That the permission for installation or alteration of a waste-generating facility shall be canceled, or the closure of a waste-generating facility shall be ordered, when falling under any of subparagraphs 1 through 4, 12, and 13:

1. Where he/she acquires the permission for installation or alteration or reports on installation or alteration by fraudulent or other illegal means;
2. Where he/she fails to engage in the raising of livestock for at least three years without just grounds;
3. Where he/she removes the waste-generating facility in order to discontinue raising livestock, or if it is confirmed that the waste-generating facility has been demolished;
4. Where he/she has installed the waste-generating facility in places where the installation of a waste-generating facility is banned under this Act or other Acts;
5. Where he/she fails to comply with measures ordered under Article 10 (2);
6. Where he/she has installed the waste-generating facility without acquiring permission for, or reporting on, the installation of a waste-generating facility prescribed in Article 11 (1) or (3) in places not banned from the installation of a waste-generating facility under this Act or other Acts;
7. Where he/she alters the waste-generating facility without acquiring permission for alteration or reporting on alteration as required under Article 11 (2) and (3);
8. Where he/she fails to install or alter the disposal facility as required under Article 12 (1);
9. Where he/she uses the waste-generating facility or disposal facility without undergoing a completion inspection prescribed in Article 15 for the relevant waste-generating facility or disposal facility;
10. Where he/she commits an offence falling under Article 17 (1) 1 or 2;
11. Where he/she fails to comply with an improvement order prescribed in Article 17 (4);
12. Where it is found that the quality standards for discharged water and the standards for converting excreta into manure or liquid manure are not met as the result of an examination and inspection prescribed in Article 18-3 (2), and where it is deemed impracticable to satisfy the quality standards for discharged water and the standards for converting excreta into manure or liquid

manure even after the relevant waste-generating facility is improved or a disposal facility is installed or improved;

13. Where he/she fails to comply with an order to suspend operation issued as he/she is found to fall under any of subparagraphs 5 through 11.

(2) Matters necessary for the detailed standards for administrative dispositions under paragraph (1) and other relevant matters shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 18-2 (Imposition of Penalty Surcharges)

(1) Where the head of a Si/Gun/Gu shall order the suspension of operation under Article 18 (1) 5 through 11, he/she may impose a penalty surcharge of not more than 100 million won in lieu of a disposition of the suspension of operation, if the suspension of operation is feared to cause difficulties in disposing of livestock or other significant harm to public interest.

(2) Where a person subject to the imposition of a penalty surcharge under paragraph (1) fails to pay the penalty surcharge by the relevant payment deadline, the head of a Si/Gun/Gu shall collect it in accordance with the Act on the Collection, etc. of Local Non-Tax Revenue.

(3) Penalty surcharges collected under paragraph (1) shall be used only for the purpose of environmental conservation projects.

(4) The types of violation subject to the imposition of a penalty surcharge, the scale of waste-generating facilities, the amount of a penalty surcharge based on the number of violations, etc. under paragraph (1), and other necessary matters, shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 12516, Mar. 24, 2014]

Article 18-3 (Report and Confirmation of Execution of Orders)

(1) Where any of the following persons has complied with an order, he/she shall report it to the head of a Si/Gun/Gu without delay:

1. A person who receives an order to take necessary measures pursuant to Article 10 (2);
2. A person who receives an order to make improvements pursuant to Article 17 (4);
3. A person who receives an order of the suspension of operation or an order of closure pursuant to Article 18.

(2) Upon receipt of a report pursuant to paragraph (1), the head of a Si/Gun/Gu shall require a relevant public official to ascertain the status of the fulfillment of an order without delay, and when it is deemed necessary to inspect the quality of discharged water, the compositions of manure, liquid manure, or the compositions of livestock excreta solid fuel, he/she shall take a sample and request an inspection agency prescribed by Presidential Decree to conduct an inspection on the quality of discharged water, the compositions of manure, or liquid manure, or the compositions of livestock excreta solid fuel. <Amended by Act No. 13526, Dec. 1, 2015>

(3) Each inspection agency, in receipt of a request for an inspection under paragraph (2), shall examine whether the relevant sample satisfies the quality standards for discharged water, the standards for converting excreta into manure or liquid manure, the legal standards, or the standards for livestock excreta solid fuel, and notify the results thereof to the head of a Si/Gun/Gu within one month from the date a request for the inspection is received. <Amended by Act No. 13526, Dec. 1, 2015>

(4) The standards for collecting samples pursuant to paragraphs (2) and (3), the methods for examining the quality of discharged water, manure, liquid manure, or livestock excreta solid fuel, and other necessary matters shall be prescribed by Presidential Decree. <Amended by Act No. 13526, Dec. 1, 2015>

[This Article Newly Inserted by Act No. 12516, Mar. 24, 2014]

CHAPTER IV FACILITATION OF USE OF LIVESTOCK EXCRETA

Article 19 (Formulation, etc. of Plans for Facilitating Use of Manure and Liquid Manure)

(1) The head of a Si/Gun/Gu shall formulate a plan for facilitating use of manure and liquid manure every two years for establishing connections between producers of manure and liquid

manure and farmers, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, in order to facilitate the use of generated manure and liquid manure.

(2) The Minister of Agriculture, Food and Rural Affairs or each Mayor/Do Governor may provide necessary technical and financial support for implementing a plan for facilitating use of manure and liquid manure under paragraph (1).

(3) Each producers' organization shall actively participate in a plan for facilitating use of manure and liquid manure under paragraph (1).

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 20 (Quality Control of Manure and liquid manure)

(1) The head of a Si/Gun/Gu or a producer's organization may analyze the ingredients of manure and liquid manure used within the jurisdiction and publicly announce results of the analysis.

(2) A person who produces, or intends to use manure or liquid manure may collect samples and request a producers' organization to conduct an analysis of ingredients.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 21 (Administrative Instructions, etc. for Appropriate Spraying of Manure and Liquid Manure, etc.)

(1) A waste-generating facility installer, disposal facility installer, or farmer may request the head of the competent Si/Gun/Gu to provide instructions on the adequate quantity of fertilizers for each kind of crop, spraying method, etc., as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. In such cases, the head of a Si/Gun/Gu shall actively cooperate therewith through guidance agencies under his/her control.

(2) The head of a Si/Gun/Gu may provide waste-generating facility installers, disposal facility installers, or farmers with educational programs regarding the adequate quantity of fertilizers for each kind of crop, spraying method, timing for spraying, etc., in order to facilitate resource recovery of livestock excreta and expand the use of livestock excreta in his/her jurisdiction.

(3) The head of a Si/Gun/Gu may set and implement a period necessary for intensively spraying liquid within his/her jurisdiction as a special period for spraying liquid manure in order to gain local residents' cooperation in spraying liquid manure.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 22 (Promotion of Distribution of Manure and Liquid Manure)

(1) The head of a Si/Gun/Gu may organize and operate a distribution consultative group comprised of livestock farmers, farmers, and producers' organizations (hereinafter referred to as "consultative group for the distribution of manure and liquid manure") in order to promote the use and distribution of manure and liquid manure produced within his/her jurisdiction.

(2) Matters necessary for the organization and operation of a consultative group for distribution of manure and liquid manure and other relevant matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(3) The head of a Si/Gun/Gu may provide financial and technical support to a consultative group for distribution of manure and liquid manure comprised pursuant to paragraph (1) to promote its operation.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 23 (Integrated Management of Livestock Excreta)

(1) The head of a Si/Gun/Gu may integrate systems for the management of livestock excreta, including the collection and resource recovery of livestock excreta and the distribution and management of manure and liquid manure, by linking public disposal facilities and sales networks in order to appropriately manage livestock excreta generated within his/her jurisdiction.

(2) The State or any local government may provide necessary technical and financial support for the integrated management under paragraph (1), within budgetary limits.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

CHAPTER V PUBLIC DISPOSAL OF LIVESTOCK EXCRETA

Article 24 (Installation, etc. of Public Disposal Facilities)

(1) The heads of local governments or agricultural cooperatives may install a public disposal facility (in cases of agricultural cooperatives, it shall be limited to resource recovery plants into resources; hereinafter the same shall apply) if necessary to dispose of livestock excreta generated at livestock farms: Provided, That the installation of a public disposal facility by agricultural cooperatives shall be permitted only when it serves public purposes prescribed by Ordinance of the Ministry of Environment.

(2) The heads of local governments or agricultural cooperatives shall install a public disposal facility in compliance with the installation standards prescribed by Ordinance of the Ministry of Environment.

(3) When the head of a Si/Gun/Gu or agricultural cooperatives intend to install or alter a public disposal facility in accordance with paragraph (1), they shall obtain approval from the Mayor/Do Governor, Metropolitan Autonomous City Mayor, or Special Self-Governing Province Governor (referring to the Minister of Environment when the Mayor/Do Governor, Metropolitan Autonomous City Mayor, or Special Self-Governing Province Governor installs a public disposal facility; hereafter the same shall apply in this Article), as prescribed by Ordinance of the Ministry of Environment. This shall also apply where they intend to alter important matters prescribed by Ordinance of the Ministry of Environment among approved matters.

(4) Where the heads of local governments or agricultural cooperative intend to install a public disposal facility by obtaining financial support from the State, they shall consult with the Minister of Environment in advance regarding financing installation projects as well as expenditure details, as prescribed by Ordinance of the Ministry of Environment.

(5) Where the heads of local governments finally treat livestock excreta that has undergone intermediate treatment at public disposal facilities (referring to the status of treatment that fails to meet the quality standards for discharged water; hereinafter the same shall apply) by channelling such excreta into public sewerage treatment plants under subparagraph 9 of Article 2 of the Sewerage Act (hereinafter referred to as "public sewerage treatment plants") or excreta treatment facilities under subparagraph 11 of the same Article, and where they have determined and publicly announced the project plan for public sewerage installation including matters related to the installation of the relevant public disposal facilities, or publicly announced the change thereof, or obtained authorization or authorization for change pursuant to Article 11 of the same Act, it shall be deemed that they have obtained approval or approval for change under paragraph (3).

(6) Where the Mayor/Do Governor, Metropolitan Autonomous City Mayor, or Special Self-Governing Province Governor grants approval pursuant to paragraph (3), if any of the following matters is required in order to install a public disposal facility for disposing of livestock excreta after mixing it with wastes, such as food wastes, or to change an existing public disposal facility to a public disposal facility for disposing of livestock excreta after mixing it with wastes, such as food wastes, he/she shall pre-consult with the head of the relevant administrative agency:

1. Permission, permission for alteration, or report on alteration of the waste treatment business under Article 25 (3) and (11) of the Wastes Control Act;

2. Approval, approval for alteration, report, or report on alteration in relation to the installation of a waste disposal facility under Article 29 (2) and (3) of the Wastes Control Act.

(7) With regard to matters on which the Mayor/Do Governor, Metropolitan Autonomous City Mayor, or Special Self-Governing Province Governor consults with the head of the relevant administrative agency pursuant to paragraph (6) when he/she grants approval under paragraph (3), it shall be deemed that permission, permission for alteration, approval, or approval of alteration has been acquired, and report or report on alteration has been made under subparagraphs of paragraph (6) with respect to the relevant public disposal facility.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 25 (Operation, etc. of Public Disposal Facilities)

(1) Where the heads of local governments or agricultural cooperatives who have installed a public disposal facility (hereinafter referred to as "public disposal facility installer") intend to start

to use or alter the public disposal facility, they shall publicly announce the scope of waste-generating facilities and areas subject to treatment: Provided, That in cases of agricultural cooperatives, they shall request the head of the competent Si/Gun/Gu to make such public announcement.

(2) Where a public disposal facility installer makes a public announcement under paragraph (1), he/she may issue the following orders to those who install and operate waste-generating facilities subject to treatment at the public disposal facility stated in the announcement, as prescribed by Ordinance of the Ministry of Environment: Provided, That in cases of agricultural cooperatives, they shall request the head of the competent Si/Gun/Gu to issue the following orders:

1. To install facilities that can store livestock excreta;
2. To install facilities that can separate livestock excreta into excrement and urine for discharge.

(3) A public disposal facility installer or a person who has gained permission for the business of management of livestock excreta facility prescribed in Article 28 (1) 3 to vicariously manage a public disposal facility (hereinafter referred to as "public disposal facility installer, etc.") shall preferentially import livestock excreta produced at small-scale waste-generating facilities when disposing of livestock excreta at public disposal facilities.

(4) When a public disposal facility has surplus capacity for treatment, a public disposal facility installer, etc. may take livestock excreta generated in its jurisdiction into the public disposal facility for disposal.

(5) Where the heads of local governments intend to dispose of livestock excreta that has undergone intermediate treatment at a public disposal facility by channeling it into a public sewerage treatment plant, he/she shall do so in compliance with the standards prescribed by Ordinance of the Ministry of Environment.

(6) A public disposal facility installer, etc. shall measure the quality of water discharged from the public disposal facility or test the composition of manure and liquid manure produced, and keep records thereof for three years, as prescribed by Ordinance of the Ministry of Environment.

(7) A public disposal facility installer shall undergo a technical examination of his/her public disposal facility once every five years pursuant to Article 13 (1) of the Environmental Technology and Industry Support Act in order to check the state of management of the public disposal facility.

(8) Where deemed necessary to improve the state of management of a public disposal facility as the result of a technical examination referred to in paragraph (7), the relevant public disposal facility installer shall establish and implement an improvement plan, as prescribed by Ordinance of the Ministry of Environment.

(9) No public disposal facility installer, etc. shall engage in any of the following conduct:
<Amended by Act No. 13526, Dec. 1, 2015>

1. Discharging water in excess of the quality standards for discharged water;
2. Producing manure or liquid manure in breach of the standards for converting excreta into manure and liquid manure;
3. Producing livestock excreta solid fuel not in compliance with the standards for livestock excreta solid fuel;
4. Halfway discharging livestock excreta flowing into a public disposal facility or installing a facility through which livestock excreta can be discharged halfway: Provided, That this shall not apply where prior halfway discharge is deemed necessary to produce liquid manure during the disposal process at disposal facilities when approval for installation or alteration of a public disposal facility is obtained from the Mayor/Do Governor, Metropolitan Autonomous City Mayor, or Special Self-Governing Province Governor in accordance with Article 24 (3);
5. Disposing of livestock excreta flowing into a public disposal facility by mixing it with water or discharging livestock excreta after mixing it with water: Provided, That this shall not apply if the Mayor/Do Governor, Metropolitan Autonomous City Mayor, or Special Self-Governing Province Governor recognizes that it is possible to treat pollutants only by mixing with water in the process

of disposal of livestock excreta after consultations with relevant specialized institutions, such as Korea Environment Corporation under the Korea Environment Corporation Act, etc.;

6. Spraying liquid manure produced at a public disposal facility over any place other than a place where the relevant public disposal facility installer, etc. has secured to spray liquid manure, or violating the spraying standards prescribed by Ordinance of the Ministry of Environment;

7. Dumping manure or liquid manure without using it as a fertilizer.

(10) Where a public disposal facility installer, etc. falls under any of the following, the Mayor/Do Governor, Metropolitan Autonomous City Mayor, or Special Self-Governing Province Governor may order the public disposal facility installer, etc. to take necessary measures, such as improving the relevant facility, etc. within a specified period as prescribed by Presidential Decree:

1. When a public disposal facility installer, etc. fails to measure the quality of discharged water or to test the composition of manure and liquid manure as required under paragraph (6);

2. When a public disposal facility installer, etc. commits a prohibited act falling under any subparagraph of paragraph (9);

3. When a public disposal facility installer, etc. violates the standards for installation prescribed in Article 24 (2).

(11) The operational standards for public disposal facilities shall be determined by Ordinance of the Ministry of Environment.

(12) Where agricultural cooperatives install or operate public disposal facilities, the competent Mayor/Do Governor, Metropolitan Autonomous City Mayor, or Special Self-Governing Province Governor may manage and supervise matters related to the execution of installation budget, the installation and operation of facilities, etc. as prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 26 (Collection, Transportation and Disposal of Livestock Excreta, Defrayment of Costs, etc.)

(1) A public disposal facility installer may collect or transport livestock excreta himself/herself, or require a person who has obtained permission for the business of collecting and transporting livestock excreta referred to in Article 28 (2) 1 (hereinafter referred to as "collector/transporter") to collect and transport it vicariously, or require a livestock farmer to transport livestock excreta on his/her own, as prescribed by Municipal Ordinance of the local government: Provided, That in cases of agricultural cooperatives, the collection and transportation by proxy may be allowed pursuant to the articles of association of agricultural cooperatives following consultations with the head of the competent Si/Gun/Gu.

(2) Standards for the collection, transportation, or disposition of livestock excreta shall be prescribed by Ordinance of the Ministry of Environment.

(3) No collector/transporter who vicariously collects or transports livestock excreta pursuant to paragraph (1) shall collect or transport livestock excreta generated from a discharge facility of a person who violates an order to take measures under Article 25 (2).

(4) A public disposal facility installer, etc. may refuse to dispose of livestock excreta generated from a waste-generating facility of a person who violates an order to take measures provided for in Article 25 (2).

(5) Where a public disposal facility installer collects, transports, or disposes of livestock excreta, he/she may recover the costs incurred in the operation of the public disposal facility from a person who discharges livestock excreta disposed of at the relevant public disposal facility, as prescribed by Municipal Ordinance of the local government. In such cases, such costs may be recovered at a differential rate according to the scale of each waste-generating facility, whether livestock excreta is separated for storage, and other factors.

(6) Notwithstanding paragraph (5), the costs that agricultural cooperatives may recover shall be determined by the articles of association of agricultural cooperatives following consultations with the head of the competent Si/Gun/Gu.

(7) The costs that the heads of local governments and agricultural cooperatives may recover pursuant to paragraphs (5) and (6) shall be used only for the purposes of the operation of public disposal facilities.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

CHAPTER VI LIVESTOCK EXCRETA-RELATED BUSINESS

Article 27 (Reports, etc. on Recycling of Livestock Excreta)

(1) A person who intends to recycle livestock excreta (limited to cases of producing manure or liquid manure; hereinafter the same shall apply) in not less than the quantity prescribed by Ordinance of the Ministry of Environment or to collect and transport livestock excreta for the purpose of recycling, shall file a report thereon with the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Environment: Provided, That the foregoing shall not apply where a person who holds permission for installation or reports installation in accordance with Article 11 (1) or (3) or who holds permission for the business of livestock excreta disposal prescribed in Article 28 (1) 2 (hereinafter referred to as "livestock excreta disposal business operator") intends to recycle livestock excreta.

(2) Where a person who files a report in accordance with the body of paragraph (1) (hereinafter referred to as a "recycling reporter") intends to change any important matter prescribed by Ordinance of the Ministry of Environment, he/she shall report the change to the head of a Si/Gun/Gu.

(3) A recycling reporter shall install and operate a recycling facility in compliance with standards for installation and operation prescribed by Ordinance of the Ministry of Environment.

(4) When the head of a Si/Gun/Gu finds that a recycling facility has been installed or operated in violation of standards under paragraph (3), he/she shall order the builder or operator of the recycling facility to make improvements to the facility within a specified period as prescribed by Presidential Decree.

(5) Where a recycling reporter falls under any of the following, the head of a Si/Gun/Gu may order the closure of the relevant recycling facility or the prohibition against the disposal of livestock excreta (hereinafter referred to as "prohibition against disposal"), including the prohibition against importing livestock excreta for a period of not more than six months, etc.:

1. Where he/she fails to comply with an order to take necessary measures prescribed in Article 10 (2);

2. Where he/she operates a disposal facility without undergoing a completion inspection on the facility as prescribed in Article 15;

3. Where he/she fails to comply with an order to make improvements prescribed in Article 17 (4);

4. Where he/she fails to comply with an order to make improvements prescribed in paragraph (4).

(6) With respect to a recycling reporter who receives an order to close a recycling facility or an order of prohibition against disposal prescribed in paragraph (5), Article 18-3 shall apply mutatis mutandis to a report on and confirmation of the fulfillment of such order by the relevant recycling reporter.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 28 (Livestock Excreta-Related Business)

(1) A person who intends to run a business vicariously performing the collection, transportation, or disposal of livestock excreta or the management of a disposal facility (hereinafter referred to as "livestock excreta-related business") shall be equipped with facilities, equipment, and technical capability complying with standards prescribed by Presidential Decree and obtain permission for each type of business according to the following classifications from the head of a Si/Gun/Gu. A person who intends to change any permitted matter shall obtain permission for such change or report such change in accordance with guidelines prescribed by Presidential Decree:

1. Livestock excreta collection and transportation business: the business of collecting and transporting livestock excreta;
2. Livestock excreta disposal business: the business of disposing of livestock excreta finally and safely by being equipped with resource recovery plants (excluding facilities for converting into manure or liquid manure) or purification facilities;
3. Livestock excreta facility management business: the business of vicariously performing the management and operation of disposal facilities.
 - (2) A person who wishes to gain permission for a livestock excreta-related business may submit his/her business plan to the head of a Si/Gun/Gu before applying for permission pursuant to paragraph (1) and request the head of a Si/Gun/Gu to review, in advance, as to whether the submitted plan is appropriate, as prescribed by Ordinance of the Ministry of Environment.
 - (3) The head of a Si/Gun/Gu shall review a business plan submitted pursuant to paragraph (2), and notify the results thereof within one month from the date the request for review is received.
 - (4) Where a person who is notified that his/her business plan is appropriate under paragraph (3) applies for permission prescribed in paragraph (1) after being equipped with the facilities, equipment, and technical capability according to the relevant business plan within six months from the date of the notification, the head of a Si/Gun/Gu shall grant permission without delay.
 - (5) The head of a Si/Gun/Gu may, if necessary for efficiently collecting, transporting, or disposing of livestock excreta generated within his/her jurisdiction, designate a business area or attach necessary conditions when he/she grants permission or revised permission under paragraph (1), as prescribed by Presidential Decree.
 - (6) No person with permission for livestock excreta-related business under paragraph (1) (hereinafter referred to as "business entity related to livestock excreta") shall allow any third person to use his/her trade name or personal name to run a livestock excreta-related business or lend his/her license to any third person.
 - (7) Matters necessary for the methods and procedures for permission, revised permission, and reporting on changes under paragraph (1) shall be prescribed by the Ministry of Environment.
 - (8) Where the head of a Si/Gun/Gu grants permission for the livestock excreta disposal business prescribed in paragraph (1) 2, if any of the following is required to install a disposal facility for disposing of livestock excreta by mixing it with wastes, such as food wastes, he/she shall pre-consult with the head of the relevant administrative agency:
 1. Permission, permission for alteration, or report on alteration of the waste treatment business under Article 25 (3) and (11) of the Wastes Control Act;
 2. Approval, approval for alteration, report, or report on alteration in relation to the installation of a waste disposal facility under Article 29 (2) and (3) of the Wastes Control Act.
 - (9) With respect to matters on which the head of a Si/Gun/Gu consults with the head of the relevant administrative agency pursuant to paragraph (8), permission, permission for alteration, approval, or approval for alteration shall be deemed acquired, or report or report on alteration shall be deemed made under the subparagraphs of the same paragraph with respect to the relevant disposal facility.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 29 (Succession to Status subject to Permission or Reporting)

- (1) If a recycling reporter or a business operator related to livestock excreta transfers his/her entire business or facilities to a third person or dies, or a recycling reporter or a business entity related to livestock excreta merges with another corporation, the transferee, heir, or the corporation surviving or incorporated following such merger shall succeed to the status of the preceding recycling reporter or business entity related to livestock excreta: Provided, That the foregoing shall not apply where the transferee of a business entity related to livestock excreta or the corporation surviving or incorporated following such merger with a business entity related to livestock excreta falls under any of subparagraphs 1 through 4 of Article 31.

(2) A person who acquires the entire facilities of a recycling reporter or a business entity related to livestock excreta in accordance with any of the following procedures shall succeed to the status of the preceding recycling reporter or business entity related to livestock excreta:

1. Auction under the Civil Execution Act;
2. Conversion under the Debtor Rehabilitation and Bankruptcy Act;
3. Sale of seized property under the National Tax Collection Act, the Customs Act or the Local Tax Act;
4. Other procedures corresponding to the provisions of subparagraphs 1 through 3.

(3) If an heir who succeeds to the status of a business entity related to livestock excreta pursuant to paragraph (1) falls under any provision of subparagraphs 1 through 4 of Article 31, or if a corporation that succeeds to such status pursuant to paragraph (1) or (2) falls under subparagraph 5 of Article 31, the heir shall transfer the business to a third person, or the corporation shall replace the executive officer at issue, within six months from the beginning of the inheritance proceedings or the date a merger is effected.

(4) A person who succeeds to the status under paragraph (1) or (2) shall report to the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 30 (Obligations of Business Entities Related to Livestock Excreta)

(1) No business entity related to livestock excreta (including its workers; the same shall apply hereafter in this Article) shall receive any charge or fee in violation of guidelines prescribed by Municipal Ordinance of the competent local government.

(2) A business entity related to livestock excreta shall comply with the standards for, and matters to be observed with respect to, the collection, transportation, and disposal of livestock excreta and the management of facilities, which are prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 31 (Grounds for Disqualification)

None of the following persons shall be qualified for permission for livestock excreta-related business under Article 28: <Amended by Act No. 13526, Dec. 1, 2015>

1. A person under adult guardianship;
2. A person declared bankrupt and not yet reinstated;
3. A person in whose case two years have not yet passed since imprisonment with prison labor or any heavier punishment sentenced to him/her for a violation of this Act, the Water Quality and Aquatic Ecosystem Conservation Act, or the Wastes Control Act was completely executed (or is deemed completely executed) or discharged;
4. A person in whose case two years have not passed since his/her permission was cancelled pursuant to Article 32 (excluding subparagraphs 2 and 15 of the same Article);
5. A corporation, any of whose executive officers falls under any provision of subparagraphs 1 through 4.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 32 (Cancellation, etc. of Permission)

(1) If a business entity related to livestock excreta falls under any of the following subparagraphs, the head of a Si/Gun/Gu may cancel the permission or order the business corporation to suspend all or part of the business: Provided, That the permission shall be cancelled in cases falling under subparagraph 1, 3, or 15:

1. If the business corporation obtains permission or revised permission by fraudulent or other illegal means or fraudulently reports any change;
2. If the business corporation fails to commence the business within one year since it obtained permission or shuts down the business continuously for at least one year without just grounds;
3. If the business corporation continues the business during a period of business suspension;

4. If the business corporation violates any of the standards, etc. for the installation of disposal facilities provided for in Article 12-2 (1) through (3);
 5. If the business corporation uses a waste-generating facility or disposal facility without undergoing a completion inspection on the waste-generating facility or disposal facility provided for in Article 15;
 6. If the business corporation commits an act under any subparagraph of Article 17 (1) in violation of the aforesaid paragraph;
 7. If the business corporation violates any of the standards for the management of waste-generating facilities and disposal facilities provided for in Article 17 (3);
 8. If the business corporation violates any of the standards prescribed in Article 26 (2) in collecting, transporting or disposing of livestock excreta;
 9. If the business corporation engages in any type of business other than the business permitted pursuant to Article 28 (1);
 10. If the business corporation continues its business without obtaining a revised permission pursuant to Article 28 (1);
 11. If the business corporation ceases to satisfy any of the standards for permission under Article 28 (1);
 12. If the business corporation allows any third person to run a livestock excreta-related business, using its trade name or personal name, or lends its license to another person;
 13. If the business corporation receives a charge or fee, in violation of guidelines under Article 30 (1);
 14. If the business corporation fails to comply with any of the standards for and matters to be observed with respect to the collection, transportation, and disposal of livestock excreta and the management of facilities prescribed in Article 30 (2);
 15. If the business corporation falls under any provision of subparagraphs 1 through 3 or 5 of Article 31: Provided, That the foregoing shall not apply where the business corporation which has an executive officer who falls under any of subparagraphs 1 through 4 of Article 31 replaces such executive officer within six months;
 16. If the business corporation fails to comply with matters related to the operation and management of the electronic transfer management system, including its operational methods, procedures, etc. referred to in Article 37-3 (1);
 17. If the business corporation, in receipt of a request from the relevant administrative agency or public officials belonging to it, fails to provide cooperation in helping them to verify details about the transfer, disposal, etc. in violation of Article 37-3 (2);
 18. If the business corporation fails to keep or preserve records, or made any false entry thereof, in violation of Article 39;
 19. If the business corporation refuses to submit a report or data referred to in Article 41 (1) or (2), submits a false report or data, or refuses, interferes with, or evades access, inspection, etc.
- (2) Detailed guidelines for administrative dispositions under paragraph (1) and other necessary matters shall be prescribed by Ordinance of the Ministry of Environment.
[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 33 (Imposition of Penalty Surcharges)

- (1) If a business entity related to livestock excreta shall be subject to a disposition for business suspension because it falls under any provision of subparagraphs 4 through 14 and 16 through 19 of Article 32 (1), but if business suspension is likely to cause severe inconvenience to users of the business, environmental pollution, etc., the head of the relevant Si/Gun/Gu may impose and collect a penalty surcharge not exceeding 100 million won in lieu of a disposition for business suspension.
- (2) The types of violation subject to the imposition of a penalty surcharge, the scale of waste-generating facilities, the amount of a penalty surcharge based on the frequency of violations, etc. under paragraph (1), and other necessary matters, shall be prescribed by Presidential Decree.

(3) If a person upon whom a penalty surcharge was imposed pursuant to paragraph (1) fails to pay it by the payment deadline, the head of the relevant Si/Gun/Gu shall collect it in accordance with the Act on the Collection, etc. of Local Non-Tax Revenue.

(4) No penalty surcharges collected pursuant to paragraph (1) shall be used for any purpose other than environmental conservation projects.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 34 (Registration, etc. of Business of Design and Construction of Disposal Facilities)

(1) A person who intends to run a business of design and construction of disposal facilities (hereinafter referred to as "design and construction business"), excluding a person who falls under Article 16 (1) 2 through 4, shall have facilities, equipment, and technical capability in accordance with standards prescribed by Presidential Decree and register the business with the head of a Si/Gun/Gu.

(2) A person who intends to change any matter registered in accordance with paragraph (1) shall register changes or report such changes, as prescribed by Ordinance of the Ministry of Environment.

(3) Matters necessary for the methods and procedures for the registration, revised registration, or reporting on changes under paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Environment.

(4) No person who has registered a design and construction business in accordance with paragraph (1) (hereinafter referred to as "designer/contractor") shall allow a third party to engage in a design and construction business in his/her trade name or personal name or lend his/her registration certificate to a third person.

(5) As to the succession to the status of a designer/contractor and grounds for disqualification, Articles 29 and 31 shall apply mutatis mutandis respectively.

(6) The scope of subcontracts for awarded construction works, obligations of a designer/contractor, and other necessary matters shall be prescribed by Ordinance of the Ministry of Environment.

(7) Notwithstanding Articles 8 (1) and 9 (1) of the aforesaid Act, a designer/contractor may engage in the design and construction works, if his/her activities of designing and construction constitute construction works under subparagraph 4 of Article 2 of the Framework Act on the Construction Industry.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 35 (Cancellation, etc. of Registration)

(1) If a designer/contractor falls under any of the following subparagraphs, the head of the relevant Si/Gun/Gu may cancel the registration or order him/her to suspend all or part of the business for a specified period not exceeding six months: Provided, That a registration shall be cancelled in cases falling under subparagraph 1, 2, or 8:

1. If he/she registers his/her business by fraudulent or other illegal means;

2. If he/she executes a new contract and continues his/her business during a period of business suspension;

3. If he/she poorly performs design and construction of a disposal facility or fails to fulfill obligations under Article 34 (6);

4. If he/she ceases to satisfy any of the standards for the registration under Article 34 (1);

5. If he/she fails to commence business within one year since he/she completed the registration under Article 34 (1) or closes the business continuously for at least one year without justifiable grounds;

6. If he/she continues his/her business without filing for the registration of a change or reporting changes under Article 34 (2) or fraudulently files for the registration of a change or reporting changes;

7. If he/she allows a third party to engage in his/her business in his/her trade name or personal name or lends his/her business license to a third person;

8. If he/she falls under any provision of subparagraphs 1 through 3 and 5 of Article 31 which shall apply mutatis mutandis pursuant to Article 34 (5): Provided, That the foregoing shall not apply where a corporation which has an executive officer falling under any of subparagraphs 1 through 4 of Article 31, replaces such executive officer within six months;

9. If he/she refuses to submit a report or data prescribed in Article 41 (1) or (2), submits a false report or data, or refuses, interferes with, or evades access, inspection, etc.

(2) Detailed guidelines for administrative dispositions under paragraph (1) and other necessary matters shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 36 (Projects Continued by Designers/Contractors)

(1) A designer/contractor subject to cancellation of registration or suspension of business pursuant to Article 35 may continue design and construction works only for the projects contracted before such disposition is made.

(2) The head of the competent Si/Gun/Gu may designate a person qualified as prescribed by Ordinance of the Ministry of Environment, as a project supervisor to authorize him/her to manage and supervise projects that a designer/contractor continues to perform pursuant to paragraph (1).

(3) Where a designer/contractor continues to engage in design and construction works pursuant to paragraph (1) after he/she is subject to a disposition for cancellation of registration, he/she shall be deemed a designer/contractor until he/she completes design and construction of the ongoing projects.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 37 (Technical Managers of Disposal Facilities)

(1) A person who installs and operates a disposal facility of at least a size prescribed by Presidential Decree shall employ a technical manager who takes charge of technical affairs: Provided, That the foregoing shall not apply to any of the following cases:

1. Where the person entrusts the management of the relevant disposal facility to a person with permission for the livestock excreta facility management business provided for in Article 28 (1) 3;

2. Where an environmental engineer falling under Article 47 of the Water Quality and Aquatic Ecosystem Conservation Act is appointed to the place of business.

(2) Matters necessary for the qualification criteria for, and matters to be observed by, a technical manager and others under paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 37-2 (Establishment and Operation of Electronic Transfer Management System for Livestock Excreta, etc.)

(1) The Minister of Environment shall establish and operate an electronic transfer management system to handle the management affairs of livestock excreta or liquid manure under Article 37-3 efficiently.

(2) The Minister of Environment shall ensure that the installer and operator of a waste-generating facility, installer and operator of a disposal facility, recycling reporter, business entity related to livestock excreta, public disposal facility installer, etc. can use the electronic transfer management system to handle matters related to the business affairs prescribed by Presidential Decree, including an application for permission for alteration and report on such alteration under Article 11 (2) and (3), the maintenance of account books under Article 39, etc.

(3) The Minister of Environment shall retain records related to the transfer, disposal, or spray of livestock excreta or liquid manure entered pursuant to Article 37-3 (1), as well as records entered pursuant to paragraph (2) (hereinafter referred to as "electronic records") for three years.

(4) The Minister of Environment shall ensure that those who discharge, collect, transport, dispose of, or spray livestock excreta or liquid manure, the relevant Mayor/Do Governor, or the head of the relevant Si/Gun/Gu can search, review, or print out electronic records.

(5) The Minister of Agriculture, Food and Rural Affairs, the Mayor/Do Governor, the head of a Si/Gun/Gu, and those prescribed by Ordinance of the Ministry of Environment may request the Minister of Environment to provide data managed by the electronic transfer management system. In such cases, the Minister of Environment shall provide the relevant data within a period determined by Ordinance of the Ministry of Environment.

(6) The Minister of Environment may partially or fully recover costs incurred in processing the relevant data, from a person who uses the electronic transfer management system under paragraph (2), (4), or (5) or Article 37-3.

[This Article Newly Inserted by Act No. 12516, Mar. 24, 2014]

Article 37-3 (Management, etc. of Electronic Transfer of Livestock Excreta, etc.)

(1) A person who discharges, collects, transports, disposes of, or sprays livestock excreta or liquid manure prescribed by Presidential Decree shall comply with the matters related to the operation and management of the electronic transfer management system, including its operational methods, procedures, etc., when he/she discharges, collects, transports, disposes of, or sprays the livestock excreta or liquid manure, as prescribed by Ordinance of the Ministry of Environment.

(2) When a person who collects, transports, or sprays livestock excreta or liquid manure under paragraph (1) receives a request from the relevant administrative agency or public officials belonging to it while collecting or transporting livestock excreta or liquid manure, he/she shall provide cooperation so that details of transfer, disposal, or spray of livestock excreta or liquid manure which are entered in the electronic transfer management system can be verified.

[This Article Newly Inserted by Act No. 12516, Mar. 24, 2014]

CHAPTER VII SUPPLEMENTARY PROVISIONS

Article 38 (Education of Workers in Charge of Livestock Excreta)

(1) Any of the following persons shall provide his/her employees in charge of technical works (hereinafter referred to as "workers in charge of livestock excreta") with opportunities to undergo education provided by the Mayor/Do Governor, Metropolitan Autonomous City Mayor, or Special Self-Governing Province Governor, as prescribed by Ordinance of the Ministry of Environment:

1. A public disposal facility operator;
2. A business entity related to livestock excreta;
3. A designer/contractor.

(2) The Mayor/Do Governor, Metropolitan Autonomous City Mayor, or Special Self-Governing Province Governor may collect expenses incurred in providing education pursuant to paragraph (1) from persons who employ workers in charge of livestock excreta, as prescribed by Ordinance of the Ministry of Environment.

(3) The detailed scope of workers in charge of livestock excreta and other matters shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 38-2 (Establishment and Operation of Livestock Environment Management Agency)

(1) The Minister of Agriculture, Food and Rural Affairs shall establish a livestock environment management agency (hereinafter referred to as "management agency") in order to efficiently create an environment where livestock farmers can raise livestock in an environment-friendly manner and to promote the utilization of livestock excreta through resource recovery: Provided, That with respect to the businesses of the management agency under paragraph (4), the Minister of Agriculture, Food and Rural Affairs shall consult with the Minister of Environment.

(2) The management agency shall be a corporation.

(3) The management agency shall be established at the time when it registers such establishment at the seat of its principal office.

(4) The management agency shall conduct the following businesses:

1. Consulting regarding the installation and operation of facilities installed by waste-generating facility installers or disposal facility installers;
2. Guidance and training of waste-generating facility installers or disposal facility installers;

3. Support for environment-friendly livestock farms prescribed in Article 9;
 4. Business affairs related to the quality control of manure and liquid manure under Article 20;
 5. Integrated management, including the collection and conversion of livestock excreta into resources, the distribution of manure and liquid manure, etc. under Article 23;
 6. Evaluation of disposal facilities and disposal technologies under Article 43;
 7. Projects entrusted by the State, local governments, or other organizations;
 8. Affairs incidental to the businesses referred to in subparagraphs 1 through 7 as determined by the articles of incorporation;
 9. Other businesses recognized as necessary by the Minister of Agriculture, Food and Rural Affairs or the Minister of Environment to fulfill the purposes of the management agency.
- (5) The Minister of Agriculture, Food and Rural Affairs or the Minister of Environment may partially or fully subsidize costs incurred in conducting businesses under paragraph (4).
- (6) Except as otherwise provided for in this Act, the provisions of the Civil Act governing incorporated foundations shall apply mutatis mutandis to the management agency.
- (7) The Minister of Agriculture, Food and Rural Affairs or the Minister of Environment may manage and supervise the management agency, as prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 12516, Mar. 24, 2014]

Article 39 (Keeping and Preservation of Records)

The installer and operator of a waste-generating facility, installer and operator of a disposal facility, recycling reporter, business entity related to livestock excreta, public disposal facility installer, etc. shall keep books of account and enter and preserve records of the following matters therein, as prescribed by Ordinance of the Ministry of Environment. In such cases, the preservation period shall be three years from the date a record is made:

1. Quantities of livestock excreta discharged and disposed of;
2. Places where livestock excreta is collected, the quantity of livestock excreta collected, and the status of disposal;
3. The status of operation of disposal facilities.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 40 (Reporting, etc. on Temporary Shutdown, Permanent Closure, etc.)

When a business entity related to livestock excreta or a designer/contractor temporarily or permanently closes down, or resumes its business, it or he/she shall obtain permission therefor or report thereon, as prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 41 (Reporting and Inspection)

(1) The Minister of Environment, the Minister of Agriculture, Food and Rural Affairs (limited to cases falling under subparagraph 1; the same shall apply hereafter in this Article), the Mayor/Do Governor, or the head of a Si/Gun/Gu may require any of the following persons to submit a necessary report or materials:

1. The installer and operator of a waste-generating facility or the installer and operator of a disposal facility;
2. A public disposal facility operator, etc.;
3. A builder or operator of a recycling facility under Article 27;
4. A business entity related to livestock excreta;
5. A designer/contractor.

(2) In order to ascertain the actual status of disposal of livestock excreta, the Minister of Environment, the Minister of Agriculture, Food and Rural Affairs, the Mayor/Do Governor, or the head of a Si/Gun/Gu may require the competent public officials to enter a facility or place of business of a person falling under paragraph (1) to inspect relevant documents, facilities, equipment, etc. or to conduct inspections on the quality of discharged water, manure, liquid manure, or livestock excreta solid fuel to examine compliance with the quality standards for discharged

water, the standards for converting excreta into manure and liquid manure, the legal standards, or standards for solid fuel. <Amended by Act No. 13526, Dec. 1, 2015>

(3) The installer and operator of a waste-generating facility, installer and operator of a disposal facility, recycling reporter, business entity related to livestock excreta, the installer of public disposal facility, and other related persons shall not refuse, interfere with, or evade the report, access, or inspection provided for in paragraphs (1) and (2) without just grounds.

(4) A public official who has access and conducts an inspection pursuant to paragraph (2) shall carry with him/her an identification card indicating his/her authority and produce it to relevant persons.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 42 (Subsidization from National Treasury)

(1) The State may fully or partially subsidize costs incurred in installing public disposal facilities to local governments or agricultural cooperatives, within budgetary limits.

(2) The State may fully or partially subsidize costs incurred by livestock farmers and farmers in expanding the resource recovery of livestock excreta and creating the foundation for an environment-friendly livestock industry within budgetary limits.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 43 (Evaluation of Disposal Facilities and Disposal Technology)

(1) In order to provide livestock farmers with necessary information regarding the disposal of livestock excreta, the Minister of Agriculture, Food and Rural Affairs may evaluate disposal facilities and related technology and provide them to livestock farmers.

(2) The Minister of Agriculture, Food and Rural Affairs shall formulate and implement detailed guidelines for the methods of, and the procedures for, evaluations under paragraph (1).

(3) The head of a Si/Gun/Gu or a producers' organization shall give full cooperation and assistance with related human resources and equipment in conducting evaluations pursuant to paragraph (1).

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 44 (Reporting on Results of Management and Disposal of Livestock Excreta)

(1) The Mayor/Do Governor or the head of a Si/Gun/Gu shall report the results of the management and disposal of livestock excreta generated within his/her jurisdiction each year to the Minister of Environment by no later than the end of February of the following year, as prescribed by Presidential Decree. In such cases, the Minister of Environment in receipt of such report shall notify the Minister of Agriculture, Food and Rural Affairs thereof.

(2) The Minister of Environment or the Minister of Agriculture, Food and Rural Affairs may order the Mayor/Do Governor or the head of a Si/Gun/Gu to report the results of instruction and crackdown activities conducted in relation to livestock excreta to the extent necessary for the enforcement of this Act.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 45 (Fees)

A person who intends to obtain permission or revised permission, file for registration or revised registration, or file a report under any of the following subparagraphs, shall pay fees as prescribed by Ordinance of the Ministry of Environment:

1. Permission or revised permission under Article 11 (1) or (2);

2. A report on a waste-generating facility under Article 11 (3);

3. A report on recycling under Article 27 (1);

4. Permission or revised permission for a livestock excreta-related business under Article 28 (1);

5. The registration or revised registration of a design and construction business under Article 34.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 46 (Hearings)

The Minister of Agriculture, Food and Rural Affairs, the Minister of Environment, the Mayor/Do Governor, or the head of a Si/Gun/Gu shall hold a hearing, when he/she intends to make any of the following dispositions within the scope of his/her authority:

1. Cancellation of the designation of an environment-friendly livestock farm under Article 9 (4);
2. Cancellation of permission for the installation or for the alteration of a waste-generating facility or an order for its closure under Article 18;
3. Order for closure of a recycling facility under Article 27 (5);
4. Cancellation of permission for a livestock excreta-related business under Article 32;
5. Cancellation of the registration of a design and construction business under Article 35.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 47 (Delegation or Entrustment of Authority or Affairs)

(1) Part of the authority of the Minister of Agriculture, Food and Rural Affairs or the Minister of Environment vested under this Act may be delegated to the head of a regional environmental office, the president of the National Institute of Environmental Research, the Mayor/Do Governor, the head of a Si/Gun/Gu, or the Administrator of the Rural Development Administration, or entrusted to the head of the management agency, as prescribed by Presidential Decree.

(2) The Minister of Environment may entrust some of the duties related to the establishment and operation of the electronic transfer management system concerning livestock excreta, etc. under Article 37-2 to a relevant specialized institution prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

CHAPTER VIII PENALTY PROVISIONS

Article 48 (Penalty Provisions)

Each of the following persons shall be punished by imprisonment with labor for not more than five years, or by a fine not exceeding fifty million won: <Amended by Act No. 13526, Dec. 1, 2015>

1. A person who discharges livestock excreta, manure, or liquid manure into public waters in violation of Article 10 (1), or commits an offence which falls under any subparagraph of Article 17 (1), from among those who fail to acquire permission prescribed in Article 11 (1) or acquire the permission by fraudulent or other illegal means;
2. A person who fails to comply with an order for closure prescribed in Article 18;
3. A person who interferes with disposal of livestock excreta by destroying a public disposal facility installed pursuant to Article 24 or impeding the function of such facility;
4. A public disposal facility installer and others who commit an offence which falls under any of Article 25 (9) 4 through 7;
5. A recycling reporter who fails to comply with an order for closure prescribed in Article 27 (5);
6. A person who discharges livestock excreta, manure, or liquid manure into public waters in violation of Article 10 (1), or commits an offence which falls under any subparagraph of Article 17 (1) without obtaining permission for a livestock excreta-related business under Article 28 (1).

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 49 (Penalty Provisions)

Each of the following persons shall be punished by imprisonment with labor for not more than two years, or by a fine not exceeding 20 million won:

1. A person who installs or alters a waste-generating facility without obtaining permission for installation or alteration prescribed in Article 11 (1) or (2) or by obtaining permission for installation or alteration by fraudulent or other illegal means, or raises livestock or entrusts the raising of livestock using such waste-generating facility;
2. A person who discharges livestock excreta, manure, or liquid manure into public waters in violation of Article 10 (1), or commits an offence which falls under any subparagraph of Article 17 (1), from among those who acquire permission prescribed in Article 11 (1);

3. A person with permission for installation or alteration under Article 11 (1) or (2), who uses a waste-generating facility without installing or altering disposal facilities, in violation of Article 12;
4. A person who discharges livestock excreta, manure, or liquid manure into public waters in violation of Article 10 (1), or commits an offence which falls under any subparagraph of Article 17 (1) without filing a report, in violation of Article 11 (3);
5. A person who discharges livestock excreta, manure, or liquid manure into public waters in violation of Article 10 (1), or commits an act which falls under any subparagraph of Article 17 (1), without undergoing a completion inspection prescribed in Article 15;
6. A person who fails to comply with an order for suspension of operation prescribed in Article 18;
7. A person who conducts recycling without filing a report or after filing a report by fraudulent or other illegal means, in violation of Article 27 (1), who operates an unreported recycling facility, or who collects livestock excreta for the purpose of using an unreported recycling facility;
8. A person who fails to comply with an order for prohibition against disposal referred to in Article 27 (5);
9. A person who engages in a livestock excreta-related business without obtaining permission for a livestock excreta-related business referred to in Article 28 (1) or after obtaining such permission by fraudulent or other illegal means;
10. A business entity related to livestock excreta which discharges livestock excreta, manure, or liquid manure into public waters in violation of Article 10 (1), or commits an offence which falls under any subparagraph of Article 17 (1);
11. A business entity related to livestock excreta or designer/contractor who operates business during a period of suspension of business referred to in Article 32 or 35;
12. A person who engages in the design and construction business without registration under Article 34 or with registration obtained by fraudulent or other illegal means.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 50 (Penalty Provisions)

Each of the following persons shall be punished by imprisonment with labor for not more than one year, or by a fine not exceeding ten million won: <Amended by Act No. 13526, Dec. 1, 2015>

1. A person who fails to comply with an order to relocate livestock pens or to take other measures issued pursuant to Article 8 (3);
2. A person who fails to comply with an order to take necessary measures prescribed in Article 10 (2);
3. A person who discharges livestock excreta, manure, or liquid manure into public waters in violation of Article 10 (1) by negligence in the course of performing his/her duties, without permission under Article 11 (1) or with such permission obtained fraudulently or otherwise illegally;
4. A person who installs a waste-generating facility without filing a report or after filing a report by false or other illegal means in violation of Article 11 (3), or raises livestock or entrusts the raising of livestock using such waste-generating facility;
5. A person who discharges livestock excreta, manure, or liquid manure into public waters in violation of Article 10 (1), or commits an offence falling under any subparagraph of Article 17 (1), from among those who file a report or spray manure or liquid manure under Article 11 (3);
6. A person who discharges livestock excreta, manure, or liquid manure into public waters, in violation of Article 10 (1) by negligence in the course of performing his/her duties, from among those who obtain permission under Article 11 (1), those who fail to undergo a completion inspection, in violation of Article 15, or business corporations related to livestock excreta, or a business entity related to livestock excreta which commits an offence falling under any subparagraph of Article 17 (1) by negligence in the course of performing his/her duties;
7. A person who fails to comply with an order to make improvements under Article 17 (4), from among the installer and operator of a waste-generating facility, the installer and operator of a

disposal facility, and a person who sprays manure or liquid manure (excluding a person who falls under subparagraph 3 of Article 51);

8. A person who uses a waste-generating facility without installing or altering a disposal facility referred to in Article 12 among those who report installation or alteration under Article 11 (2) or (3);

9. A person who discharges livestock excreta, manure, or liquid manure into public waters in violation of Article 10 (1) by negligence in the course of performing his/her duties without filing a report prescribed in Article 11 (3) or after filing a false report;

10. A person who fails to comply with an order to take necessary measures, such as the improvement of facilities prescribed in Article 25 (10);

11. A recycling reporter who discharges livestock excreta, manure, or liquid manure into public waters in violation of Article 10 (1), or commits an act which falls under any subparagraph of Article 17 (1);

12. A person who fails to comply with an order to make improvements referred to in Article 27 (4);

13. A person who engages in a livestock excreta-related business without a revised permission for the livestock excreta-related business or with revised permission obtained by fraudulent means, in violation of Article 28 (1);

14. A person who allows a third person to engage in a livestock excreta-related business in his/her trade name or personal name or lends his/her license to a third person, in violation of Article 28 (6);

15. A person who runs a design and construction business without revising registration or with revised registration obtained by fraudulent means, in violation of Article 34 (2);

16. A person who allows a third person to operate design and construction business in his/her trade name or personal name or lends his/her registration certificate to a third person, in violation of Article 34 (4).

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 51 (Penalty Provisions)

Each of the following persons shall be punished by a fine not exceeding three million won:

<Amended by Act No. 13526, Dec. 1, 2015>

1. A person who refuses or interferes with access to, or the use of, land, in violation of Article 7-2 (4);

2. A person who discharges livestock excreta, manure, or liquid manure into public waters by negligence in the course of performing his/her duties, in violation of Article 10 (1), or commits an offence falling under any subparagraph of Article 17 (1), from among those who file a report under Article 11 (3), recycling reporters, or who spray manure or liquid manure;

3. A person who fails to comply with an improvement order issued under Article 17 (4), from among those who file a report under Article 11 (3) or those who operate their waste-generating facility or disposal facility;

4. A person who uses a waste-generating facility or disposal facility without undergoing a completion inspection under Article 15;

5. A person who discharges livestock excreta, manure, or liquid manure into public waters in violation of Article 10 (1), from among those not falling under any of the following:

(a) A person who is required to acquire permission for the installation of a waste-generating facility or file a report under Article 11 (1) or (3);

(b) A person who sprays manure or liquid manure;

(c) A person subject to reporting under Article 27 (1);

(d) A person subject to obtaining permission for a livestock excreta-related business under Article 28 (1);

6. A person who installs and operates a recycling facility in violation of standards for the installation and operation prescribed in Article 27 (3);

7. A business entity related to livestock excreta which fails to comply with the standards for and matters to be observed concerning the collection, transport, and disposal of livestock excreta and the management of facilities, in violation of Article 30 (2);

8. A person who fails to employ a technical manager, in violation of Article 37 (1);

9. A person who, in receipt of a request from the relevant administrative agency or public officials belonging thereto, fails to give cooperation in helping them to check details about the transfer, disposal or spray, in violation of Article 37-3 (2);

10. A person who refuses, interferes with, evades access and an inspection by a competent public official, in violation of Article 41 (3).

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

Article 52 (Joint Penalty Provisions)

If the representative of a corporation or an agent, employee, or other servant of the corporation or an individual commits an offense falling under any of Articles 48 through 51, in connection with the business of the corporation or the individual, not only shall such offender be punished, but the corporation or the individual also shall be punished by a fine under the relevant provisions:

Provided, That the same shall not apply where the corporation or individual has not neglected to give due attention and supervision concerning the relevant duties to prevent such offence.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

[This Article Amended by Act No. 12516, Mar. 24, 2014 following the decision on unconstitutionality of this Article by the Constitutional Court on September 30, 2010]

Article 53 (Administrative Fines)

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

1. A person who discharges water in violation of the quality standards for discharged water, or produces manure or liquid manure not in compliance with the standards for converting excreta into manure or liquid manure, from among those who install a disposal facility after acquiring permission under Article 11 (1);

2. A public disposal facility installer, etc. who discharges water in violation of the quality standards for discharged water, or produces manure or liquid manure in breach of the standards for converting excreta into manure or liquid manure;

3. A livestock excreta disposal business operator who discharges water in violation of the quality standards for discharged water, or produces manure or liquid manure in breach of the standards for converting excreta into manure or liquid manure.

(2) Each of the following persons shall be punished by an administrative fine not exceeding five million won: <Amended by Act No. 13526, Dec. 1, 2015>

1. A person who discharges water in violation of the quality standards for discharged water, or produces manure or liquid manure in breach of the standards for converting excreta into manure or liquid manure, from among those who install a disposal facility after filing a report under Article 11 (3);

2. A person who produces livestock excreta solid fuel without satisfying the standards for solid fuel under Article 13-2 (2), from among those who install disposal facilities by obtaining permission or filing a report under Article 11, installers of public disposal facilities under Article 24, or livestock excreta disposal business operators under Article 28;

3. A person who fails to report on the use, etc. of livestock excreta solid fuel, in violation of Article 15-2;

4. A person who designs or constructs a disposal facility, in violation of Article 16.

(3) Each of the following persons shall be punished by an administrative fine not exceeding one million won: <Amended by Act No. 13526, Dec. 1, 2015>

1. A person who alters a waste-generating facility without reporting such alteration under Article 11 (2) or (3) and after reporting alteration by fraudulent or other illegal means or who uses such waste-generating facility;

2. A person who fails to meet the standards, etc. for the installation of disposal facilities prescribed in Article 12-2 (1) through (3) in installing a disposal facility or who uses such disposal facility;
3. A person who fails to comply with an order for installation prescribed in Article 12-2 (4);
4. A person who fails to file a report on succession to the status referred to in Articles 14 (3) and 29 (4) (including cases applied mutatis mutandis under Article 34 (5));
5. A person who installs or operates a waste-generating facility or disposal facility in breach of the management standards referred to in Article 17 (3);
6. A person who fails to comply with an order to take measures referred to in Article 25 (2);
7. A public disposal facility installer, etc. who fails to measure the quality of discharged water or to test the composition of manure or liquid manure, or livestock excreta solid fuel, or to keep records thereof, in violation of Article 25 (6);
8. A person who installs or operates a public disposal facility or a livestock farmer who collects, transports or disposes of livestock excreta in violation of the standards referred to in Article 26 (2);
9. A person who engages in recycling without reporting on alteration or after falsely reporting on alteration, in violation of Article 27 (2), or collects livestock excreta for the purpose of operating such recycling facility or conducting recycling;
10. A person who fails to report alteration under Article 28 (1) or 34 (2) or falsely reports on alteration;
11. A person who runs a business of collection and transportation of livestock excreta outside his/her business territory under Article 28 (5) or breaches any other necessary condition;
12. A person who breaches an obligation of a designer/contractor under Article 34 (6);
13. A person who breaches an obligation under Article 37 (2);
14. A person who fails to comply with matters to be observed in relation to the operation and management of the electronic transfer management system, including its operational methods, procedures, etc. provided for in Article 37-3 (1);
15. A person who fails to provide an worker in charge of livestock excreta with education without just grounds, in violation of Article 38 (1);
16. A person who fails to keep and preserve records of the matters specified in the subparagraphs of Article 39 or makes false records thereof, in violation of the same Article;
17. A person who fails to obtain permission for temporary closure, permanent closure, or resumption of business, in violation of Article 40, or who fails to file a report thereon;
18. A person who fails to submit a report or data referred to in Article 41 (1) or who submits a false report or data.

(4) Administrative fines under paragraphs (1) through (3) shall be imposed and collected by the Mayor/Do Governor or the head of a Si/Gun/Gu, as prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 12516, Mar. 24, 2014]

ADDENDA

Article 1 (Enforcement Date)

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

Article 2 (General Transitional Measures)

Disposition, proceedings, and other action taken pursuant to any provision of the former Act on the Disposal of Sewage, Excreta and Livestock Wastewater before this Act enters into force shall be deemed to have been taken pursuant to the corresponding provision of this Act.

Article 3 (Transitional Measures concerning Basic Plans for Disposal of Livestock Wastewater)

A basic plan for disposal of livestock wastewater, approved pursuant to Article 4-2 of the former Act on the Disposal of Sewage, Excreta and Livestock Wastewater as at the time this Act enters into force, shall be deemed a basic plan for disposal of livestock excreta approved pursuant to Article 5.

Article 4 (Transitional Measures concerning Facilities for Discharging Livestock Wastewater)

(1) A facility for discharging livestock wastewater permitted or reported pursuant to Article 24-2 of the former Act on the Disposal of Sewage, Excreta and Livestock Wastewater as at the time this Act enters into force shall be deemed a waste-generating facility permitted or reported pursuant to Article 11.

(2) A facility for discharging livestock wastewater which has been, or is being installed pursuant to Article 25 of the former Act on the Disposal of Sewage, Excreta and Livestock Wastewater as at the time this Act enters into force shall be deemed a waste-generating facility which has been or is being installed pursuant to Article 12. Facilities for converting into manure under subparagraph 8-2 of Article 2 of the aforesaid Act and facilities for converting into liquid manure under subparagraph 8-3 of Article 2 of the aforesaid Act, among facilities for disposal of livestock wastewater, shall be deemed resource recovery plants prescribed in subparagraph 4 of Article 2.

(3) Public facilities for disposal of livestock wastewater which have been, or are being installed pursuant to Article 30 of the former Act on the Disposal of Sewage, Excreta and Livestock Wastewater as at the time this Act enters into force shall be deemed public disposal facilities which have been, or are being installed pursuant to Article 24.

Article 5 (Transitional Measures concerning Persons who Reported Recycling)

A person who reports on recycling of livestock wastewater pursuant to Article 20 of the former Act on the Disposal of Sewage, Excreta and Livestock Wastewater as at the time this Act enters into force shall be deemed a person who reports on recycling of livestock excreta pursuant to Article 27.

Article 6 (Transitional Measures concerning Business Related to Excreta, etc.)

(1) A person who obtains permission for, or completes the registration of, a business of collection and transportation of excreta, a business of disposal of excreta, a business of management of facilities for disposal of sewage, or a design and construction business of facilities for disposal of sewage pursuant to the former Act on the Disposal of Sewage, Excreta and Livestock Wastewater as at the time this Act enters into force shall be deemed a person who obtains permission for, or completes the registration of, a business of collection and transportation of livestock excreta, a business of disposal of livestock excreta, a business of management of facilities for livestock excreta, or a design and construction business of facilities for disposal of livestock excreta under the relevant provisions of this Act.

(2) Where the head of the competent Si/Gun/Gu specifies the business territory when he/she grants permission for a business related to excreta pursuant to Article 35 (5) of the former Act on the Disposal of Sewage, Excreta and Livestock Wastewater, the business territory shall be deemed to have been prescribed pursuant to Article 28 (3).

Article 7 (Transitional Measures concerning Discharge Charges and Application of Penalty Provisions)

As to the imposition and collection of discharge charges and penalty surcharge on violations committed before this Act enters into force, the application of penalty provisions to such a violation, and the imposition of administrative fines on such a violation, the former provisions shall apply.

Article 8 Omitted.

Article 9 (Relationships with other Acts)

A citation of the former Act on the Disposal of Sewage, Excreta and Livestock Wastewater or a provision thereof by any other statutes in force as at the time this Act enters into force shall be deemed a citation of this Act or the corresponding provision of this Act, if such corresponding provision exists in this Act.

ADDENDA <Act No. 8354, Apr. 11, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Act No. 8957, Mar. 21, 2008>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 11 Omitted.

ADDENDUM <Act No. 10035, Feb. 4, 2010>

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

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

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDUM <Act No. 10973, Jul. 28, 2011>

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 49 and 50 shall enter into force three months after the date of its promulgation.

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

Article 1 (Enforcement Date)

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

(2) Omitted.

Articles 2 through 7 Omitted.

ADDENDA <Act No. 11965, Jul. 30, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Act No. 11998, Aug. 6, 2013>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Act No. 12516, Mar. 24, 2014>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation: Provided, That the amended provisions of Articles 8, 10, and 17 (1) 5, and subparagraph 1 of Article 31 and the provisions related to the amended provisions of Articles 10 and 17 (1) 5, from among the amended provisions of subparagraphs 1 and 6 of Article 48, subparagraphs 2, 4, 5 and 10 of Article 49, subparagraphs 2, 3, 5, 6, 9 and 11 of Article 50, subparagraphs 2 and 5 of Article 51, and Article 52, shall enter into force on the date of its promulgation, and the amended provisions of subparagraphs

16 and 17 of Article 32, Articles 37-2 and 37-3, subparagraph 9 of Article 51, and Article 53 (3) 14 shall take effect on January 1, 2017.

Article 2 (Applicability to and Transitional Measures concerning Previous Co-Disposal Facilities)

(1) The amended provisions of Article 12 (2) shall apply, beginning with the first case where a co-disposal facility is newly installed according to the installation of a waste-generating facility for which permission is obtained or a report is filed after this Act enters into force.

(2) Notwithstanding the amended provisions of Article 12 (2), the former provisions shall apply to co-disposal facilities installed or are in the process of installation according to the installation of a waste-generating facility for which permission has been obtained or a report has been filed as at the time this Act enters into force.

Article 3 (Applicability to Reporting following Succession to Status)

The amended provisions of Articles 14 (3) and 29 (4) (including cases in which these are applied mutatis mutandis pursuant to the amended provisions of Article 34 (5)) shall apply, starting with the first person who succeeds to the status after this Act enters into force.

Article 4 (Applicability to and Transitional Measures concerning Completion Inspection of Disposal Facilities)

(1) The amended provisions of Article 15 shall apply starting with a disposal facility, the installation of which is completed after this Act enters into force.

(2) A disposal facility in operation after being installed by a recycling reporter or a livestock excreta disposal business operator as at the time this Act enters into force shall be deemed to have undergone a completion inspection pursuant to the amended provisions of Article 15.

Article 5 (Applicability to Design and Construction of Disposal Facilities)

The amended provisions of Article 16 shall apply starting with the first disposal facility designed and constructed after this Act enters into force.

Article 6 (Applicability to Reports and Confirmation of Fulfillment of Orders)

The amended provisions of Article 18-3 (including cases which are applied mutatis mutandis under the amended provisions of Article 27 (6)) shall apply starting with the first case where an order to take measures, an improvement order, an order of suspension of operation, or an order of closure is issued after this Act enters into force.

Article 7 (Applicability to and Special Cases concerning Electronic Transfer Management System)

(1) The amended provisions of Articles 37-2 and 37-3 shall apply starting with the first livestock excreta or liquid manure which is discharged, collected, transported, or disposed of after the aforesaid provisions take effect.

(2) Notwithstanding the amended provisions of Article 37-3, a waste-generating facility reporter under the amended provisions of Article 11 (3) may not input details concerning the transfer or disposal of livestock excreta or liquid manure into the electronic transfer management system for two years from the date the amended provisions of Article 37-3 enter into force.

Article 8 (Special Cases concerning Waste-Generating Facilities in Livestock-Raising Restriction Zones)

Where permission is applied for or a report is filed pursuant to the amended provisions of Article 11 within three years from the date this Act enters into force with respect to waste-generating facilities which satisfy all the following conditions, the head of a Si/Gun/Gu may grant permission for installation or accept a report even where the raising of livestock is restricted under the amended provisions of Articles 8 and 18: Provided, That where a relevant local government prescribes special cases different from the above by municipal ordinance regarding waste-generating facilities which meet all the following conditions, such municipal ordinance shall apply.

1. A waste-generating facility located in areas prescribed in the amended provisions of Article 8 (1) 1;

2. A waste-generating facility, existence of which before the designation and public announcement of a livestock-raising restriction zone can be proved as at the time this Act enters

into force through the submission of evidential documents determined and publicly announced by the Minister of Environment;

3. A waste-generating facility which has no records of violating this Act (the restriction on the raising of livestock under the amended provisions of Article 8 shall be excluded; hereafter the same shall apply in this subparagraph) and other statutes or which complies with this Act and other statutes as at the time permission is applied for or a report is filed.

Article 9 (Special Cases concerning Orders for Closure of Waste-Generating Facilities in Violation of Requirements for Permission or Reports)

(1) As a case where a waste-generating facility is not located in places which are banned from installation under this Act or other Acts, an installer of a waste-generating facility which was installed without obtaining permission or filing a report or a waste-generating facility which was altered without gaining permission for alteration or filing a report on alteration before February 20, 2013 shall acquire permission or permission for alteration or file a report or report on alteration under the amended provisions of Article 11 within a period specified in the following:

1. Small-scale waste-generating facilities prescribed by Ordinance of the Ministry of Environment or waste-generating facilities located within a Hansen disease patient's settlement village: four years;

2. Waste-generating facilities other than those falling under subparagraph 1: three years.

(2) With respect to waste-generating facilities under paragraph (1), the provision related to an order for closure based on the ground that waste-generating facilities have been installed without gaining permission or filing a report and the provision related to an order for suspension of operation based on the ground that waste-generating facilities have been altered without obtaining permission for alteration or filing a report on alteration among the amended provisions of Article 18 shall not apply during the respective period in accordance with the classification of the subparagraphs of paragraph (1) from the date this Act enters into force.

(3) Notwithstanding paragraph (1), an order for suspension of operation may not apply to facilities smaller in scale than that prescribed by Ordinance of the Ministry of Environment from among the facilities subject to the obligation to report on alteration under the amended provisions of Article 11 (2) and (3) during a period prescribed by Ordinance of the Ministry of Environment.

Article 10 (Special Cases concerning Application of Penalty Provisions to Person who Entrusts Raising of Livestock)

As a case where a waste-generating facility is not located in places which are banned from installation under this Act or other Acts, a person who entrusts the raising of livestock by using waste-generating facility which was installed without obtaining permission for installation or filing a report on installation or a waste-generating facility which was altered without gaining permission for alteration or filing a report on alteration before February 20, 2013 shall not be subject to the application of Articles 49 (1) and 50 until the periods prescribed by each of the following subparagraphs.

1. Small-scale waste-generating facilities prescribed by Ordinance of the Ministry of Environment or waste-generating facilities located within a Hansen disease patient's settlement village: March 24, 2019;

2. Waste-generating facilities other than those falling under subparagraph 1: March 24, 2018.

[This Article Newly Inserted by Act No. 13526, Dec. 1, 2015]

Article 11 (Transitional Measures concerning Designation and Announcement of Livestock-Raising Restriction Zones)

A livestock-raising restriction zone designated under the former provisions by the head of a Si/Gun/Gu as at the time this Act enters into force shall be deemed a livestock-raising restriction zone designated and publicly announced under the amended provisions of Article 8 (1).

Article 12 (Transitional Measures concerning Resource Recovery Plants Installed by Agricultural Cooperatives)

With respect to resource recovery plants which have been installed or are to be installed on a trial basis by agricultural cooperatives by obtaining approval from the Special Self-Governing Province Governor or the Mayor/Do Governor as at the time this Act enters into force, it shall be deemed that approval for installation has been obtained under the amended provisions of Article 24 (3).

Article 13 (Transitional Measures concerning Recycling Reporters)

A recycling reporter who has reported under the former provisions as at the time this Act enters into force (excluding a report on bio-energy facilities) shall be deemed a recycling reporter who has reported under the amended provisions of Article 27.

Article 14 (Transitional Measures concerning Permission for Bio-Energy Facility Treatment Business)

With respect to bio-energy facilities which have been installed and in operation after filing a report on recycling pursuant to the former provisions of Article 27 as at the time this Act enters into force, it shall be deemed that permission for the livestock excreta disposal business has been acquired under the amended provisions of Article 28 (1) 2: Provided, That the requirements for permission prescribed in the amended provisions of Article 28 (1) shall be fulfilled until a date two years after this Act enters into force.

Article 15 (Transitional Measures concerning Incompetent Persons, etc.)

It shall be deemed that those who are under adult guardianship referred to in the amended provisions of subparagraph 1 of Article 31 include a person for whom the adjudication of incompetence or quasi-incompetence remains in effect under Article 2 of the Addenda to the Civil Act amended by Act No. 10429.

Article 16 (Transitional Measures concerning Education of Workers in Charge of Livestock Excreta)

A person who has received education offered by the Minister of Environment under the former provisions shall be deemed to have undergone education conducted by the Mayor/Do Governor, Metropolitan Autonomous City Mayor, or Special Self-Governing Province Governor pursuant to the amended provisions of Article 38.

Article 17 (Transitional Measures concerning Administrative Dispositions)

The former provisions shall apply to administrative dispositions against a violation committed before this Act enters into force.

Article 18 (Transitional Measures concerning Penalties or Administrative Fines)

The former provisions shall apply to the imposition of penalties or administrative fines against a violation committed before the Act enters into force.

Article 19 Omitted.

Article 20 (Relations with other Statutes)

Where any former provision of the Act on the Management and Use of Livestock Excreta is cited in other statutes as at the time this Act enters into force, the corresponding provision of this Act shall be deemed to have been cited in lieu of the former provision, if such provision corresponding thereto exists in this Act.

ADDENDA <Act No. 13526, Dec. 1, 2015>

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of subparagraph 4-2 of Article 2, Articles 8 (1), 13-2 (2), 15 (4) through (7), 15-2, 17 (1) 6, 18-3 (2) through (4), 25 (9) 3, 41 (2), 53 (2) 2 and 3, and 53 (3) 7 shall enter into force six months after the date of its promulgation.

Article 2 (Applicability to and Transitional Measures concerning Waste-Generating Facilities subject to Permission and Report)

(1) The amended provisions of Article 11 (1) and (3) shall not apply to a person who installs or operates a waste-generating facility which has been permitted or reported under previous provisions before this Act enters into force.

(2) A person who shall newly obtain permission or file a report under amended provisions of Article 11 (1) and (3) at the time this Act enters into force, shall obtain permission or file a report

for installation of a waste-generating facility from or to the head of the competent Si/Gun/Gu by March 24, 2016 after this Act enters into force, and shall install the waste-generating facility in compliance with the standards of Article 12-2 by March 24, 2017.

(3) Notwithstanding paragraph (2), where Articles 8 and 9 of addenda to the Act on the Management and Use of Livestock Excreta partially amended by Act No. 12516 apply, permission for, or report on, the installation of waste-generating facility shall be obtained or filed, and the disposal facility shall be installed by the deadline prescribed by Ordinance of the Ministry of Environment.

Article 3 (Transitional Measures concerning Administrative Dispositions)

The previous provisions shall apply to administrative dispositions against a violation committed before this Act enters into force.

Article 4 (Transitional Measures concerning Penalties or Administrative Fines)

The previous provisions shall apply to the imposition of penalties or administrative fines against a violation committed before the Act enters into force.

Article 5 (Relations with other Statutes)

Where any former provision of the Act on the Management and Use of Livestock Excreta is cited in other statutes as at the time this Act enters into force, if any provision corresponding thereto exists in this Act, the corresponding provision of this Act shall be deemed to have been cited in lieu of the previous provision.