

ENFORCEMENT RULES OF THE ASBESTOS SAFETY MANAGEMENT ACT

Ordinance Of the Ministry of Ministry of Environment No. 452, Apr. 27,
2012

Amended by Ordinance Of the Ministry of Ministry of Environment No. 503,
Mar. 23, 2013

Article 1 (Purpose)

The purpose of the Enforcement Rules is to provide for matters delegated by the Asbestos Safety Management Act and the Enforcement Decree of the same Act, as well as those necessary for the enforcement thereof.

Article 2 (Types of Asbestos)

"Material specified by Ordinance of the Ministry of Environment" in subparagraph 1 of Article 2 of the Asbestos Safety Management Act (hereinafter referred to as the "Act") means any of the following:

1. Actinolite asbestos;
2. Anthophyllite asbestos;
3. Tremolite asbestos;
4. Crocidolite asbestos;
5. Amosite asbestos;
6. Chrysotile asbestos.

Article 3 (Types of Asbestos Building Materials)

Asbestos building materials defined in subparagraph 6 of Article 2 of the Act mean building materials which contains asbestos referred to in the subparagraphs of Article 2 in excess of one percent (by weight) among the following:

1. Roofing materials;
2. Ceiling materials;
3. Wall materials;
4. Flooring materials;
5. Thermal insulation materials;
6. Heat reserving materials;
7. Spray materials;

8. Fire-resistant covering materials;
9. Partitions;
10. Piping materials (gaskets, packing, seals, etc.);
11. Other materials determined and publicly announced by the Minister of Environment, which are used for purposes similar to the materials set forth in subparagraphs 1 through 10.

Article 4 (Modification of Master Plans)

When the Minister of Environment or the head of a related central administrative agency intends to modify a master plan under Article 6 (3) of the Enforcement Decree of the Asbestos Safety Management Act (hereinafter referred to as the "Decree"), he/she may seek opinions from the heads of the related administrative agencies and experts in advance.

Article 5 (Notification of Survey Plans)

A survey plan which the Minister of Environment, the head of a related central administrative agency or 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 "Mayor/Do Governor") notifies to the related agencies and interested persons under Article 8 (4) of the Decree shall include the following:

1. Objectives of the survey;
2. Subject matters and details of the survey;
3. Procedures for, and method of the survey;
4. Others necessary for the survey.

Article 6 (Submission of Implementation Report regarding Order to Recall or Prohibit Sale)

A person who has complied with an order to recall a product or prohibit the sale thereof pursuant to Article 10 (2) of the Decree shall submit to the head of the related central administrative agency or the related Mayor/Do Governor the implementation report in annexed Form 1 along with the following documents:

1. Copy of the order to recall a product or prohibit the sale thereof;
2. Evidentiary materials regarding compliance with the order to recall a product or prohibit the sale thereof.

Article 7 (Subject Matter, Method, etc. of Self Measuring)

(1) Subject matters of self-measuring which requires verification and examination as to whether they contain asbestos pursuant to Article 9 (1) of the Act shall be asbestos, etc. publicly announced by the heads of the related central administrative agencies after considering the following in a comprehensive manner, among asbestos or asbestos-containing products (hereinafter referred to as "asbestos, etc.") imported, manufactured or sold pursuant to the Acts and subordinate statutes in attached Table of the Act:

1. Whether the relevant asbestos, etc. are imported into, produced or sold in, the Republic of Korea and the possibility of asbestos exposure during such process;
2. Degree of risk to human health posed by exposure to the relevant asbestos, etc.

(2) Results of the examination under Article 9 (1) of the Act shall be recorded and retained for a period of three years from the date the relevant asbestos, etc. are imported, manufactured or sold.

Article 8 (Deadline by which Persons who Produce Suspect Asbestos-Containing Materials shall Obtain Approval)

The deadline for obtaining approval as referred to in Article 13 (2) of the Decree shall be a period of up to one year after the designation and public announcement of a suspect asbestos-containing material.

Article 9 (Approval, etc. of Suspect Asbestos-Containing Materials)

(1) "Asbestos inspection institution designated by Ordinance of the Ministry of Environment" in Article 13 (3) of the Decree means either of the following:

1. Asbestos environmental center under Article 33 of the Act;
2. Other institutions equipped with human resources, facilities, etc. necessary for conducting asbestos inspections, which are publicly announced by the Minister of Environment.

(2) "Documents prescribed by Ordinance of the Ministry of Environment" in Article 13 (3) of the Decree means the following documents, and an application for approval shall be made in annexed Form 2:

1. A report on the findings from the inspection and analysis of asbestos prepared by an asbestos inspection institution prescribed in paragraph (1) (in cases falling under Article 13 (4) of the Decree, referring to a written plan for processing and transforming a suspect asbestos-containing material (hereinafter referred to as "suspect asbestos-containing material") under Article 11 (1) of the Act);
2. In cases of selling, or in cases of storing or displaying for sale (hereinafter referred to as "distribution") in the Republic of Korea, a written plan thereon.

(3) Methods of collecting specimens and analyzing asbestos necessary for the inspection and analysis of asbestos under paragraph (2) 1 shall be determined and publicly announced by the Minister of Environment.

(4) "Special circumstances prescribed by Ordinance of the Ministry of Environment" in Article 13 (4) of the Decree means where the Minister of Environment acknowledges it impractical to confirm whether the content of asbestos exceeds the standards unless the relevant suspect asbestos-containing material is processed and transformed, because of the non-homogeneous dispersion of asbestos inside such material.

(5) Notice on approval or disapproval of an application for approval filed under Article 13 (3) of the Decree shall be given in a written notice of approval or disapproval in annexed Form 3.

Article 10 (Reporting on Work Plan, etc.)

(1) A person who intends to file a report on the work plan for, work process, etc. of, processing and transforming a suspect asbestos-containing material pursuant to Article 11 (3) of the Act shall submit a report on the work plan for processing and transforming a suspect asbestos-containing material in annexed Form 4 to the Governor of the competent Special Self-Governing Province or the head of the competent Si/Gun/Gu (referring to the head of an autonomous Gu; the same shall apply hereinafter), along with the following:

1. Processing and transformation plan (including methods of processing and transformation, use, etc.);
2. Equipment and facilities of work places;
3. Plan to prevent scattering of asbestos (including a plan, etc. to procure related facilities and equipment).

(2) Where a person intends to process or transform two or more types of suspect asbestos-containing materials, he/she shall file a separate report for each type of suspect asbestos-containing materials pursuant to paragraph (1).

(3) The Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu in receipt of a report submitted under paragraph (1) or (2) may make a visit to a workplace and confirm details of the report and request the supplementation of facilities or equipment, if necessary.

Article 11 (Orders, etc. to Discontinue Work)

(1) An order to discontinue work under the former part of Article 15 (1) of the Decree shall be issued in annexed Form 5.

(2) A person in receipt of an order to discontinue work under Article 15 (1) of the Decree shall submit a written plan to improve processing and transforming work of suspect asbestos-containing materials in annexed Form 6 to the Governor of the relevant Special Self-Governing Province or the head of the relevant Si/Gun/Gu, along with the following, pursuant to Article 15 (2) of the Decree:

1. Copy of the order to discontinue work;
2. Materials stating the deadline, method, etc. of taking improvement measures.

Article 12 (Submission of Performance Report regarding Orders to Recall or Discontinue Distribution)

A person who has complied with an order to recall or discontinue distribution pursuant to Article 16 (2) of the Decree shall submit a performance report in annexed Form 7 to the head of the relevant Basin Environmental Office or the head of the relevant Regional Environmental Office (hereinafter referred to as the "head of a Regional Environmental Office") and to the head of the related central administrative agency, along with the following:

1. Copy of the order to recall or discontinue distribution;
2. Evidentiary materials regarding compliance with the order to recall or discontinue distribution.

Article 13 (Disclosure of Suspect Asbestos-Containing Materials Subject to Recall or Discontinuation of Distribution)

The Minister of Environment shall disclose a suspect asbestos-containing material subject to an order to recall or discontinue distribution under Article 11 (8) of the Act, including the following:

1. Name and address of the violator (in cases of a corporation, the name of the corporation, and the name and address of its representative);
2. Kinds and scale of suspect asbestos-containing materials subject to recall or discontinuation of distribution;

3. Grounds for recall or discontinuation of distribution;
 4. Others deemed necessary by the Minister of Environment to be disclosed.
- (2) Where the Minister of Environment intends to make a disclosure under paragraph (1), he/she may utilize the Internet web-site of the Ministry of Environment, newspapers, broadcasting, or other media sources.

Article 14 (Reports, etc. on Plans for Impact Assessment of Naturally Occurring Asbestos)

When a Mayor/Do Governor intends to conduct an impact assessment of naturally occurring asbestos under Article 13 (2) of the Act (hereinafter referred to as "impact assessment of naturally occurring asbestos"), he/she shall submit an assessment plan stating the following to the Minister of Environment:

1. Objectives of the assessment;
 2. Assessment institution and details of the assessment;
 3. Period of assessment and areas to be assessed.
- (2) The Minister of Environment may request the supplementation of the assessment plan submitted by a Mayor/Do Governor pursuant to paragraph (1), if necessary.

Article 15 (Reports, etc. on Findings from Impact Assessment of Naturally Occurring Asbestos)

- (1) Upon completion of an impact assessment of naturally occurring asbestos pursuant to Article 13 (2) of the Act, a Mayor/Do Governor shall report the findings therefrom to the Minister of Environment within one week.
- (2) When a Mayor/Do Governor reports the findings from the assessment under paragraph (1), he/she may present his/her opinion for the necessity, etc. of designating a management area of naturally occurring asbestos (hereinafter referred to as "management area") under Article 14 (1) of the Act.

Article 16 (Reporting on Management Plan)

When a Mayor/Do Governor has formulated a plan for the safety management of asbestos under Article 15 (2) of the Act, he/she shall report it to the Minister of Environment within one week.

Article 17 (Requests for Support for Management Areas)

A request for support for the management areas of naturally occurring asbestos referred to in Article 26 (1) of the Decree shall be filed in annexed Form 8.

Article 18 (Details of Plan to Prevent Scattering of Asbestos)

"Matters specified by Ordinance of the Ministry of Environment" in Article 17 (1) 4 of the Act means the following:

1. A human resources management plan to operate facilities for preventing scattering of asbestos under Article 18 (1) of the Act (hereinafter referred to as "facilities to prevent scattering of asbestos");
2. A plan to monitor an area surrounding the development project area, etc. for measuring the quantity of asbestos scattered;
3. Others deemed necessary by the Minister of Environment for controlling scattering of asbestos.

Article 19 (Method of Preparing and Deadline for Submitting Plans to Prevent Scattering of Asbestos)

(1) The method of preparing a plan to prevent scattering of asbestos referred to in Article 17 (1) of the Act (hereinafter referred to as "plan to prevent scattering of asbestos") shall be as stipulated in attached Table 1.

(2) A plan to prevent scattering of asbestos shall be submitted at the same time when an application for approval, permission, license, etc. regarding the development project is filed: Provided, That the foregoing shall not apply where such plan is included in documents related to the preliminary environmental review or the environmental impact assessment under Article 17 (2) of the Act.

Article 20 (Application for Approval for Revision of Plan to Prevent Scattering of Asbestos)

A person who intends to obtain approval for the revision of a plan to prevent scattering of asbestos pursuant to Article 17 (3) of the Act shall submit an application therefor in annexed Form 9 to the head of an approving authority along with the following:

1. Evidentiary materials on grounds for revision;
2. Revised plan to prevent scattering of asbestos.

Article 21 (Notification of Approval or Approval for Revision)

When the head of an approving authority approves a plan to prevent scattering of asbestos or any revision thereto under Article 17 (4) of the Act, he/she shall notify the Minister of Environment of such results within ten days: Provided, That in cases of projects falling under subparagraph 3 (a) or (b) of Article 2 of the Act, he/she shall notify the head of the agency with which the applicant has consulted the preliminary environmental review or the environmental impact assessment of such results.

Article 22 (Standards, etc. for Installing Facilities to Prevent Scattering of Asbestos)

Standards, etc. for installing facilities to prevent scattering of asbestos referred to in Article 18 (4) of the Act shall be as stipulated in attached Table 2.

Article 23 (Recording and Retaining Findings from Building Asbestos Inspections)

Findings from a building asbestos inspection under Article 21 (1) of the Act shall be recorded and retained by the time a report on demolition or destruction of such building is filed by the relevant building owner under Article 36 of the Building Act.

Article 24 (Asbestos Building Materials)

"Asbestos building materials prescribed by Ordinance of the Ministry of Environment" in subparagraph 2 of Article 32 of the Decree means building materials prescribed in subparagraph 7 or 8 of Article 3.

Article 25 (Standards for, and Method of, Preparing Building Asbestos Maps)

Standards for, and method of, preparing building asbestos maps under Article 22 (1) of the Act shall be as stipulated in attached Table 3.

Article 26 (Submission, etc. of Findings from Building Asbestos Inspections)

(1) A building owner shall, pursuant to Article 22 (1) of the Act, submit a report on findings from a building asbestos inspection in annexed Form 10 to the Governor of the competent Special Self-Governing Province or the head of the competent Si/Gun/Gu (referring to the superintendent of the competent office of education or the head of the competent district office of education in cases of kindergartens provided in

Article 7 of the Early Childhood Education Act and schools defined in Article 2 of the Elementary and Secondary Education Act (hereinafter referred to as "schools, etc."); hereafter the same shall apply in this Chapter)), along with the following documents:

1. Report on the results of asbestos inspection;
2. Building asbestos map (limited to asbestos buildings referred to in Article 22 of the Act (hereinafter referred to as "asbestos buildings")).

(2) The results of a building asbestos inspection referred to in paragraph (1) may be submitted through the integrated information network for the management of asbestos (hereinafter referred to as "information network") referred to in Article 35 (1) of the Act.

Article 27 (Notification of Results of Building Asbestos Inspections)

A building owner shall, pursuant to the latter part of Article 22 (1) of the Act, notify the following persons of the results of the building asbestos inspection within the relevant period:

1. Manager of the building: Within one week after the building asbestos inspection is completed;
2. Tenant or transferee of the building: Before the contract for lease or transfer of the building is concluded: Provided, That if the building asbestos inspection is completed during the lease period, within one month after the inspection is completed.

Article 28 (Standards for Management of Asbestos Buildings)

(1) The owner of an asbestos building shall, pursuant to Article 33 (1) 2 of the Decree, implement necessary measures, such as repair, hermetic sealing, or closure of the relevant area, in consideration of the degree of risks posed by exposure to asbestos. In such cases, the details of such measures shall be determined and publicly announced by the Minister of Environment.

(2) The owner of an asbestos building shall record and manage the details of the examination conducted and measures taken under Article 33 (1) 2 of the Decree in an asbestos building management ledger in annexed Form 11.

Article 29 (Application for Approval of Exclusion from Asbestos Buildings)

(1) An application for approval of exclusion from asbestos buildings referred to in Article 33 (2) of the Decree shall be filed in annexed Form 12.

(2) Notice of approval or disapproval regarding an application for exclusion from asbestos buildings filed under Article 33 (3) of the Decree shall be given in annexed Form 13.

Article 30 (Reports on Results of Complying with Orders to Take Measures and Approval, etc. of Plans to Comply with Orders to Suspend Use)

(1) The owner of an asbestos building who has complied with an order to take measures or to suspend use under Article 22 (3) or (4) of the Act shall, pursuant to Article 22 (5) of the Act, file a performance report in annexed Form 14 to the Governor of the competent Special Self-Governing Province or the head of the competent Si/Gun/Gu, along with the following:

1. Copy of the order to take measures or to suspend use issued under Article 22 (3) or (4) of the Act;

2. Evidentiary materials regarding compliance with the order to take measures or to suspend use under Article 22 (3) or (4) of the Act.

(2) Where the owner of an asbestos building, in receipt of an order to suspend the use of the building under Article 22 (6) of the Act, intends to obtain approval of an implementation plan necessary for complying with the order issued under Article 22 (3) of the Act, he/she shall file an application for approval of an implementation plan for an asbestos building in annexed Form 15 to the Governor of the competent Special Self-Governing Province or the head of the competent Si/Gun/Gu, along with the following documents:

1. Report on compliance with an order to suspend use under paragraph (1);

2. Implementation plan stating the following:

(a) Details of the implementation plan, such as measures necessary to prevent scattering of asbestos;

(b) Period required for implementing the implementation plan referred to in item (a).

(3) After receipt of the application for approval of an implementation plan for an asbestos building under paragraph (2), the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu shall give notice on approval or disapproval thereof in compliance with annexed Form 16 within one week.

Article 31 (Designation and Report of Safety Managers for Asbestos Buildings)

(1) The owner of an asbestos building may designate him/herself or one of tenants or managers of the building who consent to such designation as a safety manager of the asbestos building pursuant to Article 23 (1) of the Act.

(2) A report on the designation or replacement of a safety manager of an asbestos building (hereinafter referred to as "safety manager of an asbestos building") under Article 23 (1) of the Act shall be filed in a report on the designation or replacement of a safety manager of an asbestos building in annexed Form 17, along with the following documents, at the time a report on the results of a building asbestos inspection is submitted under Article 26 (in cases of a report on replacement, referring to a period of up to ten days from the date any of the grounds for replacement occurs):

1. Evidentiary materials on designation as a safety manager of the asbestos building (limited to cases where a tenant or manager is designated as a safety manager of the asbestos building);

2. Copy of the identification card of the safety manager of the asbestos building;

3. Copy of the certificate of completion of education on the safety management of asbestos (hereinafter referred to as "education on the safety management of asbestos") under Article 24 (1) of the Act.

(3) Reports on designation and replacement referred to in paragraph (2) may be filed through the information network.

Article 32 (Matters to be Observed by Safety Managers of Asbestos Buildings)

Pursuant to Article 23 (2) of the Act, safety managers of asbestos buildings shall manage the buildings in compliance with standards for the management of asbestos buildings prescribed in Article 33 (1) of the Decree.

Article 33 (Timing, etc. of Education on Safety Management of Asbestos)

(1) The Minister of Environment may conduct education on safety management of asbestos by way of cluster education, or distance education utilizing information and communications media.

(2) A safety manager of an asbestos building shall undergo education on safety management of asbestos within one year after filing a report on designation or replacement under Article 23 (1) of the Act. In such cases, teaching hours shall be more than six consecutive hours.

(3) Expenses incurred in providing education shall be collected from the owners of asbestos buildings pursuant to Article 24 (2) of the Act, and the amount thereof shall be determined and publicly announced by the Minister of Environment.

Article 34 (Procedure for Designating Institution Entrusted with Education on Safety Management of Asbestos)

(1) A person who intends to be designated as an institution entrusted with education on safety management of asbestos under Article 35 (2) of the Decree shall submit the following documents to the Minister of Environment (in cases of schools, etc., referring to the Minister of Education; hereafter the same shall apply in this Article): *<Amended by Act No. Act No. 503, Mar. 23, 2013>*

1. Evidentiary materials on the requirements for qualifications stipulated in attached Table 2 of the Decree;

2. Education plan including teaching hours and details of the education.

(2) Upon designation of an institution entrusted with education on safety management of asbestos, the Minister of Environment shall issue a certificate of designation of an institution entrusted with education on safety management of asbestos in annexed Form 18 and make public announcement of the name and address of the entrusted institution, the name of its representative, details of affairs entrusted, etc.

Article 35 (Inspections on Status of Asbestos Slate Used in Structures, etc.)

Pursuant to Article 25 (1) of the Act, the Minister of Environment, the head of a related central administrative agency, or the head of a local government may inspect the following with respect to any structure in which asbestos slate is used:

1. Status of asbestos slate used and degree of deterioration thereof;

2. Possibility of scattering of asbestos contained in slate;

3. Density of asbestos in the air, soil and water of the relevant area;

4. Whether the asbestos slate causes any biological hazard to inhabitants or local residents;

5. Others deemed necessary by the Minister of Environment, the head of a related central administrative agency, or the head of a local government for inspecting the hazards of asbestos slate.

Article 36 (Standards for, and Method of, Disposing of Asbestos Slate)

Detailed standards for, and method of, disposing of asbestos slate and others referred to in Article 37 (3) of the Decree shall be as prescribed in attached Table 4.

Article 37 (Disclosure, etc. of Asbestos Dismantling or Removal)

When an asbestos is dismantled or removed as referred to in Article 27 of the Act (hereinafter referred to as "asbestos dismantling or removal") in a management area, the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu shall disclose a plan for the operation of dismantling or removing asbestos which includes the following via the Internet web-site of the local government until the day such operation is completed from the day he/she becomes aware of such fact:

1. Name and address of the job site where the asbestos dismantling or removal work is performed;
 2. Details of the asbestos dismantling or removal work;
 3. The period for the asbestos dismantling or removal work;
 4. Others requiring public disclosure in connection with the asbestos dismantling or removal work.
- (2) The Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu shall assign an entity engaged in the business of dismantling or removing asbestos (hereinafter referred to as "business entity engaged in dismantling or removing asbestos") to install signboards thereof as stipulated in attached Table 5 in the areas surrounding the job sites during the period such work is under way.

Article 38 (Measurement, etc. of Degree of Scattering of Asbestos by Business Entities Engaged in Dismantling or Removing Asbestos)

(1) A business entity engaged in dismantling or removing asbestos shall measure the degree of scattering asbestos in the manner stipulated as follows, pursuant to Article 28 (2) of the Act:

1. Measuring institution: Any of the following institutions:
 - (a) Asbestos environmental center under Article 33 of the Act;
 - (b) Measuring agent of indoor air pollutants in public-use facilities, etc., under Article 16 (1) of the Environmental Examination and Inspection Act;
 - (c) Asbestos inspection institution designated under Article 38-2 of the Occupational Safety and Health Act;
2. Point of measurement: The boundary of the relevant job site and other necessary points;
3. Timing of measurement: From the day the period for the asbestos dismantlement or removal work begins until the day such period ends.

(2) Where a business entity engaged in dismantling or removing asbestos has measured the degree of scattering asbestos under paragraph (1), he/she shall, without delay, submit a report on the outcomes of measurement of scattering asbestos in the job site for dismantling and removing asbestos in annexed Form 19 to the head of a Special Self-Governing Province or the head of a Si/Gun/Gu, along with a copy of the report on the asbestos dismantling or removal work in annexed Form 17-6 of the Enforcement Rules of the Occupational Safety and Health Act.

(3) The Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu shall without delay disclose the outcomes of measurement submitted under paragraph (2) via the Internet web-site of the relevant local government.

(4) The Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu shall submit the records of disclosure under paragraph (3) to the Minister of Environment each quarter.

(5) Except as otherwise expressly provided in paragraphs (1) through (4), matters necessary for measuring the degree of scattering asbestos by business entities engaged in dismantling or removing asbestos, and others, shall be determined and publicly announced by the Minister of Environment.

Article 39 (Asbestos Building Materials in Small Buildings, etc.)

"Asbestos building material prescribed by Ordinance of the Ministry of Environment" in Article 39 of the Decree means any building material prescribed in subparagraphs 7 and 8 of Article 3.

Article 40 (Measurement of Degree of Scattering Asbestos by Governor of Special Self-Governing Province, etc.)

Pursuant to Article 28 (4) of the Act, the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu shall measure the degree of scattering asbestos in the areas around any job site provided in Article 40 of the Decree in the manner stipulated as follows:

1. Measuring institution: Either of the following institutions:

(a) Asbestos environmental center under Article 33 of the Act;

(b) Public health and environment research institute in the Special Metropolitan City, Metropolitan Cities, and Dos;

2. Point of measurement: The boundary of the relevant job site and other necessary points;

3. Timing of measurement: From the day the period for the asbestos dismantlement or removal work begins until the day such period ends, but such timing may be modified when deemed necessary by the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu.

(2) Where the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu has measured the degree of scattering asbestos under paragraph (1), he/she shall without delay disclose the following via the Internet web-site of the relevant local government:

1. Name and address of the job site;

2. Permissible standards for asbestos emission around the job site and the outcomes of measurement thereof;

3. Results of implementing measures (limited to cases where the results of measurement show that the degree of scattering asbestos exceeds the permissible standards for asbestos emission);

4. Others requiring public disclosure in connection with the asbestos dismantling or removal work.

(3) The Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu shall submit the records of disclosure under paragraph (2) to the Minister of Environment each quarter.

(4) Except as otherwise expressly provided in paragraphs (1) through (3), matters necessary for measuring the degree of scattering asbestos in the areas around the job site for dismantling or removing asbestos of a project stipulated in Article 40 of the Decree, and others, shall be determined and publicly announced by the Minister of Environment.

Article 41 (Improvement Plan Following Measures Taken by Governor of Special Self-Governing Province, etc.)

An improvement plan for the asbestos dismantling or removal work referred to in Article 41 (1) of the Decree shall be prepared in annexed Form 20.

Article 42 (Reporting on Request to Take Measure with Respect to Asbestos Dismantling or Removal Work)

A supervisor of the asbestos dismantling or removal work designated under Article 30 (1) of the Act (hereinafter referred to as "supervisor of asbestos dismantling or removal work") shall file a report pursuant to Article 30 (4) as classified below:

1. In cases of non-compliance with a request to correct or suspend work under Article 30 (3) 1 or 2 of the Act: The Governor of a Special Self-Governing Province, the head of a Si/Gun/Gu or the head of a regional environmental office;
 2. In cases of non-compliance with a request to suspend work under Article 30 (3) 3 of the Act: The head of a regional employment and labor office or the head of a regional environmental office.
- (2) When a supervisor of asbestos dismantling work files a report under paragraph (1), he/she shall submit a report on the request to take measures with respect to the job site for the asbestos dismantling or removal work in annexed Form 21, along with the following documents:

1. Copy of a request to correct or suspend work;
2. Copy of the certificate of designation as a supervisor of asbestos dismantling work;
3. Report on the results of supervision.

Article 43 (Improvement Plan Following Measures Taken by Supervisor of Asbestos Dismantling or Removal Work)

An improvement plan for the asbestos dismantling or removal work referred to in Article 42 of the Decree shall be prepared in annexed Form 22.

Article 44 (Designation of Asbestos Environmental Centers)

"Institutions specified by Ordinance of the Ministry of Environment" in Article 33 (1) 4 of the Act means the following:

1. Government-funded research institution defined in subparagraph 1 of Article 2 of the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutions;
2. The Mine Reclamation Corporation under Article 31 (1) of the Mining Damage Prevention and Restoration Act;
3. The Korea Testing and Research Institute under Article 30-2 (1) of the Framework Act on National Standards and the Korea Conformity Laboratories under Article 30-4 (1) of the same Act;
4. The Korea Resources Corporation under the Korea Resources Corporation Act;
5. The Korea Occupational Safety and Health Agency under the Korea Occupational Safety and Health Agency Act.

Article 45 (Applications, etc. for Designation as Asbestos Environmental Centers)

(1) An application for designation as an asbestos environmental center referred to in Article 44 (2) of the Decree shall be filed in annexed Form 23.

(2) The certificate of designation as an asbestos environmental center referred to in Article 44 (3) of the Decree shall be issued in annexed Form 24.

Article 46 (Evaluation of Performance Records, etc. of Asbestos Environmental Centers)

(1) The Minister of Environment shall evaluate the performance records, reliability of the results of inspections and analyses of asbestos, etc., pursuant to Article 45 of the Decree on an annual basis. In such cases, he/she may seek opinion of the president of the National Institute of Environmental Research when necessary for reviewing technical matters related to the evaluation of reliability of results of the inspection and analysis of asbestos, etc.

(2) Before conducting an evaluation under paragraph (1), the Minister of Environment shall inform the relevant asbestos environmental center of matters related to the evaluation, such as the method of, and procedure for, the evaluation.

Article 47 (Detailed Criteria for Administrative Dispositions against Asbestos Environmental Centers)

Detailed criteria for administrative dispositions referred to in Article 34 (2) of the Act shall be as stipulated in attached Table 6.

Article 48 (Request for Reports or Submission of Materials to Related Persons)

When the Minister of Environment, the Mayor/Do Governor or the head of a Si/Gun/Gu requests any related person to report or submit materials under Article 40 (1) of the Act, he/she shall inform, in writing, the related person of the ground for the request, details of the materials to be reported or submitted, etc.: Provided, That the foregoing shall not apply under urgent circumstances.

ADDENDA

Article 1 (Enforcement Date)

These Enforcement Rules shall enter into force on April 29, 2012.

Article 2 (Application for Recognition of Building Asbestos Inspection)

Any entity who intends to obtain recognition of a building asbestos inspection (including a building asbestos map) under Article 3 (1) of the Addenda to the Decree shall submit an application for recognition of a building asbestos inspection (map) in annexed Form 25 to the head of a regional environment office, along with the following documents:

1. Report on the results of building asbestos inspection and a building asbestos map;
2. Materials by which the items and method of building asbestos inspection and the standards for, the method, etc. of, preparing a building asbestos map may be confirmed (limited to cases where an institution, other than an asbestos inspection institution, has conducted such inspection).

Article 3 (Deadline by which Building Asbestos Inspections are to be Conducted)

A building which is in use at the time the Act enters into force and subject to a building asbestos inspection under Article 5 (2) of the Addenda to the Act shall undergo a building asbestos inspection by

the deadline classified as below:

1. A building subject to a building asbestos inspection within two years from the date the Act enters into force: Either of the following buildings:

(a) A building falling under subparagraph 1 of Article 29 of the Decree;

(b) A building for which a building permit has been granted under Article 11 of the Building Act or on which a building report has been filed under Article 14 of the same Act, on or before December 31, 1999;

2. A building subject to a building asbestos inspection within three years from the date the Act enters into force: A building other than those falling under subparagraph 1.

ADDENDA <Act No. 503, Mar. 23, 2013>

Article 1 (Enforcement Date)

These Enforcement Rules shall enter into force on the date of its promulgation.

Articles 2 through 3 Omitted.

