

ENFORCEMENT DECREE OF THE SOIL ENVIRONMENT CONSERVATION ACT

Presidential Decree No. 14848, Dec. 29, 1995
Amended by Presidential Decree No. 16058, Dec. 31, 1998
Presidential Decree No. 17432, Dec. 19, 2001
Presidential Decree No. 17698, Aug. 8, 2002
Presidential Decree No. 17816, Dec. 26, 2002
Presidential Decree No. 18213, Jan. 9, 2004
Presidential Decree No. 18312, Mar. 17, 2004
Presidential Decree No. 18910, Jun. 30, 2005
Presidential Decree No. 18953, Jul. 22, 2005
Presidential Decree No. 20297, Sep. 28, 2007
Presidential Decree No. 21078, Oct. 8, 2008
Presidential Decree No. 21542, Jun. 16, 2009
Presidential Decree No. 21626, Jul. 7, 2009
Presidential Decree No. 23196, Sep. 30, 2011
Presidential Decree No. 23529, Jan. 25, 2012
Presidential Decree No. 24566, May 31, 2013
Presidential Decree No. 25050, Dec. 30, 2013
Presidential Decree No. 26160, Mar. 24, 2015

Article 1 (Purpose)

The purpose of this Decree is to provide the matters delegated by the Soil Environment Conservation Act and the necessary matters for the enforcement thereof. *<Amended by Presidential Decree No. 18910, Jun. 30, 2005>*

Articles 2 and 3 Deleted. *<by Presidential Decree No. 17432, Dec. 19, 2001>*

Article 4 (Methods, etc. of Formulating Basic Plans and Regional Plans)

(1) When the Minister of Environment deems it necessary to formulate the basic plan for soil conservation (hereinafter referred to as "basic plan") under Article 4 (1) of the Soil Environment Conservation Act (hereinafter referred to as the "Act"), he/she may request the heads of relevant central administrative agencies, the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Do Governor or the Governor of a Special Self-Governing Province (hereinafter referred to as the "Mayor/Do Governor") and

the heads of the relevant agencies or organizations to submit data necessary for formulating the basic plan.
<Amended by Presidential Decree No. 18910, Jun. 30, 2005; Presidential Decree No. 23196, Sep. 30, 2011>

(2) When a basic plan has been formulated, or the Minister of Environment has approved a regional soil conservation plan (hereinafter referred to as "regional plan") under Article 4 (4) of the Act, he/she shall, without delay, notify the heads of the relevant administrative agencies thereof. The heads of the relevant administrative agencies who have been thus notified shall take measures necessary for enforcing the basic plan or regional plan, unless special circumstances exist.

Article 5 (Compensation for Loss)

(1) The amount of compensation for loss as provided in the provisions of Article 9 (1) of the Act, shall be determined in consideration of the transaction price, rent, profitability of the land, buildings, standing timber, earth and rocks, and other constructions concerned.

(2) Any person who intends to claim for the compensation for a loss in accordance with the provisions of Article 9 (2) of the Act, shall submit to the Minister of Environment, the Mayor/Do Governor, the head of a Si/Gun/Gu (referring to an autonomous Gu; hereinafter the same shall apply) or the head of any soil-related specialized agency (hereinafter referred to as "soil-related specialized agency") provided for in Article 23-2 of the Act a written claim stating the following particulars accompanied by documents evidencing the loss to it: <Amended by Presidential Decree No. 17432, Dec. 19, 2001; Presidential Decree No. 18910, Jun. 30, 2005>

1. The name, resident registration number and address of the claimant;
2. The date and place where the loss occurred;
3. The contents of the loss;
4. The amount of the loss and the method of assessing it.

(3) Upon receiving the written claim for the compensation for loss as provided in paragraph (2), the Minister of Environment, the Mayor/Do Governor, the head of a Si/Gun/Gu or the head of any soil-related specialized agency shall, without any delay, notify the claimant of the following matters: <Amended by Presidential Decree No. 17432, Dec. 19, 2001; Presidential Decree No. 18910, Jun. 30, 2005>

1. The period and method of consultation;
2. The time, method and procedures of compensation.

(4) Any person who intends to file a motion for adjudication with the Land Expropriation Committee in accordance with the provisions of Article 9 (4) of the Act, shall submit the written motion for adjudication stating the following matters to the relevant Land Expropriation Committee:

1. The name and address of the person who has filed a motion for adjudication and of the adverse party;
2. Kinds of the business involved;
3. The fact that the loss has been incurred;
4. The particulars with respect to the amount of the compensation for the loss as determined by the disposition bureau and the amount as claimed by the person who has filed a motion;

5. Details of the consultation.

(5) Deleted. <by Presidential Decree No. 17432, Dec. 19, 2001>

Article 5-2 (Assessment of Soil Environment)

(1) The assessment of soil environment under Article 10-2 of the Act shall be conducted in the order of a basic survey, an overall survey, and a detailed survey as classified in the following; but when only the basic survey or overall survey is enough to confirm that the soil subject to the assessment has not been contaminated, the next survey may be omitted to close the assessment of soil environment: <Amended by Presidential Decree No. 24566, May 31, 2013>

1. Basic survey: A survey on the probability of soil contamination by means of data research, field research, etc.;
2. Overall survey: A survey on whether the soil is contaminated by means of collecting and analyzing soil samples;
3. Detailed survey: A survey on the severity and scope of soil contamination by means of collecting and analyzing soil samples.

(2) Details of procedures and methods for the assessment of soil environment shall be determined and announced by the Minister of Environment.

Article 5-3 (Orders, etc. of Soil Purification, etc. for Two or More Persons Responsible for Purification)

(1) In accordance with Article 10-4 (3) of the Act, where a person that is responsible for purification (hereinafter referred to as a “person responsible for purification”) referred to in Article 10-4 (1) of the Act is two or more persons, a Mayor/Do Governor or the head of a Si/Gun/Gu shall order them to conduct detailed soil surveys, to purify contaminated soil or to implement projects for improving contaminated soil pursuant to Article 11 (3), 14 (1), 15 (1) or (3), or 19 (1) (hereinafter referred to as “soil purification, etc.”), in accordance with the following order:

1. A person responsible for purification under Article 10-4 (1) 1 and a person who has comprehensively succeeded to rights and obligations thereof;
2. An occupant or an operator of facilities subject to the control of soil contamination, among persons responsible for purification under Article 10-4 (1) 2, and a person who has comprehensively succeeded to rights and obligations thereof;
3. A possessor of facilities subject to the control of soil contamination, among persons responsible for purification under Article 10-4 (1) 2, and a person who has comprehensively succeeded to the rights and obligations thereof;
4. A person who currently possesses or occupies a land where the soil contamination took place, among persons responsible for purification under Article 10-4 (1) 4;
5. A person who has possessed a land where the soil contamination took place, among persons responsible for purification under Article 10-4 (1) 4.

(2) Notwithstanding paragraph (1), in any of the following cases, a Mayor/Do Governor or the head of a Si/Gun/Gu may issue an order for the soil purification, etc. to any one of persons responsible for purification in later sequence ahead of a person responsible for purification in prior order in the sequence prescribed in paragraph (1):

1. Where a person responsible for purification in prior order is unidentified due to the address unknown, etc.;
 2. Where a person responsible for purification in prior order is found that the person is less attributable to the relevant soil contamination compared to a person responsible for purification in later sequence;
 3. Where it is found to be impracticable to carry out the soil purification, etc. in the event that the purification expenses to be borne by a person responsible for purification in prior order significantly exceed his/her own property value;
 4. Where a person responsible for purification in later sequence raises his/her objection or fails to cooperate with respect to the fact that a person responsible for purification in prior order carries out the soil purification, etc.;
 5. Where a person responsible for purification in later sequence fails to cooperate with respect to the inspection or other necessary measures for identifying a person responsible for purification in prior order.
- (3) Where it is difficult to choose a person responsible for purification for ordering the soil purification, etc. pursuant to paragraph (1) or (2), a Mayor/Do Governor or the head of a Si/Gun/Gu may order at least persons responsible for purification jointly to carry out the soil purification, etc. through the selection of a person responsible for purification from the Soil Purification Advisory Committee (hereinafter referred to as the “Committee”) for soil purification pursuant to Article 10-9 of the Act and the consultation on the portion, etc. of liability to each person responsible for purification.
- (4) When a Mayor/Do Governor or the head of a Si/Gun/Gu seeks advice from the Committee referred to in Article 10-4 (3) of the Act, he/she shall submit data necessary for consulting to the Committee.

Article 5-4 (Supporting Expenses for Soil Purification, etc.)

- (1) Where the Minister of Environment intends to subsidize expenses incurred in the soil purification, etc. under Article 10-4 (5) of the Act, he/she shall determine whether to subsidize expenses, its scale, method, etc. upon receipt of request for support from a Mayor/Do Governor or the head of a Si/Gun/Gu who has issued an order for soil purification, etc., and notify the relevant Mayor/Do Governor or the head of a Si/Gun/Gu thereof. In such cases, the Minister of Environment may request the Korea Environment Corporation (hereinafter referred to as the “Korea Environment Corporation”) under the Korea Environment Corporation Act to examine technical matters related to the support for purification expenses.
- (2) The detailed matters necessary concerning the support, such as the procedure, etc. for supporting expenses, except for the matters provided for in paragraph (1), shall be prescribed by the Minister of Environment.

(3) “Cases prescribed by Presidential Decree” prescribed in Article 10-4 (5) 4 of the Act shall mean any of the following cases:

1. Where expenses incurred in the soil purification, etc. exceeds the value of the relevant land for a person who received the relevant land before December 31, 2001, and transferred or did not own the relevant land for other grounds after January 1, 2002, as a person responsible for purification, etc. referred to in Article 10-4 (1) 4;
2. Where expenses incurred in the soil purification, etc. noticeably exceeds the value of the relevant land and the profits generated from its possession or occupation for a person who received the relevant land after January 1, 2001, and transferred or did not own the relevant land for other grounds thereafter, as a person responsible for purification, etc. referred to in Article 10-4 (1) 4.

Article 5-5 (Composition and Operation of Committee)

(1) The Chairperson of the Committee shall be appointed or commissioned by the Minister of Environment from among members; the Minister of Environment shall appoint or commission any of the following persons who have abundant knowledge and experience related to the field of soil environment as a member, in consideration of the gender:

1. A person who has worked in the affair related to soil environment for at least ten years;
2. A person who holds or has held the post of an assistant professor or higher referred to in Article 2 of the Higher Education Act;
3. A person who has been employed in business as a lawyer for at least five years;
4. Relevant public officials.

(2) The Committee shall have an executive secretary for carrying out the affairs of the Committee, and the executive secretary shall be appointed by the Minister of Environment, from among public officials belonging to the Ministry of Environment.

(3) The term of office of the member of the Committee shall be two years.

(4) The Chairperson shall represent the Committee, and exercise overall control over the Committee.

(5) The meetings of the Committee shall be open when a majority of the current members are present; issues shall be resolved by a majority of those present.

(6) The Committee may have specialized committees by field to research and examine the advisory matters professionally, may request the Korea Environment Corporation to examine technical matters related to the consultation, if necessary.

(7) Necessary matters concerning the composition, operation, etc. of the Committee, except for the matters provided for in paragraph (1) through (6), shall be determined by the chairperson through the resolution made by the Committee.

Article 5-6 (Operation, etc. of Soil Environment Center)

(1) The head of a soil environment center under Article 10-10 of the Act (hereinafter referred to as “soil environment center”) shall submit the business operation plan of the soil environment center for the next year with respect to the business performance prescribed in Article 10-10 (1) of the Act and its necessary

budget to the Minister of Environment by December 15th every year.

(2) The head of the soil environment center shall submit the business operation report of the soil environment center for the corresponding year to the Minister of Environment by January 31st of the coming year.

(3) Necessary matters concerning the operation and supervision of the soil environment center, except the matters provided for in paragraph (1) and (2), shall be determined by the Minister of Environment.

Article 5-7 (Entrustment of Operation of Soil Environment Center)

The Minister of Environment shall entrust the following affairs to the Korean Environmental Industry and Technology Institute referred to in Article 5-3 of the Environmental Technology and Industry Support Act in accordance with Article 10-10 (3) of the Act:

1. Development and utilization of the research and technology related to the soil environmental industry of the soil environment center prescribed in Article 10-10 (1) 1 of the Act;
2. Dissemination of technology related to soil conservation of the soil environment center, promotion of its commercialization, and support for its advance into overseas markets under Article 10-10 (1) 2 of the Act;
3. Collection and utilization of, education, publicity, and international cooperation on, the information related to the soil environmental industry of the soil environment center prescribed in Article 10-10 (1) 3 of the Act;
4. Invigoration of the soil environmental industry, such as the operation of a soil environmental assessment system under Article 10-10 (1) 4 of the Act.

Article 5-8 (Order, etc. of Detailed Investigation)

(1) Where a Special Self-Governing Province Governor or the head of a Si/Gun/Gu issues an order to conduct detailed soil investigation under Article 11 (3) of the Act, he/she shall determine a performance period within up to six months, taking into consideration of the scope of soil contamination region: Provided, That the Special Self-Governing Province Governor or the head of a Si/Gun/Gu may extend the performance period only once, within the scope of six months, for a person who has failed to complete the investigation within a given period due to unavoidable circumstances, such as scale, etc. of the investigation region. <Amended by Presidential Decree No. 23196, Sep. 30, 2011; Presidential Decree No. 26160, Mar. 24, 2015>

(2) Where the Special Self-Governing Province Governor or the head of a Si/Gun/Gu issues an order to take measures for purification for contaminated soil (referring to the soil, the soil contamination level of which exceeds the worrisome level of soil contamination prescribed in Article 4-2 of the Act; hereinafter the same shall apply) to a person responsible for purification under Article 11 (3) of the Act, he/she shall determine a performance period within two years, taking into consideration of the scale, etc. of soil contamination: Provided, That the Special Self-Governing Province Governor or the head of a Si/Gun/Gu may extend the performance period up to twice within one year, on every occasion, for a person who has failed to comply with an order for taking measures for purification within a given period due to

unavoidable circumstances, such as the scale of purification construction, purification method of construction, etc. <Amended by Presidential Decree No. 23196, Sep. 30, 2011; Presidential Decree No. 26160, Mar. 24, 2015>

Article 6 (Reporting, etc. on Specific Facilities Subject to Control of Soil Contamination)

(1) Any person who intends to file a report on the installation of the specific facilities subject to the control of soil contamination under Article 12 (1) of the Act shall file such report with the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu, accompanied by the following documents: Provided, That in cases of oil storage facilities installed for military use under subparagraph 1 (c) of Article 2 of the Act on National Defense and Military Installations Projects, some documents to be accompanied may be exempted or some matters to be entered in such documents may be omitted, as prescribed by Ordinance of the Ministry of Environment: <Amended by Presidential Decree No. 18910, Jun. 30, 2005; Presidential Decree No. 21542, Jun. 16, 2009; Presidential Decree No. 23196, Sep. 30, 2011; Presidential Decree 23529, Jan. 25, 2012>

1. Drawings showing the locations, structures and installations of the specific facilities subject to the control of soil contamination;
2. Permits to establish a factory, storage and office of dangerous substances under Article 6 of the Safety Control of Dangerous Substances Act and detailed statements of structures and installations by storage facilities;
3. Other matters deemed necessary by the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu for the prevention of soil contamination.

(2) Any person who intends to alter the specific facilities subject to the control of soil contamination (including the closure of such facilities) under the latter part of Article 12 (1) of the Act shall file a report on the alteration to the installation (or closure) of such specific facilities subject to the control of soil contamination with the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu, accompanied by a statement detailing the alteration (or closure) of such facilities. <Amended by Presidential Decree No. 18910, Jun. 30, 2005; Presidential Decree No. 23196, Sep. 30, 2011>

Article 7 (Installation, etc. of Facilities for Preventing Soil Contamination in Specific Facilities Subject to Control of Soil Contamination)

(1) Any installer of the specific facilities subject to the control of soil contamination (including any operator of such facilities; hereinafter the same shall apply) shall install the following facilities for preventing soil contamination by each specific facility subject to the control of soil contamination, and maintain and manage them appropriately, as prescribed in Article 12 (3) of the Act: <Amended by Presidential Decree No. 17432, Dec. 19, 2001; Presidential Decree No. 18910, Jun. 30, 2005; Presidential Decree No. 23196, Sep. 30, 2011>

1. To use anti-corrosive and anti-oxidizing coatings for the specific facilities subject to the control of soil contamination, utilize materials that have leakage-prevention performance, or install the facilities for preventing soil contaminants from leaking, such as dual wall tanks, and maintain and manage those

facilities appropriately;

2. To install the facilities that can detect the leakage of soil contaminants or can confirm whether soil contaminants are leaking, such as measuring instruments, and maintain and manage those facilities appropriately where, among the specific facilities subject to the control of soil contamination, storage facilities are laid underground;

3. To install the facilities necessary for the measures to prevent diffusion of contamination or to reduce the degree of toxicity, and maintain and manage those facilities appropriately, in preparation for possible leakage of soil contaminants from the specific facilities subject to the control of soil contamination.

(2) Standards for installation, maintenance and management of the facilities for preventing soil contamination under paragraph (1) and other necessary matters shall be publicly announced by the Minister of Environment after consultation with the head of a relevant central administrative agency.

<Amended by Presidential Decree No. 17432, Dec. 19, 2001; Presidential Decree No. 24566, May 31, 2013>

Article 7-2 (Recommendation and Support for Installation of Facilities for Prevention of Soil Contamination)

(1) With regard to installing, maintaining and managing the facilities for preventing soil contamination under each subparagraph of Article 7 (1), the Minister of Environment may recommend any person who intends to install the specific facilities subject to the control of soil contamination that he/she should install, maintain and manage facilities in compliance with the standards for installation, maintenance and management set by Ordinance of the Ministry of Environment, which are more effective standards in prevention and diffusion of soil contamination than the standards publicly announced under paragraph (2) of the same Article.

(2) Where the facilities for preventing soil contamination is installed, maintained and managed in compliance with the standards for installation, maintenance and management recommended under paragraph (1) (hereinafter referred to as “recommended standards for installation, maintenance and management”), it shall be deemed to comply with the standards for installation, maintenance and management publicly announced under Article 7 (2).

(3) The Minister of Environment may provide administrative and financial support to installers of the specific facilities subject to the control of soil contamination, who install, maintain and manage facilities in compliance with the recommended standards for installation, maintenance and management under paragraph (1).

Article 8 (Soil Contamination Inspection on Specific Facilities Subject to Control of Soil Contamination)

(1) Any installer of the specific facilities subject to the control of soil contamination shall undergo the soil contamination inspection on a regular basis under Article 13 (1) of the Act according to the following classifications: Provided, That if an inspection of soil contamination levels under subparagraph 1 and a leakage inspection under subparagraph 2 shall be conducted in the same year, he/she may undergo an

inspection of soil contamination levels in the following year: <Amended by Presidential Decree No. 23196, Sep. 30, 2011>

1. He/she shall undergo an inspection of soil contamination levels by a soil-related specialized agency once a year at the time prescribed by Ordinance of the Ministry of Environment: Provided, That where he/she has installed the facilities for preventing soil contamination under Article 7 and is appropriately maintaining and managing them, an inspection cycle may be adjusted within five years according to the standards prescribed by Ordinance of the Ministry of Environment;
 2. Where ten years have passed after the installation of the specific facilities subject to the control of soil contamination falling under the proviso to Article 13 (3) of the Act (excluding facilities subject to regular inspections under Article 17 of the Enforcement Decree of the Safety Control of Dangerous Substances Act; hereinafter referred to as "facilities subject to a leakage inspection"), he/she shall undergo a leakage inspection conducted by a soil-related specialized agency within six months, and undergo a leakage inspection as prescribed by Ordinance of the Ministry of Environment thereafter.
- (2) Any installer of the specific facilities subject to the control of soil contamination shall undergo any of the following inspections conducted by a soil-related specialized agency in addition to the soil contamination inspection under paragraph (1): Provided, That this shall not apply where a reason falling under any of subparagraphs 1 through 3 arises within three months after he/she has undergone an inspection of soil contamination levels under paragraph (1) 1:
1. Where any installer of the specific facilities subject to the control of soil contamination terminates the use of such facilities or closes such facilities, he/she shall undergo an inspection of soil contamination levels during the period from three months prior to the termination date or closing date to the preceding date of the termination date or closing date;
 2. Where any operator of the specific facilities subject to the control of soil contamination is changed due to transfer, lease, etc. of the specific facilities, he/she shall undergo an inspection of soil contamination levels during the period from three months prior to the date of such change to the preceding date of the date of such change;
 3. Where any installer of the specific facilities subject to the control of soil contamination replaces the facilities or changes the types of soil contaminants stored in the facilities, he/she shall undergo an inspection of soil contamination levels during the period from three months prior to the date of replacement or change to the preceding date of the date of replacement or change;
 4. In cases of facilities subject to a leakage inspection, where it has been confirmed that the soil is contaminated beyond the standards prescribed by Ordinance of the Ministry of Environment as a result of the inspection of soil contamination levels under paragraph (1) 1 and subparagraphs 1 through 3 of this paragraph, he/she shall undergo a leakage inspection without delay;
 5. When he/she has become aware of the fact that soil contaminants have been leaked from the specific facilities subject to the control of soil contamination, he/she shall undergo an inspection of soil contamination levels and a leakage inspection (limited to facilities subject to a leakage inspection)

without delay.

(3) Where he/she has undergone an inspection of soil contamination levels under paragraph (2) 1 through 3 or 5, he/she shall be deemed to have undergone the next inspection of soil contamination levels under paragraph (1) 1, and where he/she has undergone a leakage inspection under paragraph (2) 4 or 5, he/she shall undergo a leakage inspection under paragraph (1) 2 on the basis of the date he/she has undergone such inspection.

(4) Even in cases falling under any of paragraph (2) 1 through 3, if he/she has undergone an inspection under subparagraph 5 of the same paragraph within the relevant inspection period, he/she need not undergo any separate soil contamination inspection.

(5) Matters necessary for items of the soil contamination inspection shall be prescribed by Ordinance of the Ministry of Environment.

Article 8-2 (Exemption, etc. from Soil Contamination Inspection)

(1) Cases where the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu may grant approval for exemption from the soil contamination inspection of the specific facilities subject to the control of soil contamination under the proviso to Article 13 (1) of the Act shall be as follows: <Amended by Presidential Decree No. 23196, Sep. 30, 2011; Presidential Decree No. 24566, May 31, 2013>

1. Where oil pipeline facilities under the Oil Pipeline Safety Control Act among the specific facilities subject to the control of soil contamination are fitted with any device with which the leakage of oil can be checked (limited to an inspection of soil contamination levels) or the safety check-up is undergone under Article 8 of the said Act (limited to a leakage inspection);

2. Where a soil contamination survey agency deems it impossible to take a soil sample due to the relevant facilities installed on the ground or in the basement of a building, etc. where soil boring cannot be conducted;

3. Where a soil-related specialized agency deems it unnecessary to conduct the soil contamination inspection because soil contaminants have not been stored in storage facilities for at least one year or on other grounds;

4. Where, among multiple facilities storing the same type of soil contaminants, the use of some facilities is terminated or closed (limited to an inspection of soil contamination levels under Article 8 (2) 1);

4-2. Where not more than 15 years have passed from the date when the facilities for preventing soil contamination were installed in compliance with the recommended standards for installation, maintenance and management (limited to the regular inspections of soil contamination under Article 8 (1));

5. Where it is intended to change the stored soil contaminants to other types of soil contaminants on which the items of the inspection under Article 8 (5) are the same (limited to the inspection of soil contamination levels under Article 8 (2) 3);

6. Where, otherwise, the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu deems it unnecessary to conduct the soil contamination inspection because purification works are being

conducted in compliance with soil purification orders.

(2) In cases falling under paragraph (1) 1, 4, 5 and 6, the opinions of soil-related specialized agencies need not be presented at the time of applying for approval for exemption from the soil contamination inspection under the proviso to Article 13 (2) of the Act.

(3) Where the specific facilities subject to the control of soil contamination referred to in paragraph (1) 1 extend over at least two jurisdictions of the Governor of a Special Self-Governing Province and the head of a Si/Gun/Gu, the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu who has jurisdiction over the main office of the specific facilities subject to the control of soil contamination shall grant approval for exemption from the soil contamination inspection of the said facilities. *<Amended by Presidential Decree No. 23196, Sep. 30, 2011>*

(4) Where the specific facilities subject to the control of soil contamination exempted from the soil contamination inspection no more have any grounds for such exemption, the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu shall, without delay, withdraw approval for such exemption. *<Amended by Presidential Decree No. 23196, Sep. 30, 2011>*

Article 8-3 (Corrective Orders, etc.)

(1) When the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu orders any installer of the specific facilities subject to the control of soil contamination to install or improve the facilities for preventing soil contamination, or to undergo a detailed soil survey pursuant to Article 14 (1) of the Act, he/she shall set the performance period within up to six months in consideration of the result of the soil contamination inspection conducted under Article 8 and the type, scale, etc. of the specific facilities subject to the control of soil contamination: Provided, That the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu may grant an extension of such performance period only once by a further period up to six months to any person who has failed to perform the order within the performance period due to unavoidable circumstances, such as the scale of an area to be surveyed. *<Amended by Presidential Decree No. 23196, Sep. 30, 2011>*

(2) When the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu orders any installer of the specific facilities subject to the control of soil contamination to take measures to purify contaminated soil pursuant to Article 14 (1) of the Act, he/she shall determine the performance period within up to two years: Provided, That the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu may grant an extension of such performance period up to two times by a further period of not exceeding one year for each time to any person who has failed to perform the order for purification measures due to unavoidable circumstances, such as the scale and method of purification works. *<Amended by Presidential Decree No. 23196, Sep. 30, 2011>*

Article 9 (Orders, etc. to Undergo Detailed Soil Surveys)

(1) Where a Mayor/Do Governor or the head of a Si/Gun/Gu orders any person causing the contamination to undergo a detailed soil survey under Article 15 (1) of the Act, he/she shall set the performance period within up to six months, taking account of the scope of the contaminated soil area, etc.: Provided, That

with respect to any person who has failed to undergo a detailed soil survey within the performance period due to unavoidable circumstances, such as the size of the area to be surveyed, a Mayor/Do Governor or the head of a Si/Gun/Gu may extend such performance period only once by a further period up to six months.

<Amended by Presidential Decree No. 18910, Jun. 30, 2005; Presidential Decree No. 23196, Sep. 30, 2011; Presidential Decree No. 26160, Mar. 24, 2015>

(2) Deleted. *<by Presidential Decree No. 18910, Jun. 30, 2005>*

Article 9-2 (Orders Given to Take Measures, etc.)

(1) Where a Mayor/Do Governor or the head of a Si/Gun/Gu orders any person that causes the contamination to take measures to prevent soil contamination under Article 15 (3) of the Act (hereinafter referred to as "order given to take measures"), he/she shall set the performance period within up to two years, taking account of soil contaminants and the type, size, etc. of facilities. *<Amended by Presidential Decree No. 18910, Jun. 30, 2005; Presidential Decree No. 26160, Mar. 24, 2015>*

(2) With respect to any person who has inevitably failed to comply with the order given to take measures within the performance period referred to in paragraph (1) due to the scale, construction method, etc., a Mayor/Do Governor or the head of a Si/Gun/Gu may extend such performance period up to two times by a further period of not exceeding one year for each time. *<Amended by Presidential Decree No. 18910, Jun. 30, 2005; Presidential Decree No. 21542, Jun. 16, 2009>*

Article 10 (Standards for and Methods of Purifying Contaminated Soil)

(1) Standards for purifying contaminated soil under Article 15-3 (1) of the Act shall follow the worrisome levels of soil contamination under Article 4-2 of the Act. *<Newly Inserted by Presidential Decree No. 18910, Jun. 30, 2005>*

(2) The methods of purifying contaminated soil under Article 15-3 (1) of the Act shall be as follows: *<Amended by Presidential Decree No. 18910, Jun. 30, 2005; Presidential Decree No. 23196, Sep. 30, 2011>*

1. Biological treatment, including decomposition and absorption of contaminants, using microorganisms or plants;
2. Physical and chemical treatment, including isolation, separation, extraction and cleansing treatment of contaminants;
3. Heat treatment, including burning and decomposition of contaminants.

(3) Detailed matters concerning the methods of purification under each subparagraph of paragraph (2) shall be prescribed and announced by the Minister of Environment. *<Amended by Presidential Decree No. 18910, Jun. 30, 2005>*

Article 11 (Direct Performance of Purification Works by Persons Responsible for Purification)

With respect to any of the following contaminated soil, a person responsible for purification may purify such contaminated soil himself/herself without entrusting purification works to a person who has made a registration of the soil purification business (hereinafter referred to as "soil purification business operator") under Article 23-7 (1) of the Act, pursuant to the proviso to Article 15-3 (2) of the Act: *<Amended by Presidential Decree No. 26160, Mar. 24, 2015>*

1. Contaminated soil in the facilities of military units prescribed in the Act on National Defense and Military Installations Projects or the soil contaminated in the course of military activities, each of which is less than 50 cubic meters in quantity;
2. Soil contaminated by organic solvents or oil, which is less than 5 cubic meters in quantity.

Article 11-2 (Methods of Verifying Soil Contamination due to Natural Causes)

(1) “Methods prescribed by Presidential Decree” prescribed in Article 15-5 (2) 4 of the Act means any of the following methods:

1. To prove that concentrations of the relevant contaminant in the relevant site is similar to those in the neighboring area measured from the soil analysis;
2. To prove that the relevant contaminant has come from the bed rock in the relevant site;
3. To prove otherwise by scientific methods that the relevant contaminant has originated due to natural causes.

(2) Where a Mayor/Do Governor, the head of a Si/Gun/Gu, or a person responsible for purification intends to have a hazard assessment conducted pursuant to Article 15-5 (2) 4 of the Act, he/she shall submit, to the Minister of Environment, a report concerning matters under each subparagraph of paragraph (1), which is prepared by a soil-related specialized agency. *<Amended by Presidential Decree No. 26160, Mar. 24, 2015>*

(3) The Minister of Environment shall confirm the report submitted under paragraph (2) and notify the relevant Mayor/Do Governor, the head of the relevant Si/Gun/Gu, or a person responsible for purification of the results thereof, including whether the soil contamination is due to natural causes. *<Amended by Presidential Decree No. 26160, Mar. 24, 2015>*

Article 11-3 (Omission of Verification of Purification Process)

Where the area of contaminated soil is less than 1,000 cubic meters *[excluding the soil which has been contaminated by heavy metals, the contamination level of which exceeds the countermeasure standards against soil contamination (hereinafter referred to as the "countermeasure standards") under Article 16 of the Act, and which is 500 cubic meters or more in quantity]* under the proviso to Article 15-6 (1) of the Act, the verification of the purification process may be omitted.

Article 11-4 (Formulation of Plans to Create Soil Control Complexes)

The Minister of Environment shall include the following matters when formulating a plan to create a soil control complex under Article 15-7 (2) of the Act:

1. Purpose of creation, necessity, and period of creation and operation;
2. Current situation of the site subject to creation of the complex, including its location and size;
3. Measures to secure the site subject to creation of the complex;
4. Methods of securing funds and financing for creation of the complex;
5. Plans to establish and operate major infrastructure, including transportation facilities;
6. Plans for environment conservation;
7. Contaminated soil purification capacity;

8. Matters concerning the recycling and distribution of purified soil.

Article 11-5 (Changes in Plans to Create Soil Control Complexes)

“Where he/she intends to change the important matters of plan for creation of a soil control complex which are prescribed by Presidential Decree” in the latter part of Article 15-7 (2) of the Act means any of the following cases:

1. Where more than 20 percent of the area of the site subject to creation of the complex is to be changed;
2. Where more than 20 percent of the contaminated soil purification capacity is to be changed.

Article 12 (Designation of Area Requiring Measures for Soil Conservation)

(1) "Any region that falls under the cases that is prescribed by Presidential Decree" in the proviso to Article 17 (1) of the Act means any of the following: <Newly Inserted by Presidential Decree No. 18910, Jun. 30, 2005>

1. Farmland where the size of land in which the contaminant content of crops cultivated therein is in excess of the maximum residue limit of heavy metal (hereinafter referred to as "maximum residue limit of heavy metal") under Article 7 of the Food Sanitation Act is at least 10,000 square meters;
2. An area requiring special measures to prevent any damage to people's health or the environment because the soil, underground water, etc. is simultaneously contaminated with soil contaminants, such as heavy metals and oil.

(2) When the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu requests the Minister of Environment to designate any area as an area requiring countermeasures pursuant to Article 17 (2) of the Act, he/she shall file a written application for designation of an area requiring countermeasures with the Minister of Environment. <Amended by Presidential Decree No. 18910, Jun. 30, 2005; Presidential Decree No. 21542, Jun. 16, 2009; Presidential Decree No. 23196, Sep. 30, 2011>

(3) Standards for designating an area requiring countermeasures under Article 17 (3) of the Act shall be as follows: <Amended by Presidential Decree No. 18910, Jun. 30, 2005; Presidential Decree No. 23196, Sep. 30, 2011>

1. In cases of farmland, areas where the soil contamination level 30 centimeters deep from the ground surface is in excess of the countermeasure standards and other areas which are requested by the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu to be designated as an area requiring countermeasures as the contaminant content of crops cultivated in such areas is found to be in excess of the maximum residue limit of heavy metal;
2. In cases of areas other than farmland, areas where the soil contamination level between the ground surface and the upper soil of ground water (aquifer) is in excess of the countermeasure standards and other areas which are requested by the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu to be designated as an area requiring countermeasures as such areas are feared to inflict a physical injury upon persons and the surface area of such areas is at least 10,000 square meters.

(4) When the Minister of Environment designates any area as an area requiring countermeasures and announces such designation under Article 17 (4) of the Act, he/she shall send the details of such publication and the relevant documents to the Governor of the relevant Special Self-Governing Province or the head of the relevant Si/Gun/Gu for public perusal and have signs publishing details of such designation installed in places that are frequented by the public within the area requiring countermeasures.

<Amended by Presidential Decree No. 18910, Jun. 30, 2005; Presidential Decree No. 23196, Sep. 30, 2011>

Article 12-2 (Formulation of Countermeasure Plans)

Where an area requiring countermeasures under Article 18 (1) of the Act extends over at least two Sis/Guns/Gus, the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu who has jurisdiction over a wider area of the area requiring countermeasures shall formulate a countermeasure plan. In such cases, the Governor of the Special Self-Governing Province or the head of the Si/Gun/Gu who formulates the countermeasure plan shall consult thereabout the Governor of a Special Self-Governing Province or the heads of other relevant Sis/Guns/Gus who are not main agents of the formulation of such plan. *<Amended by Presidential Decree No. 23196, Sep. 30, 2011>*

Article 13 (Types of Projects to Improve Contaminated Soil)

The types of the projects to improve contaminated soil under Article 18 (4) of the Act shall be as follows:

<Amended by Presidential Decree No. 18910, Jun. 30, 2005; Presidential Decree No. 21542, Jun. 16, 2009; Presidential Decree No. 23196, Sep. 30, 2011; Presidential Decree No. 24566, May 31, 2013>

1. Farmland improvement project, such as the use of a soil controller or bringing soil from another land and mixing it with the soil in question;
2. Dredging projects of contaminated waterways;
3. Hygienic reclamation and purification projects of contaminated soil;
4. Cultivation projects of such plants as are strong absorbents of soil contaminants;
5. Other projects deemed necessary by the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu.

Article 13-2 (Surveys, etc. of Damage to Health of Residents)

The details of the survey of damage to the health of residents and the countermeasures therefor as provided for in Article 18 (5) of the Act shall be as follows: *<Amended by Presidential Decree No. 24566, May 31, 2013>*

1. Scope of residents subject to the survey of damage to health and the methods of such survey;
2. Agencies in charge of the survey of damage to health;
3. Decision on damage to health and the countermeasures therefor;
4. Other necessary matters relating to the survey of damage to health and the countermeasures therefor.

Article 14 (Accommodating Jurisdiction over Areas Requiring Countermeasures)

(1) The projects to improve contaminated soil of any area requiring countermeasures under Article 19 (4) of the Act shall be implemented in each jurisdiction. If it is impractical to implement such projects individually in each jurisdiction, the Governor of a Special Self-Governing Province or the head of a

Si/Gun/Gu who has jurisdiction over the area with a wider contaminated area shall implement the projects to improve contaminated soil. <Amended by Presidential Decree No. 18910, Jun. 30, 2005; Presidential Decree No. 23196, Sep. 30, 2011>

(2) The Governor of a Special Self-Governing Province or the heads of relevant Sis/Guns/Gus, other than the project-implementing entity under paragraph (1), shall actively cooperate in the implementation of the pertinent projects to improve contaminated soil. <Amended by Presidential Decree No. 18910, Jun. 30, 2005; Presidential Decree No. 23196, Sep. 30, 2011>

Article 15 (Limitations on Use of Land, etc.)

When the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu intends to impose a limitation on the use of land or the installation of facilities in any area requiring countermeasures under Article 20 of the Act, he/she shall determine and announce the object, method, period, area, etc. of the limitation. In such cases, he/she shall take into consideration the balance between the purpose of designating specific-use areas under the National Land Planning and Utilization Act and the limitations on activities. <Amended by Presidential Decree No. 17816, Dec. 26, 2002; Presidential Decree No. 18910, Jun. 30, 2005; Presidential Decree No. 23196, Sep. 30, 2011>

Article 16 (Limitations on Installation of Facilities in Area Requiring Countermeasures)

"Facilities prescribed by Presidential Decree and deemed to have the probability to harm the purpose of the designation of the area requiring countermeasures in such area" in Article 21 (2) of the Act means facilities which produce contaminants mainly causing the designation of the area requiring countermeasures, facilities which use raw materials containing contaminants, or facilities which produce goods containing contaminants.

Article 17 (Special Cases concerning Abandoned Metal Mining Areas)

The Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu shall investigate the present condition of the metal mining areas under his/her jurisdiction, for which the responsibility of the former mining concession holder or mining leaseholder under Article 18 of the Mining Safety Act is extinguished and shall report the results of the investigation to the relevant Mayor/Do Governor and the Minister of Environment. <Amended by Presidential Decree No. 18910, Jun. 30, 2005; Presidential Decree No. 23196, Sep. 30, 2011>

Article 17-2 (Standards, etc. for Designation of Soil-Related Specialized Agency)

(1) Any person who intends to be designated as a soil-related specialized agency pursuant to the former part other than each subparagraph of Article 23-2 (2) of the Act shall secure the inspection facilities, equipment and the technical manpower as shown in attached Table 1. <Amended by Presidential Decree No. 24566, May 31, 2013>

(2) The matters which need to be designated for change pursuant to the latter part other than each subparagraph of Article 23-2 (2) of the Act shall be as follows: <Amended by Presidential Decree No. 24566, May 31, 2013>

1. Any change in the trade name or the location of business place;
2. Replacement of the representative;
3. Replacement of the technical manpower.

(3) In changing the matters provided for in each subparagraph of paragraph (2), the designation of the changed matters shall be made within 60 days from the date when the cause of such change arises.

<Amended by Presidential Decree No. 21542, Jun. 16, 2009>

Article 17-3 (Soil Contamination Survey Agencies)

"Agencies prescribed by Presidential Decree" in the proviso to parts other than each subparagraph of Article 23-2 (3) of the Act shall be as follows: *<Amended by Presidential Decree No. 18213, Jan. 9, 2004; Presidential Decree No. 18910, Jun. 30, 2005; Presidential Decree No. 18953, Jul. 22, 2005; Presidential Decree No. 21078, Oct. 8, 2008; Presidential Decree No. 21542, Jun. 16, 2009; Presidential Decree No. 24566, May 31, 2013>*

1. National Institute of Environmental Research;
2. City/Do health and environmental research institutes;
3. Basin environment offices or regional environment offices;
4. and 5. Deleted. *<by Presidential Decree No. 21542, Jun. 16, 2009>*

Article 17-4 (Requirements, etc. for Registration of Soil Purification Business)

(1) Any person who intends to file for registration to run soil purification business under the former part of Article 23-7 (1) of the Act shall secure facilities, equipment and technical manpower, as prescribed in attached Table 2.

(2) Any change to be registered under the latter part of Article 23-7 (1) of the Act is as follows:

1. Any change in the trade name or the location of business place;
2. Replacement of the representative;
3. Replacement of the technical manpower;
4. Any change in off-site soil treatment facilities provided for in subparagraph 1 (b) of attached Table 2.

(3) In changing the matters provided for in paragraph (2) 1 through 3, the registration of the changed matters shall be filed within 30 days from the date the grounds for such change arises, and in changing the matters provided for in paragraph (2) 4, the registration of such change shall be filed in advance.

(4) Where an application for registration is filed pursuant to Article 23-7 (1) of the Act, the Minister of Environment shall permit registration unless the relevant applicant falls under any of the following cases:

<Newly Inserted by Presidential Decree No. 23196, Sep. 30, 2011>

1. Where he/she is subject to the prohibition on concurrently running other businesses under Article 23-5 of the Act;
2. Where he/she falls under grounds for disqualification under Article 23-8 of the Act;
3. Where he/she intends to construct facilities in an area where construction and operation of such facilities are prohibited or restricted under other Acts and subordinate statutes (only applicable to construction of off-site soil treatment facilities);

4. Where he/she fails to secure facilities, equipment and technical manpower provided for in paragraph (1);
5. Where he/she violates any restrictions imposed under this Decree, or other Acts and subordinate statutes.

Article 17-5 (Prohibition of Subcontract)

(1) “Works prescribed by Presidential Decree” in the main sentence of Article 23-9 (2) of the Act means the operation and construction works of soil purification facilities.

(2) “Unavoidable reasons prescribed by Presidential Decree” in the proviso to Article 23-9 (2) of the Act means reasons falling under any of the following subparagraphs: <Newly Inserted by Presidential Decree No. 24566, May 31, 2013>

1. Where urgent soil purification is needed due to a natural disaster;
2. Where urgent soil purification is needed since an area is declared as a special disaster area under Article 60 of the Framework Act on the Management of Disasters and Safety.

Article 18 (Delegation and Entrustment of Authority)

(1) The Minister of Environment shall delegate the following authority to the head of a basin environment office or the head of a regional environment office under Article 27 (1) of the Act: <Amended by Presidential Decree No. 17432, Dec. 19, 2001; Presidential Decree No. 17698, Aug. 8, 2002; Presidential Decree No. 18910, Jun. 30, 2005; Presidential Decree No. 23196, Sep. 30, 2011; Presidential Decree No. 24566, May 31, 2013; Presidential Decree No. 26160, Mar. 24, 2015>

1. Establishment of measuring networks and regular measurements prescribed in Article 5 (1) of the Act;
2. Detailed soil surveys conducted under Article 5 (4) 1 and 2, and 3 (a) of the same paragraph of the Act;
3. Expropriation or use of land, etc. under Article 7 (1) of the Act;
4. Designation of a soil environment assessment agency and announcement of such designation under Article 23-2 (2) 1 and (4) of the Act;
5. Administrative dispositions taken against a soil environment assessment agency under Article 23-6 of the Act;
- 5-2. Receipt and processing of reports concerning succession of the status of soil environment assessment agencies under Article 23-12 (3) of the Act;
- 5-3. Deleted; <by Presidential Decree No. 24566, May 31, 2013>
6. Requests for report and submission of data concerning soil environment assessment agencies and the inspection thereof under Article 26-2 (2) of the Act;
7. Hearings held on the revocation of designation of a soil environment assessment agency under subparagraph 2 of Article 26-5 of the Act;
8. Imposition and collection of fines for negligence under Article 32 of the Act.

(2) The Minister of Environment shall delegate the following authority to the president of the National Institute of Environmental Research under Article 27 (1) of the Act: <Newly Inserted by Presidential Decree No. 23196, Sep. 30, 2011; Presidential Decree No. 24566, May 31, 2013>

1. Designation of a hazard assessment agency and announcement of such designation under Article 23-2 (2) 1 and (4);
2. Administrative dispositions taken against a hazard assessment agency under Article 23-6 of the Act;
3. Receipt and processing of reports concerning succession of the status of hazard assessment agencies under Article 23-12 (3) of the Act;
4. Requests for the report and submission of data concerning hazard assessment agencies and the inspection thereof under Article 26-2 (2) of the Act;
5. Hearings held on the revocation of designation of a hazard assessment agency under subparagraph 2 of Article 26-5 of the Act.

(3) The Minister of Environment may, in accordance with Article 27 (2) of the Act, entrust the following works to the Korea Environment Corporation pursuant to the Korea Environment Corporation Act. In such cases, the Minister of Environment shall publicly announce the date of entrustment and the entrusted works: <Newly Inserted by Presidential Decree No. 24566, May 31, 2013; Presidential Decree No. 26160, Mar. 24, 2015>

1. Surveys necessary for establishing the basic plan for soil conservation under Article 4 (1) of the Act;
2. Detailed soil surveys under Article 5 (4) 3 (b) through (e) of the Act;
3. Surveys on the actual state and level of topsoil erosion under Article 6-2 (1) of the Act;
4. Detailed soil surveys and soil purification works under Article 6-3 (1) of the Act;
5. Works related to the expropriation and the use of land, etc. under Article 7 (1): Provided, That the scope thereof is limited to those necessary for the works entrusted by the Minister of Environment;
6. Formulation and change of a plan for creation of a soil control complex, and hearings and consultations thereon under Article 15-7 (2);
7. Works related to using or earning profit from part of the land of a soil control complex, or lending or selling it under Article 15-7 (3).

Article 18-2 (Reexamination of Regulations)

The Minister of Environment shall review the appropriateness of the following matters and take improvement actions, etc. every three years (referring to by the day before the same day as the base date of every third year) based on the following base dates: <Amended by Presidential Decree No. 23196, Sep. 30, 2011; Presidential Decree No. 25050, Dec. 30, 2013>

1. Corrective Orders, etc. referred to in Article 8-3: January 1, 2014;
2. Standards, etc. for designation of a soil-related specialized agency referred to in Article 17-2 and attached Table 1: January 1, 2014;
3. Requirements, etc. for registration of soil purification business referred to in Article 17-4 and attached Table 2: January 1, 2014.

Article 19 (Standards for Imposition of Fines for Negligence)

Standards for imposition of fines for negligence under Article 32 (1) and (2) of the Act shall be as stipulated in attached Table 3. *<Amended by Presidential Decree No. 23196, Sep. 30, 2011>*

ADDENDUM

This Decree shall enter into force on January 6, 1996.

ADDENDA *<Presidential Decree No. 16058, Dec. 31, 1998>*

(1) (Enforcement Date) This Decree shall enter into force on January 1, 1999: Provided, That the amended provisions of Article 8 (3) 3 shall enter into force on April 1, 1999.

(2) (Transitional Measures concerning Inspection of Soil Contamination Levels) With respect to facilities which fall under the amended provisions of Article 8 (2) 1 (a) or (b) at the time this Decree enters into force under the main sentence of paragraph (1) and for which six months have not passed since the inspection of soil contamination levels was made under the previous provisions, the inspection of the soil contamination levels which is to be conducted first after this Decree enters into force shall be exempted, notwithstanding the amended provisions of Article 8 (2) 1: Provided, That this shall not apply to the facilities which fall under the proviso to the same subparagraph.

(3) Omitted.

ADDENDUM *<Presidential Decree No. 17432, Dec. 19, 2001>*

This Decree shall enter into force on January 1, 2002.

ADDENDA *<Presidential Decree No. 17698, Aug. 8, 2002>*

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA *<Presidential Decree No. 17816, Dec. 26, 2002>*

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2003.

Articles 2 through 17 Omitted.

ADDENDA *<Presidential Decree No. 18213, Jan. 9, 2004>*

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDUM <Presidential Decree No. 18312, Mar. 17, 2004>

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

ADDENDA <Presidential Decree No. 18910, Jun. 30, 2005>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2005: Provided, That the amended provisions of Articles 8-2 (1) 1, 11, and 11-2 shall take effect on January 1, 2006, and the amended provisions of Article 8 (1) 2 and (3) (limited to the matters relating to the leakage inspection) on July 1, 2006.

Article 2 (Applicability to Corrective Order)

The amended provisions of Article 8-3 concerning the period of implementing a corrective order and the extension of such a period shall apply to any person to whom such corrective order is given on or after the date this Decree enter into force.

Article 3 (Transitional Measures concerning Leakage Inspection)

(1) Notwithstanding the amended provisions of Article 8 (1) 2 concerning the leakage inspection, the facilities subject to a leakage inspection for which not less than fifteen years have passed at the time the said provisions enter into force since they were installed shall undergo a leakage inspection not later than June 30, 2007, and the facilities subject to a leakage inspection for which not less than ten years but less than fifteen years have passed at the time of the said provisions enter into force since their installation, not later than June 30, 2008, respectively.

(2) Notwithstanding the provisions of paragraph (1), if the leakage inspection as referred to in Article 8 (1) 2 (a) is undergone after July 1, 2001 (referring to July 1, 2002 in case of the facilities for which not less than ten years but less than fifteen years have passed since their installation) or the leakage inspection as referred to in Article 8 (1) 2 (b) is undergone after July 1, 2003 (referring to July 1, 2004 in case of the facilities for which not less than ten years but less than fifteen years have passed since their installation), the next leakage inspection shall be undergone according to the classification of items of Article 8 (1) 2 on the basis of the date when such inspection is conducted.

Article 4 (Transitional Measures concerning Standards for Designation of Soil-Related Specialized Agency)

Any person who is designated as a soil contamination survey agency at the time of the entry into force of this Decree shall receive the designation of its change after securing the inspection facilities, equipment and the technical manpower as described in the amended provisions of subparagraph 1 of attached Table 1 within six months from the date this Decree takes effect, and any person who is designated as a leakage inspection agency at the time this Decree enters into force shall receive the designation of its change after securing the inspection facilities, equipment and the technical manpower as described in the amended provisions of subparagraph 2 of attached Table 1 within one year from the date when this Decree takes effect.

ADDENDA <Presidential Decree No. 18953, Jul. 22, 2005>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Presidential Decree No. 20297, Sep. 28, 2007>

Article 1 (Enforcement Date)

This Decree shall enter into force on October 5, 2008. (Proviso Omitted.)

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 21078, Oct. 8, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 21542, Jun. 16, 2009>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Soil Contamination Inspection)

The previous provisions shall apply to an inspection of soil contamination levels for any installer of the specific facilities subject to the control of soil contamination who should undergo an inspection of soil contamination levels under Article 8 (1) 1 and a leakage inspection under subparagraph 2 of the same paragraph not later than December 31, 2008.

Article 3 (Transitional Measures concerning Corrective Orders)

The previous provisions shall apply to the extension of the performance period to any installer of the specific facilities subject to the control of soil contamination who has received a corrective order pursuant to Article 8-3 (1) at the time this Decree enters into force.

Article 4 (Transitional Measures concerning Orders Given to Take Measures)

The amended provisions of Article 9-2 (2) shall apply to the extension of the performance period to any person causing the contamination who has been ordered to take measures pursuant to Article 9-2 (1) at the time this Decree enters into force.

Article 5 (Transitional Measures concerning Standards for Designation of Soil-Related Specialized Agency)

Any person who has been designated as a soil-related specialized agency at the time when this Decree enters into force shall be designated for modification with required technical human resources under the amended provisions of attached Table 1 within one year from the date this Decree enters into force.

Article 6 (Transitional Measures concerning Standards for Registration of Soil Purification Business)

Any person who has registered a soil purification business at the time this Decree enters into force shall register for modification with required technical human resources under the amended provisions of attached Table 2 within one year from the date this Decree enters into force.

ADDENDA <Presidential Decree No. 23196, Sep. 30, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on October 6, 2011.

Articles 2 (Applicability to Extension of Performance Period)

(1) The amended provisions of Article 5-3 (1) shall begin to apply from the first detailed survey of soil, the performance period of which is extended after this Decree enters into force.

(2) The amended provisions of Article 9 (1) shall begin to apply from the first detailed survey of soil, the performance period of which is extended after this Decree enters into force.

Articles 3 (Applicability to Soil Contamination Survey of Specific Facilities subject to Control of Soil Contamination)

The amended provisions of Article 8 (1) 1 shall also apply to soil contamination surveys which are being conducted at the time this Decree enters into force.

ADDENDA <Presidential Decree No. 23529, Jan. 25, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 26, 2012.

Articles 2 and 3 Omitted.

ADDENDUM <Presidential Decree No. 24566, May 31, 2013>

This Decree shall enter into force on June 2, 2013.

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

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

ADDENDA <Presidential Decree No. 26160, Mar. 24, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on March 25, 2015.

Article 2 (Applicability to Priority of Responsibility of Purification)

The amended provisions of Article 5-3 shall apply beginning from the case of issuing an order to conduct a detailed soil survey after this Decree enters into force.