

ENFORCEMENT RULE OF THE CHEMICALS CONTROL ACT

Wholly Amended by Ordinance Of the Ministry of Ministry of Environment
No. 583, Dec. 24, 2014

Article 1 (Purpose)

The purpose of this Rule is to prescribe the matters delegated by the Chemicals Control Act and its Decree, and other matters necessary for the enforcement thereof.

Article 2 (Verification of Chemicals)

(1) The verification of chemicals (hereinafter referred to as "verification of chemicals") under the part other than the main sentence of Article 9 (1) of the Chemicals Control Act (hereinafter referred to as the "Act") shall be conducted on the basis of any of the following documents:

1. Document (hereinafter referred to as "Specification of Ingredients") stating the names, ingredients, CAS (Chemical Abstracts Service) numbers, etc. of chemicals which constitute a product intended to be manufactured or imported;
2. Document verifying a chemical provided by a manufacturer, exporter, or person delegated with the verification;
3. Certificate under Article 3 (2).

(2) Any person who verifies a chemical pursuant to paragraph (1) shall submit a detailed statement of verification of Attached Form 1, to the association controlling chemicals (hereinafter referred to as the "Association") established pursuant to 53 (1) of the Act, together with data used for verification of the chemicals among documents falling under the subparagraphs of paragraph (1). In such cases, a detailed statement regarding a chemical not directly involved to sales on the market, such as a reagent for testing, research, or examination or a chemical for demonstration production, may be submitted within fourteen days after it is manufactured or imported.

(3) Any person issued a certificate pursuant to Article 3 (2), shall be exempt from the submission of a detailed statement of verification under paragraph (2).

Article 3 (Application for Certification of verification of Chemicals)

(1) Any person who intends to apply for certification of verification of a chemical pursuant to Article 9 (3) of the Act, shall submit an application for certification of Attached Form 2, to the Association together with a Specification of Ingredients.

(2) The head of the Association who has received an application for certification under paragraph (1) shall, after verifying whether the relevant chemical or any ingredient therein constitutes any chemical falling under the subparagraphs of Article 9 (1) of the Act, deliver a certificate of verification in Attached Form 3.

Article 4 (Statistical Survey, etc. on Chemicals)

(1) The subject matter of a statistical survey on chemicals (hereinafter referred to as "statistical survey on chemicals") under Article 10 (1) of the Act shall be as follows:

1. Workplace granted permission for, or reported on, the establishment of a discharge facility pursuant to Article 23 (1) of the Clean Air Conservation Act or Article 33 (1) of the Water Quality and Aquatic Ecosystem Conservation Act;
2. Workplace which manufactures, preserves, stores, uses, exports, or imports chemicals;
3. Other subjects publicly notified by the Minister of Environment based on the recognition of necessity for a statistical survey with respect to them.

(2) The content of a statistical survey on chemicals shall be as follows:

1. General information on business operators, such as the types of business, the names of business entities, the locations of workplaces, inflow drainage systems;
2. Kinds, usages, product names, and handling quantities of those chemicals which business operators manufacture, import, sell, use, and otherwise handles;
3. Quantities of distribution such as warehousing and release quantities, storage and preservation quantities, export and import quantities, etc. of chemicals;
4. Related information by which non-point pollutant sources, such as home appliances, batteries, and lighting equipment can be classified;
5. Information related to the kinds, locations and scales of facilities handling chemicals;
6. Other information that the Minister of Environment publicly announces based on the recognition of its necessity for statistical surveys of chemicals.

(3) The head of the relevant river basin environmental office or the head of the relevant regional environmental office (hereinafter referred to as "head of a regional environmental agency") may, if deemed necessary for statistical surveys, request the Association to provide support for the relevant affairs.

(4) Where conducting a survey on the current status pursuant to Article 10 (4) of the Act, the head of a regional environmental agency shall prepare a plan for the survey including the purpose, period, items, content of the survey, and the treatment and utilization of the results thereof, and shall then inform those persons subject to the investigation in advance.

(5) In addition to the matters provided for in paragraphs (1) through (4), other matters necessary for the methods, procedures, etc. of statistical surveys on chemicals shall be determined and publicly notified by the Minister of Environment.

Article 5 (Investigation, etc. of Volume of Chemical Discharges)

(1) Where conducting an investigation of volume of chemical discharges under Article 11 (1) of the Act (hereinafter referred to as an "survey of the volume of chemical discharges"), the head of a regional environmental agency shall comply with a plan for investigation determined and publicly notified by the Minister of Environment.

(2) A plan for investigation under paragraph (1) shall including the following matters:

1. Matter concerning such chemicals and handling facilities as are subject to investigation;
2. Matter concerning the business types, scale and areas of such business entities as are subject to investigation;
3. Matters concerning methods, procedures, and implementation system for investigations;
4. Matters concerning the methods for preparing and submitting questionnaire;
5. Matters concerning the treatment and utilization of investigation results;
6. Other matters necessary for the investigation of volume of chemical discharges.

(3) If necessary for the survey of the volume of chemical discharges, the head of a regional environmental agency may request the Association to provide support for the relevant affairs.

(4) On the basis of the results of the investigation of volume of chemical discharges conducted by the head of any regional environmental agency, the Director of the National Institute of Chemical Safety shall establish and implement a plan for inducing the discharge reduction of workplaces in consultation with the head of the regional environmental agency.

(5) Such standards for the calculation of volume of chemical discharges as necessary for the investigation of volume of chemical discharges shall be classified according to chemicals, handling facilities, discharge facilities, handling methods, etc., and in investigating volume of chemical discharges, it shall be required to actually measure volume of chemical discharges or use the calculation coefficient, etc. determined based upon the ratio of input quantities and volume of chemical discharges.

(6) The calculation standards and calculation efficient of volume of chemical discharges, etc. under paragraph (5) shall be determined and publicly notified by the Minister of Environment.

Article 6 (Disclosure, etc. of Results of Surveys of Chemicals and Information)

(1) With respect to information on handling of chemicals under the main sentence of Article 12 (2) of the Act the disclosure of which has been determined after deliberation of the Deliberative Committee on Disclosure of Information on Chemicals under paragraph (3) of the same Article (hereinafter referred to as "the Deliberative Committee on Disclosure of Information on Chemicals"), the Minister of Environment shall notify the persons required to disclose information on the handling of the relevant chemicals in a document in Attached Form 4.

(2) Where having any objection to a decision on disclosure, any person who has been notified pursuant to paragraph (1) shall submit a written explanation of Attached Form 5 to the Minister of Environment within fifteen days from the date of receipt of the notification. In such cases, the person who intends to make a request for data protection pursuant to the part other than the subparagraphs of Article 52 (1) of the Act shall, in addition to such written explanation, submit an application for data protection of Attached

Form 79 under Article 57 (1).

(3) Where a request for the non-disclosure of information on handling of chemicals is included in a written explanation under the former part of paragraph (2), the Minister of Environment shall refer the question of whether to disclose the whole or part of the relevant information to the Deliberative Committee on Disclosure of Information on Chemicals for deliberation within fifteen days from the date of receipt of the written explanation. In such cases, a decision on such question shall, notwithstanding Article 7 (4), require the concurrent vote of at least 2/3 of the total members thereof.

(4) When deciding on whether to disclose the whole or part of the information pursuant to paragraph (3) the Minister of Environment shall notify the submitter of the written explanation under the former part of paragraph (2) in a written documentary of Attached Form 6.

(5) Where a written explanation is not submitted within the period under the former part of paragraph (2), the Minister of Environment shall publish information on handling of the relevant chemical in the Official Gazette or on the homepage of the Ministry of Environment within thirty days from the date of notifying the plan for the disclosure of information pursuant to paragraph (1).

Article 7 (Composition and Operation of Deliberative Committee on Disclosure of Information on Chemicals)

(1) The Deliberative Committee on Disclosure of Information on Chemicals shall be composed of nine members, including one chairperson, and the following persons shall be the members:

1. Three public officials, each one of whom is designated by the Minister of Trade, Industry and Energy, the Minister of Environment, the Minister of Employment and Labor and the Minister of Public Safety and Security from among their respective affiliated public officials;
2. Five civilian members commissioned by the Minister of Environment from among those persons who have abundant knowledge and experience in the relevant fields such as chemistry, environment, and health.

(2) The chairperson of the Deliberative Committee on Disclosure of Information on Chemicals shall be appointed or commissioned by the Minister of Environment from among the members thereof.

(3) The term of office of the members under paragraph (1) 2 shall be three years and may be consecutively appointed only once.

(4) A majority of the members of the Deliberative Committee on Disclosure of Information on Chemicals shall constitute a quorum, and any decision thereof, shall require the concurring vote of a majority of those present.

(5) In addition to the matters provided for in paragraphs (1) through (4), other matters necessary for the composition and operation of the Deliberative Committee on Disclosure of Information on Chemicals, shall be determined by the Minister of Environment.

Article 8 (Criteria for Handling Hazardous Chemicals)

Criteria for handling hazardous chemicals under the subparagraph 6 of Article 13 (1) of the Act shall be as listed in Attached Table 1.

Article 9 (Wearing of Personal Protective Equipment)

The phrase "cases prescribed by Ordinance of the Ministry of Environment" in Article 14 (1) 4 of the Act refers to cases as follows:

1. Where handling hazardous chemicals indoors such as a laboratory;
2. Where taking safety measures in the course of transporting hazardous chemicals to other facility;
3. Where handling hazardous chemicals with inhalation toxicity;
4. Where loading or unloading hazardous chemicals;
5. Where handling skin or eye irritating hazardous chemicals;
6. Where maintaining and repairing a hazardous chemical handling facility;
7. In addition to the matters provided for in paragraphs (1) through (6), other matters publicly notified by the Minister of Environment based on the recognition of the necessity for safe management of hazardous chemicals.

Article 10 (Restrictions, etc. on Quantity of Hazardous Chemicals Displayed or Stored)

(1) The phrase "certain quantity prescribed by Ordinance of the Ministry of Environment" in Article 15 (1) of the Act refers to the quantity categorized as follows:

1. Toxic substances: 500 kg;
2. Permitted substances, restricted substances, prohibited substances, or substances requiring preparation for accidents: 100 kg.

(2) Where any person who handles hazardous chemicals intends to exhibit and preserve more than the quantity categorized under paragraph (1), he/she shall submit pursuant to Article 15 (1) of the Act, a plan for exhibition or preservation of Attached Form 7 to the head of a regional environmental agency.

(3) The head of a regional environmental agency shall issue a certificate of confirmation of Attached Form 8 specifying matters requiring attention in cases of exhibition and preservation, and other related matters, after visiting the site within ten days from the date of receipt of a plan for exhibition and preservation under paragraph (2) and verifying whether outsider's access is blocked, whether there is any possibility of the occurrence of a chemical accident, whether there is any danger in a preservation and storage facility, and other related matters.

Article 11 (Preparation, Submission, etc. of Plan for Transporting Hazardous Chemicals)

(1) The phrase "certain quantity prescribed by Ordinance of the Ministry of Environment" in Article 15 (3) of the Act refers to the quantity categorized as follows:

1. Toxic substances: 5,000 kg;
2. Permitted substances, restricted substances, prohibited substances, or substances requiring preparation for accidents: 3,000 kg.

(2) Where any person who transports hazardous chemicals intends to transport more than the quantity categorized under paragraph (1), he/she shall, pursuant to Article 15 (3) of the Act, submit a plan for transportation of Attached Form 9 to the head of a regional environmental agency together with the details of the passages including the transporter and the date and time, courses and routes of transportation.

(3) Any person who has submitted a plan for transportation pursuant to paragraph (2) shall take a measure to have the transporter, the driver or the convoy person carry a copy of such plan with himself/herself.

(4) The head of a regional environmental agency who has received a plan for transportation pursuant to paragraph (2) shall, after confirming whether there is any river around the passages, whether there is any risk of the spread in cases of the occurrence of a chemical accident, whether there is any passage through a residential area, and other related matters, take measures for the safe management of the chemicals, if necessary.

Article 12 (Subjects Requiring Labeling of Hazardous Chemicals, and Methods for Labeling)

(1) Subject matters regarding which a person handling hazardous chemicals shall label on hazardous chemicals pursuant to Article 16 (1) and (2) of the Act shall be as follows:

1. Preservation and storage facilities and exhibition and preservation facilities of hazardous chemicals;
2. Transport vehicles (including containers and portable tank trucks) of hazardous chemicals;
3. Containers and packages of hazardous chemicals.

(2) Labelling methods for hazardous chemicals under Article 16 (1) and (2) of the Act shall be as listed in Attached Table 2.

(3) Where labelling hazardous chemicals pursuant to Article 16 (1) and (2) of the Act, such labels shall be indicated on the basis of the classifications according to the details of hazards of Attached Table 3.

(4) In addition to the matters provided for in paragraphs (1) and (2), other matters necessary for the labeling of hazardous chemicals shall be determined and publicly notified by the President of the National Institute of Environmental Research.

Article 13 (Written Request for Cancellation, etc. of Suspension etc. of Manufacture, Importation, etc. of Hazardous Chemicals)

(1) Written requests for the cancellation of the suspension of the manufacture, importation, etc. of hazardous chemicals under Article 8 (1) of the Decree shall be in Attached Form 10.

(2) A certification as to whether to cancel the suspension of the manufacture, importation, etc. of hazardous chemicals under Article 8 (2) of the Decree shall be in Attached Form 11.

Article 14 (Permission, etc. for Manufacture, Importation and Sales of Prohibited Substances)

(1) Any person who intends to manufacture, import and/or sell any reagent for testing, research or examination, which constitutes a prohibited substance, for such purpose, pursuant to the proviso of Article 18 (1) of the Act shall submit an application for permission of Attached Form 12, to the head of a regional environmental agency, together with a plan for use and sale.

(2) The head of a regional environmental agency who has received an application for permission under paragraph (1) shall issue a permit of Attached Form 13 specifying the conditions and period of permission to the applicant, in case where, after hearing the opinions of the head of a regional employment and labor agency, he/she deems it possible to approve the manufacture, import or use under Article 37 (2) of the Occupational Safety and Health Act and to safely manage the relevant substance.

(3) The subject matters requiring permission for change and report on change under Article 18 (2) of the Act shall be as follows:

1. Subject matters requiring permission for change: where a matter falling under any of the following items has changed: Provided, That, in cases falling under item (b) or (c), it shall be limited to cases where at least 20/100 of the quantity increases;

(a) Kind or content of the prohibited substance, the manufacture, importation, and use of which is permitted;

(b) Estimated quantity permitted;

(c) Whole capacity of preservation and storage facilities;

(d) Purpose of use of the prohibited substance, the manufacture, importation, and use of which is permitted;

(e) Location of the workplace (excluding where an office is alone in the workplace);

2. Subjects matters requiring report on change: the name and representative of the workplace, or the location of the office.

(4) Any person who intends to obtain permission to make any changes or report any changes made pursuant to Article 18 (2) of the Act shall submit an application for permission for change or a report on change of Attached Form 14 to the head of a regional environmental agency together with the following documents. In such cases, when changing a matter falling under paragraph (3) 2, he/she may submit the said application within thirty days from the date the cause for change occurs:

1. Document evidencing the change;

2. Original copy of the permit under paragraph (2).

(5) If it is deemed that the purpose of use of the relevant substance is clear and the management thereof is possible, the head of a regional environmental agency who has received an application for permission for change or a report on change under paragraph (4) shall issue a permit for change or certificate of report on change of Attached Form 15 to the applicant.

Article 15 (Permission to Manufacture, Import, or Use Substances Requiring Permission, etc.)

(1) Any person who intends to obtain permission for the manufacture, importation and use of any permitted substance pursuant to Article 19 (1) of the Act shall submit an application for permission of Attached Form 16 to the head of a regional environmental agency together with the following documents prepared according to the preparation methods determined and publicly notified by the Minister of Environment:

1. One copy of the details of the purpose of use of the substance;

2. One copy of the data concerning the risks of the substance;

3. One copy of the data concerning the analysis of an alternative of the substance requiring permission and the practicability thereof;

4. One copy of the data concerning a plan for replacement of the substance requiring permission.

(2) Where after reviewing the submitted data within twenty days from the date of receipt of an application under the part other than the subparagraphs of paragraph (1) it is deemed that the requirements under the subparagraphs of Article 19 (4) of the Act are satisfied, the head of a regional environmental agency shall issue a permit of Attached Form 17 specifying the permission number, the purpose of use, the limited period of manufacture, importation and use, the matters to be observed, and other related matters, to the applicant.

(3) Any person required to obtain permission again pursuant to Article 19 (6) of the Act shall submit an application for re-permission of Attached Form 18, to the head of a regional environmental agency.

(4) After reviewing the submitted data within ten days from the date of receipt of an application for re-permission under paragraph (3), the head of a regional environmental agency shall issue a permit of Attached Form 17 specifying the permission number, the purpose of use, the limited period of manufacture, import and use, the matters to be observed, and other related matters, to the applicant, if the requirements under Article 19 (4) of the Act are satisfied.

Article 16 (Permission to Import Restricted Substance, etc.)

(1) Any person who intends to obtain permission to import a restricted substance pursuant to Article 20 (1) of the Act, shall submit an application for permission of Attached Form 19 to the head of a regional environmental agency together with a detailed statement concerning the purpose of use of the restricted substance and a copy of the permit under Article 28 (1) (only where having obtained permission to conduct business of hazardous chemicals).

(2) If it is deemed that the purpose of use of the relevant substance is clear and the management thereof is possible, the head of a regional environmental agency who has received an application for permission under paragraph (1) shall issue a permit of Attached Form 20 to the applicant.

(3) The subject matters requiring permission for change and report on change with respect to permission for importation of a restricted substance under Article 20 (4) of the Act shall be as follows:

1. Subject matters requiring permission for change: where a matter falling under any of the following items has changed: Provided, That, in cases falling under item (b) or (c), it shall be limited to cases where at least 50/100 of the quantity increases;

(a) Kind or content of the restricted substance, importation of which has been permitted;

(b) Estimated quantity permitted;

(c) Whole capacity of preservation and storage facilities;

(d) Purpose of use of the restricted substance, importation of which has been permitted;

(e) Location of the workplace (excluding where an office is alone in the workplace).

2. Subject matters requiring report on change: the name and representative of the workplace, or the location of the office.

(4) Any person who intends to obtain permission to make any changes or report any changes made with respect to permission for the importation of a restricted substance pursuant to Article 20 (4) of the Act, shall submit an application for permission for change or a report on change of Attached Form 21, to the

head of a regional environmental agency together with the following documents. In such cases, when making a report on change, he/she may submit it within thirty days from the date the cause for change occurs:

1. Document evidencing the change;
2. Original copy of the permit under paragraph (2).

(5) If it is deemed that the purpose of use of the relevant substance is clear and the management thereof is possible, the head of a regional environmental agency who has received an application for permission for change or a report on change under paragraph (4) shall issue a permit for change or certificate of report on change of Attached Form 22 to the applicant.

Article 17 (Declaration for Import of Toxic Substances, etc.)

(1) Any person who intends to report importation of a toxic substance pursuant to Article 20 (2) of the Act, shall submit an import declaration of Attached Form 23 to the head of a regional environmental agency together with a document proving the ingredients of the toxic substance.

(2) The head of a regional environmental agency who has received an import declaration under paragraph (1) shall issue a certificate of import declaration of Attached Form 24 to the reporter.

(3) Subjects matters requiring report on change with respect to import declaration of a toxic substance under Article 20 (4) of the Act shall be changes of a matter falling under any of the following subparagraphs: Provided, That where falling under subparagraph 2, the same shall apply only when at least 50/100 of the quantity increases:

1. Kind or content of the toxic substance reported;
2. Estimated quantity of importation reported;
3. Purpose of use of the toxic substance reported;
4. Name and representative of the workplace, or the location of the office.

(4) Any person who intends to report any changes with respect to import declaration of toxic substance under Article 20 (4) of the Act shall, within thirty days from the date the cause for change occurs, submit a report on change of Attached Form 25 to the head of a regional environmental agency together with the following documents:

1. Document evidencing the change;
2. Original copy of the certificate of import declaration under paragraph (2).

(5) Where receiving a report on change under paragraph (4), the head of a regional environmental agency shall issue a certificate of report on change of Attached Form 26 to the reporter.

(6) If necessary for the receipt, etc. of reports of import of toxic substances, the head of a regional environmental agency may request the Association to provide support for the relevant affairs.

Article 18 (Approval for Export of Restricted Substances or Prohibited Substances, etc.)

(1) Any person who intends to obtain approval for export of a restricted substance or prohibited substance pursuant to the former part of Article 21 (1) of the Act shall, with respect to each exporting state, submit every year an application for export of Attached Form 27 attaching the following documents to the head of

a regional environmental agency before initially exporting the relevant substance:

1. Written notification of export under Article 21 (2) 4 of the Act;
2. Material safety data sheet under Article 41 of the Occupational Safety and Health Act;
3. Certificate of guaranty of an exporter.

(2) The head of a regional environmental agency who receives an application for approval for export under paragraph (1), shall give written notification under paragraph (1) 1 to the importing state.

(3) Where the importing state permits the importation of the relevant chemical, the head of a regional environmental agency shall issue an approval for export of Attached Form 28 to the applicant: Provided, That where the importing state does not permit the import, the said head shall notify the applicant of the cause.

(4) The phrase "important matters prescribed by Ordinance of the Ministry of Environment" in the latter part of Article 21 (1) of the Act refers to the following matters:

1. Kind or content of the substance, the export permitted;
2. Estimated quantity permitted to be exported (only where at least 50/100 of the quantity increases);
3. The name and representative of the workplace, or the location of the office.

(5) Any person who intends to obtain permission to make any changes pursuant to the latter part of Article 21 (1) of the Act shall submit an application for permission for change of Attached Form 29 to the head of a regional environmental agency together with the following documents. In such cases, where changing the matter under paragraph (4) 3, he/she may submit it within thirty days from the date the cause for change has occurs:

1. Document evidencing the change;
2. Original copy of the permit for export under paragraph (3).

(6) If the change has no effect on the importation of the relevant chemical by the importing state, the head of a regional environmental agency who has received an application under paragraph (5) shall issue a certificate of approval of change Attached Form 30 to the applicant.

Article 19 (Preparation, Submission, etc. of Evaluation of Impact on Outside of Place of Business Where Chemical Accident Occurs)

(1) Any person who intends to install and operate a hazardous chemical handling facility (excluding a laboratory under the subparagraph 2 of Article 2 of Act on the Establishment of Safe Laboratory Environment) pursuant to Article 23 (1) of the Act shall, by no later than thirty days before the commencement day of the work for construction of the relevant facility, submit an application for examination of Attached Form 31 to the Director of the National Institute of Chemical Safety together with an evaluation of the effect of a chemical accident caused by hazardous substances on the outside of the place of business (hereinafter referred to as "evaluation of the impact on the outside of the place of business"). The same shall apply to cases falling under any of the following subparagraphs where the impact of the occurrence of a chemical accident on people, the environment, etc. in the area around the place of business become different:

1. Where enlarging a handling facility in the same workplace;
 2. Where changing the location of a handling facility within the boundary of the workplace;
 3. Where changing a handled hazardous chemical.
- (2) Methods for preparing of an evaluation of the impact on the outside of the place of business shall be as listed in Attached Table 4.
- (3) Notwithstanding paragraph (1), any person who installs and operates a hazardous chemical handling facility the size of which is smaller than the size determined and publicly notified by the Minister of Environment may, where it is deemed that the occurrence of a chemical accident would have little impact on people, the environment, or the adjacent areas of the workplace, submit an application for examination of Attached Form 31 to the Director of the National Institute of Chemical Safety together with an evaluation of the impact on the outside of the place of business containing only the contents of the subparagraphs 1 (a) and (b) and 3 of Attached Table 4.
- (4) After examining an application under paragraphs (1) and (3) within thirty days from the date of receipt of the application, the Director of the National Institute of Chemical Safety shall issue a written result of examination of Attached Form 32 specifying the degree of risk (in term of 'very high concern,' 'moderate concern,' and 'low-level concern' according to the process hazard and the possibility of an accident), suitability or unsuitability, as applicable, and other related matters of the handling facility, to the applicant.
- (5) If it is necessary to supplement or adjust the applications under paragraph (1) and (3) and attached documents accompanying it, the Director of the National Institute of Chemical Safety shall notifying the applicant in Attached Form 33 specifying the matters requiring supplementation and adjustment and the period for submission. In such cases, the period from the date of requesting the complementation and adjustment of the materials to the date of submitting them shall not be included in the period of examination under paragraph (4).
- (6) In addition to the matters provided for in paragraphs (1) through (5), other matters necessary for the preparation, standards for examination, etc. of an evaluation of the impact on the outside of the place of business shall be determined and publicly notified by the Minister of Environment.

Article 20 (Designation, etc. of Specialized Institutions)

(1) The phrase "specialized institution prescribed by Ordinance of the Ministry of Environment" in Article 23 (4) of the Act refers to the institution (hereafter referred to as a "specialized institution" in this Article) designated and publicly notified by the Minister of Environment from among institutions meeting the following requirements:

1. To have specialized staff who have a doctorate degree in the area of environment or safety or are professional engineers in such area, and who has at least five years' field experience or experience related to safety or environmental safety management or chemical accident prevention and response;
2. To purchase a liability insurance the coverage of which is at least 500 million won, with respect to the affairs of preparing an evaluation of the impact on the outside of the place of business;

3. To meet such requirements including facilities and equipment necessary for the affairs of preparing an evaluation of the impact on the outside of the place of business as determined by the Minister of Environment, In addition to the matters provided for in paragraphs (1) and (2).

(2) If necessary for the affairs of preparing an evaluation of the impact on the outside of the place of business, the Minister of Environment may request any specialized institution to provide the relevant documents. In such cases, the specialized institution so requested shall comply with such request, unless there exist any special reason.

(3) Where any specialized institution falls under any of the following subparagraphs, the Minister of Environment may cancel the designation under paragraph (1): Provided, That where falling under subparagraph 1, the Minister of Environment shall cancel such designation:

1. Where having been designated in a false or otherwise unjust manner;
2. Where ceasing to meet any requirement falling under any of the subparagraphs of paragraph (1);
3. Where making a serious error in a prepared evaluation of the impact on the outside of the place of business, intentionally or by gross negligence.

Article 21 (Criteria, etc. for Disposition, Installation and Management of Handling Facilities)

(1) In accordance with Article 24 (1) of the Act, a hazardous chemical handling facility shall be located so as to maintain the safe distance determined and publicly notified by the Minister of Environment, from its external wall to the boundary of a building under the subparagraph 2 of Article 2 of Building Act or the boundary of an ecological and scenery conservation area under the subparagraph 12 of Article 2 of the Natural Environment Conservation Act.

(2) Criteria for the installation and management of hazardous chemical handling facilities under Article 24 (1) of the Act shall be as listed in Attached Table 5.

Article 22 (Inspection Agencies, etc.)

(1) The phrase "inspection agency prescribed by Ordinance of the Ministry of Environment" in Article 24 (2) of the Act refers to the following institutions:

1. The Korea Environment Corporation under Korea Environment Corporation Act;
2. The Korea Occupational Safety and Health Agency under the Korea Occupational Safety and Health Agency Act;
3. The Korea Gas Safety Corporation under High-Pressure Gas Safety Control Act;
4. Other institutions designated and publicly notified by the Minister of Environment based on the recognition that they have capabilities to conduct inspections and safety diagnosis of hazardous chemical handling facilities, in addition to the institutions provided for in subparagraphs 1 through 3.

(2) If necessary for the inspection and safety diagnosis of hazardous chemical handling facilities, the Minister of Environment may request any inspection agency under paragraph (1) to provide the relevant materials. In such cases, the inspection agency so requested shall comply with such request.

(3) The Minister of Environment shall periodically verify whether inspection agencies under paragraph (1) have capabilities for the inspection and safety diagnosis of hazardous chemical handling facilities.

(4) In addition to the matters provided for in paragraphs (2) and (3), other matters necessary for the management, etc. of the inspection agencies under paragraph (1), shall be prescribed by the Minister of Environment.

Article 23 (Regular and Occasional Inspection, etc. of Hazardous Chemical Handling Facilities)

(1) Any person who completes installation of a hazardous chemical handling facility pursuant to Article 24 (2) of the Act shall, before operating the relevant facility, undergo an inspection by an inspection agency under Article 22 (1) and submit a report of the inspection result of Attached Form 34 to the head of a regional environmental agency together with the written findings of inspection.

(2) The phrase "period prescribed by Ordinance of the Ministry of Environment" in the main sentence of Article 24 (3) of the Act refers to one year (two years in cases of a handling facility which does not require permission to conduct hazardous chemical business under Article 28 of the Act).

(3) Where a chemical accident occurs in a hazardous chemical handling facility, such facility shall undergo an occasional inspection under the main sentence of Article 24 (3) of the Act within seven days from the date of the occurrence of such chemical accident.

(4) Where a risk of the occurrence of a chemical accident in a hazardous chemical handling facility exist, the head of a regional environmental agency shall inform the facility that it is subject to an occasional inspection under the main sentence of Article 24 (3) of the Act in Attached Form 35.

(5) The phrase "period prescribed by Ordinance of the Ministry of Environment" in the proviso of Article 24 (3) of the Act means one year.

(6) Any person who has undergone a regular inspection or occasional inspection under the main sentence of Article 24 (3) of the Act shall submit a report of the inspection result of Attached Form 36 to the head of a regional environmental agency together with the written result of inspection.

(7) Necessary matters concerning the subject matter of inspection under Article 24 (2) and (3) of the Act and methods for preparing the written result under paragraphs (1) and (6) shall be determined and publicly notified by the Minister of Environment.

Article 24 (Safety Diagnosis, etc.)

(1) Any person who has completed installing a hazardous chemical handling facility or who installs and a hazardous chemical handling facility, shall, where falling under Article 24 (4) 1 of the Act, conduct a safety diagnosis under Article 24 (4) of the Act within twenty days from the date of receipt of the result thereof under Article 24 (2) and (3) of the Act.

(2) The phrase "period prescribed by Ordinance of the Ministry of Environment" in Article 24 (4) 2 of the Act refers to the period categorized as follows, according to the degree of risk of handling facilities under Article 19 (4): Provided, That where there dose not exists any result of examination of the degree of risk of the relevant handling facility, the period shall be four years:

1. Hazardous chemical handling facilities of Very High Concern: every four years from the date of receipt of the written result of examination under Article 19 (4);

2. Hazardous chemical handling facilities of Moderate Concern: every eight years from the date of receipt of the written result of examination under Article 19 (4);

3. Hazardous chemical handling facilities of Low-level Concern: every twelve years from the date of receipt of the written result of examination under Article 19 (4).

(3) Any person who has completed installing a hazardous chemical handling facility or who installs and operates a hazardous chemical handling facility, shall, where falling under Article 24 (4) 2 of the Act, conduct a safety diagnosis under paragraph (1) within sixty days after the period under paragraph (2).

(4) Any person who has conducted a safety diagnosis under paragraphs (1) and (3) shall submit a report of the safety diagnosis result of Attached Form 37 to the head of a regional environmental agency, together with the report of the result of safety diagnosis. In such cases, if it is deemed that a safety measure is necessary to protect the workers, the head of a regional environmental agency shall inform the head of a regional employment and labor agency of the relevant content.

(5) In addition to the matters provided for in paragraphs (1) through (4), other necessary matter concerning the subject matter and methods for conducting the safety diagnosis shall be determined and publicly notified by the Minister of Environment.

Article 25 (Orders to Improve Handling Facilities, etc.)

(1) Where intending to issue a corrective order under Article 25 (1) of the Act, the head of a regional environmental agency shall send a written order against the handling facility of Attached Form 38 attaching the details of those matters to be improved and specifying the performance period, to the person who installs and operates the relevant facility. In such cases, the performance period shall be determined within the scope of twelve months in consideration of the possibility of the occurrence of a chemical accident, urgency and construction period under Article 25 (1) of the Act.

(2) Any person who has received a written corrective order under paragraph (1) shall submit a plan to perform such order of Attached Form 39 to the head of a regional environmental agency together with the following documents, and shall perform the corrective order:

1. Details of the improvement of the handling facility ;

2. Plan to perform such order, and construction cost;

3. Plan for safety management of a hazardous chemical in the period of performance of such order.

(3) Where as a result of examining the plan for performance under paragraph (2) it is deemed that the plan for performance, the plan for safety management, etc. is inappropriate, the head of a regional environmental agency may require the amendment and modification of the plan for performance. In such cases, the person so required shall, without delay, submit a plan for performance reflecting the amendments and modifications to the head of a regional environmental agency, and shall then perform the said plan.

(4) Where it is impossible to perform a corrective order within the period of performance due to an act of God or other extenuating circumstance, any person who has submitted a plan for performance pursuant to paragraphs (2) and (3) may, ten days before the period of performance expires, request the head of a

regional environmental agency to extend the period of performance by up to six months.

(5) Upon completing performance of the plan, any person who has submitted a plan for performance pursuant to paragraphs (2) and (3) shall submit a report of the result of performance of Attached Form 40 to the head of a regional environmental agency together with a detailed report of the result of performance of the corrective order. In such cases, the head of a regional environmental agency shall visit the site to verify the situation of the performance of the order.

(6) Where intending to issue an order for the suspension of the operation of a facility pursuant to Article 25 (2) of the Act, the head of a regional environmental agency shall issue a written order to suspend operation of the handling facility of Attached Form 41.

(7) Any person who has received a written order under paragraph (6) shall suspend the operation of the facility from the date of receipt of the written order and shall not operate the relevant facility until the order for the suspension of operation is revoked.

Article 26 (Self-inspection of Handling Facilities, etc.)

(1) The results of an inspection conducted under Article 26 (1) of the Act shall be recorded in the inspection ledger of Attached Form 42 and shall be readably viewable to or accessible by the persons handling a hazardous chemical.

(2) The phrase "whether the safety of the hazardous chemical handling facility, equipment, etc. prescribed by Ordinance of the Ministry of Environment is maintained" in Article 26 (2) 6 of the Act refers to the following:

1. Whether a risk of fire or explosion may be caused by a water-reactive substance having contact with water;
2. Whether a risk of fire or explosion may be caused by the existence of the vapor of a flammable liquid or flammable gas in the air;
3. Whether a risk of fire or explosion may be caused by the existence of a substance with the risk of spontaneous combustion in and around a handling facility or equipment;
4. Whether leakage detectors, safety valves, alarms, and temperature and pressure instruments operate normally;
5. Whether personal protective equipment under Article 14 (1) of the Act maintain the original performance;
6. Whether a risk of any outflow or leakage may be caused by corrosion, damage, crack, etc. of storage and preservation equipment.

Article 27 (Permission to Conduct Hazardous Chemical Business, etc.)

(1) Any person who intends to obtain permission to conduct hazardous chemical business pursuant to Article 28 (1) through (3) of the Act shall submit an application for permission of Attached Form 43 to the head of a regional environmental agency together with the following documents:

1. Documents referred to in the subparagraphs of Article 28 (1) of the Act;

2. Data concerning the annual estimated handling quantity of a hazardous chemical, prepared in Attached Form 44;
 3. Specifications on hazardous chemical handling facilities (referring to data stating the lot size and capacity by facility, and the number, location map, layout floor map, etc.);
 4. Specifications of equipment and technical human resources related to a hazardous chemical;
 5. Permit of trucking transport business or a copy thereof under Trucking Transport Business Act (limited to cases of transport business of hazardous chemicals under the subparagraph 4 of Article 27 of the Act);
 6. Where an applicant (in cases of a corporation, including executive officers thereof) is a foreigner, document which demonstrates not being subject to the subparagraph 1 or 2 of Article 30 (1) of the Act falling any of the following:
 - (a) Document issued by the government or other competent agency of the relevant state;
 - (b) Written statement of the applicant certified by a notary public and confirmed by a consul of the consulate of the Republic of Korea to the relevant state in accordance with the Act on Notarial Acts Done at Overseas Diplomatic and Consular Missions;
 - (c) A deed signed by a private person certified by a consul of the relevant consulate to the Republic of Korea, or any other document equivalent thereto.
- (2) The public official who has received an application under paragraph (1) shall verify the following documents through common use of administrative information under Article 36 (1) of the Electronic Government Act: Provided, That where the applicant does not give consent to the confirmation of the business registration certificate, the public official shall have the applicant attach such relevant documents:
1. Corporation registration certificate (limited to cases where the applicant is a corporation);
 2. Business registration certificate;
 3. Guardianship register.
- (3) Standards for handling facilities and equipment and technical human resources for each hazardous chemical under Article 28 (2) of the Act shall be as listed in Attached Table 6.
- (4) The phrase "period prescribed by Ordinance of the Ministry of Environment" in Article 28 (3) of the Act refers to fifteen days.
- (5) The phrase "where any changes are made in important matters prescribed by Ordinance of the Ministry of Environment has been changed" in the proviso of Article 28 (4) of the Act refers to the following cases:
1. Where any information on the evaluation of the impact on the outside of the place of business under the subparagraph 2 of Attached Table 4 among items to be entered in an evaluation of the impact on the outside of the place of business has changed;
 2. Where analytical data about dangers of process under the subparagraph 3 of Article 41 (1) of the Act and a scenario of outflow or leakage under the subparagraph 7 thereof among items to be entered in a hazard control program under Article 41 (1) of the Act has changed.

Article 28 (Issuance, etc, of Permit)

(1) Where granting permission pursuant to the main sentence of Article 28 (4) of the Act, the head of a regional environmental agency shall issue a permit of Attached Form 45 to the applicant.

(2) Where falling under any of the following subparagraphs, the head of a regional environmental agency shall re-issue or correct a permit under paragraph (1):

1. Where a business operator of a hazardous chemical applies for re-issuance of a permit due to its loss or damage;
2. Where a business operator of a hazardous chemical applies for correction of any matter entered in a permit, attaching the permit and other documents proving the cause for correction.

Article 29 (Permission for Change of Hazardous Chemical Business and Report on Change thereof)

(1) The subject matters requiring permission for change and report on change under Article 28 (5) of the Act shall be as follows:

1. Subject matters requiring permission: where a matter falling under any of the following items has changed: Provided, That, in cases falling under item (a) or (b), it shall be limited to where at least 50/100 of the capacity or quantity increases;

(a) Whole capacity of preservation and storage facilities by type of business, or the capabilities of transport facilities;

(b) Annual manufacture quantity or use quantity;

(c) Items of hazardous chemicals for which permission is granted;

(d) Where information on an evaluation of the impact on the outside of the place of business under the subparagraph 2 of Attached Table 4 has changed, among any item to be stated in the evaluation of the impact on the outside of the place of business (limited to cases where the impact of the occurrence of a chemical accident on people, the environment, etc. in the area around the place of business become different due to enlargement of a handling facility in the same workplace, the relocation of a handling facility within the boundary of the workplace, or change of a handled hazardous chemical);

(e) Location of the workplace (excluding where an office is alone in the workplace);

2. Subjects matters requiring report on change: the name and representative of the workplace, or the location of the office.

(2) Any person who intends to obtain permission to make any changes or report any changes made pursuant to Article 28 (5) of the Act shall submit an application for permission for change or a report on change of Attached Form 46 to the head of a regional environmental agency together with the following documents:

1. Document evidencing the change;

2. A changed evaluation of the impact on the outside of the place of business, and a changed hazard control program under Article 41 (1) of the Act (limited to cases of permission for change);

3. Original copy of the permit for hazardous chemical business under Article 28 (1) of the Act.
- (3) The head of a regional environmental agency who has received an application for permission for change of hazardous chemical business or a report on change of hazardous chemical business pursuant to Article 28 (5) of the Act shall issue a permit for change of Attached Form 45 or a certificate of report on change of Attached Form 47 to the applicant.

Article 30 (Provision of Information on Permission to Conduct Hazardous Chemical Business)

- (1) The head of a regional environmental agency shall send a copy of the permit or a copy of the certificate of report to the chief of the fire station having jurisdiction over the location of the handling facility of a hazardous chemical pursuant to Article 28 (6) of the Act within thirty days from the date of permission for, permission for change, or report on change of, hazardous chemical business under Article 28 (4) or (5) of the Act.
- (2) The head of a regional environmental agency shall, pursuant to Article 28 (7) of the Act, provide materials concerning the current establishment status of hazardous chemical handling facilities to the chemical accident-response agencies such as the competent fire-fighting offices and local governments, every two years with January 31 as the reference date.

Article 31 (Exemption from Permission to Conduct Hazardous Chemical Business)

The phrase "person prescribed by Ordinance of the Ministry of Environment" in the subparagraph 4 of Article 29 of the Act refers to the person any of the following:

1. Person who transports not more than one ton of hazardous chemicals at one time;
2. Person who uses not less than 120 tons of toxic substances (excluding substances requiring preparation for accidents among toxic substances) annually at a workplace outside an area for the protection of water sources under Article 7 of the Water Supply and Waterworks Installation Act: Provided, That it shall be replaced by not less than 60 tons annually in cases where the workplace is located in a special measures area for environmental preservation under Article 38 of the Framework Act on Environmental Policy, and it shall be replaced by 240 tons annually where the workplace is located in a district-unit planning zone (excluding a zone designated as residential) under Article 51 (3) of the National Land Planning and Utilization Act or an exclusive industrial area under Article 30 of the Decree of the same Act;
3. Person who uses not less than 60 tons of restricted substances (excluding restricted substances requiring preparation for accidents annually outside an area for the protection of water sources under Article 7 of the Water Supply and Waterworks Installation Act or a special measures area for environmental preservation under Article 38 of the Framework Act on Environmental Policy;
4. Person who is not required to submit an report of an evaluation of the impact on the outside of the place of business (excluding where preparing such report pursuant to Article 19 (3)) or a hazard control program under Article 41 (1) of the Act, among persons who use substances requiring preparation for accidents (limited to nontoxic substances): Provided. That this shall not apply to a person who uses substances requiring preparation for accidents in an area for the protection of water sources under

- Article 7 of the Water Supply and Waterworks Installation Act or a special measures area for environmental preservation under Article 38 of the Framework Act on Environmental Policy;
5. Person exempt from submitting an evaluation of the impact on the outside of the place of business or a hazard control program under Article 41 of the Act, among persons who obtain permission for the manufacture or use of any substance subject to permission under Article 38 (1) of the Occupational Safety and Health Act;
 6. Person who sells hazardous chemicals as household goods, among pharmacy founders and drug distribution business operators under the Pharmaceutical Affairs Act;
 7. Other persons publicly notified by the Minister of Environment based on the determination that such person is exempt from permission to conduct hazardous chemical business, except for those persons provided for in subparagraphs 1 through 6.

Article 32 (Reporting, etc. on Awarding of Contracts for Handling Hazardous Chemicals)

(1) Where any hazardous chemical business operator pursuant to Article 31 (1) of the Act awards a contract (including a subcontract; hereinafter the same shall apply) for the handling of the relevant hazardous chemicals, he/she shall submit a report on the contract of Attached Form 48 attaching the following documents to the head of a regional environmental agency within ten day of contract:

1. Materials concerning the major products, sales quantities, etc. of the applicant, the client and the contractor;
2. Written plan for contract (shall include an outline of the work to be contracted, reason for the contract, the specifications of personal protective equipment held by the contractor, the specifications of handling facilities and personnel of the contractor, evidential documents demonstrating the capabilities and the satisfaction of requirements under paragraph (2) 4));
3. Written plan for Safety Management in preparation against chemical accidents.

(2) The phrase "ability and standards prescribed by Ordinance of the Ministry of Environment" in Article 31 (3) of the Act refers to the following:

1. To hold the complete sets of the personal protective equipment under Article 14 (1) of the Act;
2. To comply with the criteria, etc. for disposition, and management of hazardous chemical handling facilities under Article 24 of the Act;
3. To complete education on the safety of hazardous chemicals under Article 33 (1) of the Act;
4. To comply with the ability and standards determined and publicly notified by the Minister of Environment based on the recognition of their necessity for the safety management of hazardous chemicals, in addition to the matters provided for in subparagraphs 1 through 3.

(3) The phrase "matters prescribed by Ordinance of the Ministry of Environment, such as the unreasonable operation of a handling facility for the contractor" in Article 31 (4) of the Act refers to the following matters:

1. Reduction of the period of construction or repair as determined in a contract for work, etc.;

2. Construction and repair of a hazardous chemical handling facility late at night: Provided, That construction or repair necessary to prevent chemical accidents shall be excluded;
3. Directions to treat hazardous chemicals, or to construct, repair or operate a hazardous chemical handling facility, despite the contractor's justifiable request for interruption;
4. Concealment of the fact or risk of a chemical accident;
5. Other matters determined and publicly notified by the Minister of Environment based on the recognition of their necessity for the safety management of hazardous chemicals, in addition to the matters provided for in subparagraphs 1 through 4.

Article 33 (Standards for Appointment of Hazardous Chemical Supervisors)

The phrase "standards prescribed by Ordinance of the Ministry of Environment, such as the quantity of hazardous chemicals handled by the relevant business operator and the number of his/her employees" in Article 32 (1) of the Act refers to the standards categorized in the following subparagraphs:

1. Chief hazardous chemical supervisor: one person; Provided, That where the number of employees is less than ten, the inspector of management hazardous chemicals may concurrently serve as chief hazardous chemical supervisor;
2. Inspectors of management hazardous chemicals: the number of persons categorized as follows: Provided, That in cases of manufacturing business, preservation and storage business, transportation business and sales business (excluding a person who sells hazardous chemicals without a handling facility) of hazardous chemicals, one person per five hundred employees shall be additionally appointed, and in cases of use business of hazardous chemicals, one person per 5,000 employees shall be appointed additionally;
 - (a) Where annual handling quantity of hazardous chemicals is less than 1,000 tons: one person;
 - (b) Where annual handling quantity of hazardous chemicals is not less than 1,000 tons but less than 10,000 tons: two persons;
 - (c) Where annual handling quantity of hazardous chemicals is not less than 10,000 tons but less than 100,000 tons: three persons;
 - (d) Where Annual handling quantity of hazardous chemicals is not less than 100,000 tons but less than 1,000,000 tons: four persons;
 - (e) Where Annual handling quantity of hazardous chemicals is not less than 1,000,000 tons: five persons.

Article 34 (Report, etc. of Appointment of Hazardous Chemical Supervisors)

(1) Where a hazardous chemical supervisor is appointed or dismissed, or retires, any person who has appointed the hazardous chemical supervisors pursuant to Article 32 (1) and (2) of the Act shall make a report of Attached Form 49 to the head of a regional environmental agency without delay together with the following documents:

1. Notice of appointment, dismissal, or retirement of Attached Form 50;

2. List of hazardous chemical supervisors.

(2) The head of a regional environmental agency who has received a report under paragraph (1) issue a certificate of report of Attached Form 51 to the reporter.

(3) Any person who intends to obtain permission for extension of the period necessary for the appointment of the hazardous chemical supervisors pursuant to the proviso of Article 32 (3) of the Act shall submit an application for permission of Attached Form 52 to the head of a regional environmental agency together with the curriculum vitae of the person acting on behalf of the hazardous chemical supervisor.

(4) After examining whether to grant permission, the head of a regional environmental agency who has received an application for permission under paragraph (3) shall deliver a written notification of Attached Form 53 to the applicant.

Article 35 (Educational Institution for Safety)

(1) The phrase "educational institution prescribed by Ordinance of the Ministry of Environment" in Article 33 (1) of the Act refers to the following institutions:

1. The National Institute of Chemical Safety;

2. The Association;

3. Specialized institutions designated and publicly notified by the Minister of Environment based on the recognition that they are equipped with expertise in safety education, among those institutions meeting all the requirements as follows;

(a) To hold not less than three experts who have completed a educational course provided by the National Institute of Chemical Safety for not less than thirty days;

(b) To be equipped with an educational hall the seating capacity of which is three hundred persons or more;

(c) To be a non-profit corporation which is considered to have professionalism, such as securing a person who has not less than five years' experience in practical affairs, research or lecture in the area of the safety of chemicals, in addition to those experts provided for in item (a).

(2) Any person in charge of education in an education institution under paragraph (1) 2 and 3 shall undergo education conducted by the Director of the National Institute of Chemical Safety every year.

(3) If necessary for inspecting matters concerning the conduct, etc. of education on the safety of hazardous chemicals, the Director of the National Institute of Chemical Safety may request educational institutions under paragraph (1) 2 and 3 to provide the related materials. In such cases, the institution so requested shall comply with such request, unless there exist any special reason.

(4) The Minister of Environment shall periodically confirm whether specialized institutions under paragraph (1) 3 continue to meet the requirements falling under the items of paragraph (1) 3 and to be equipped the professionalism in the safety education falling under same items.

Article 36 (Plan for Safety Education)

(1) An education institution under Article 35 (1) 2 and 3 shall, by November 30 every year, establish a plan for education for the next year and submit it to the Director of the National Institute of Chemical

Safety.

(2) Plan for education under paragraph (1) shall include the following matters:

1. Basic direction of the safety education;
2. Demand of the safety education and long-term estimation of demand thereof;
3. Plan for establishment of the courses of safety education;
4. Plan for compilation of materials for safety education;
5. Methods for evaluating educatee's performance in the course safety education;
6. Matters necessary for providing the safety education in addition to the matters provided for in subparagraphs 1 through 5.

Article 37 (Conduct, etc. of Safety Education)

(1) Any persons who is required to receive the education on the safety of hazardous chemicals under Article 33 (1) of the Act, shall undergo education on the safety of hazardous chemicals conducted by an educational institution under Article 35 (1) for not less than sixteen hours every two years.

(2) Notwithstanding paragraph (1), any person required to undergo education on the safety of hazardous chemicals under Article 33 (1) of the Act shall, where he/she requires the expertise such as the preparation of a hazard control program under Article 41 (1) of the Act, undergo additional sixteen hours' safety education: Provided, That, this shall not apply where he/she undergoes safety education jointly conducted by an educational institution under Article 35 (1) and an inspection agency under Article 22 (1) or undergoes a regular inspection under Article 24 (3) on the spot.

(3) In accordance with to Article 33 (3) of the Act, any hazardous chemical business operator shall have all the employee (excluding persons required to undergo education on the safety of hazardous chemicals under paragraph (1) and persons designated by the Minister of Environment) undergo education on the safety of hazardous chemicals (including on-line education) conducted by an educational institution under Article 35 (1) or the hazardous chemical supervisor for not less than two hours once every year.

(4) Any educational institution which has conducted education on the safety of hazardous chemicals under paragraphs (1) through (3) or the hazardous chemical supervisor shall report the progress of education including the following matters to the Director of the National Institute of Chemical Safety every year:

1. Content and result of education on the safety of hazardous chemicals;
2. List of recipients of education on the safety of hazardous chemicals;
3. Curriculum vitae of instructors of education on the safety of hazardous chemicals.

(5) Expenses incurred in providing safety education under the proviso of Article 33 (2) of the Act shall be determined and publicly notified by the Minister of Environment in consideration of the content, period, etc. of education.

Article 38 (Corrective Measures in Case of Suspension of Handling of Hazardous Chemicals, Suspension of Business, or Closure of Business)

(1) Where a hazardous chemical business operator intends to suspend the handling of hazardous chemicals pursuant to the main sentence of Article 34 (1) of the Act, such as the non-operation of a hazardous

chemical handling facility for not less than thirty days, and the suspension of handling hazardous chemicals for not less than thirty days, those measures he/she is required to take in advance shall be as follows:

1. To devise measures for restricting entry so as to prohibit the entry of outsiders;
2. To prevent a handling facility from discharging hazardous chemicals into the environment such as the atmosphere, a water basin, and soil;
3. To formulate a plan for periodic self-inspections of a hazardous chemical handling facility;
4. To formulate measures for heat insulation to prevent chemical accidents caused by freeze and burst in a low temperature;
5. To dispose of remaining hazardous chemicals of the workplace in cases where the period of handling suspension exceeds sixty days.

(2) Where a hazardous chemical business operator intends to change the methods for handling hazardous chemicals pursuant to the main sentence of Article 34 (1) of the Act, including changing the existing handling methods to manual handling methods for the handlers to handle them directly, the measures to be taken in advance shall be as follows:

1. To wear personal protective equipment under Article 14 (1) of the Act;
2. To prevent hazardous chemicals from discharging into the environment such as the atmosphere, drainage systems and soils.

Article 39 (Reporting on Suspension of Handling of Hazardous Chemicals, Suspension of Business, or Closure of Business etc.)

(1) Any person who intends to report the closure of business or the suspension of business pursuant to Article 34 (2) of the Act shall submit a report of Attached Form 54 to the head of a regional environmental agency ten days before the date scheduled for the closure of business or the suspension of business, together with the following documents:

1. Original copy of the certificate for permission under Article 28 (1);
2. Report on business performance records (limited to closure of business);
3. A document concerning whether the measures under the proviso of Article 34 (1) of the Act and Article 38 (1) have been completed.

(2) Where as a result of examining the content of the report under paragraph (1) it is deemed that the hazardous chemical would likely impair human health or the environment, the head of a regional environmental agency may verify and check the actual status of safety management concerning the disposal and preservation of hazardous chemicals handled by the business operator of the hazardous chemicals pursuant to the main sentence of Article 34 (3) of the Act and take necessary measures accordingly.

Article 40 (Criteria for Administrative Dispositions)

(1) Criteria for administrative dispositions under Article 35 (3) of the Act shall be as listed in Attached Table 7.

(2) Where intending to issue an order for improvement pursuant to paragraph (1) and Attached Table 7, the head of a regional environmental agency shall issue a written improvement order of Attached Form 55 attaching the details of the measures for improvement, to the person subject to such order.

Article 41 (Succession to Rights and Obligations)

(1) Any person who intends to succeed to the rights and obligations of any hazardous chemical business operator pursuant to Article 37 (4) of the Act shall submit a report of Attached Form 56 to the head of a regional environmental agency within thirty days from the date of succession together with the following documents:

1. Original copy of the certificate for permission under Article 28 (1);
2. Document evidencing the succession of rights and obligations.

(2) Any public official who has received an application under paragraph (1) shall confirm the following documents through the common use of administrative information under Article 36 (1) of the Electronic Government Act: Provided, that where the applicant does not give consent to the confirmation of the business registration certificate, the public official shall have the applicant attach such relevant documents:

1. Corporation registration certificate (limited to corporate applicants);
2. Business registration certificate;
3. Transcript of guardianship register.

Article 42 (Approval for Shared Utilization of Hazardous Chemical Supervisors and Handling Facilities)

(1) Any person who intends to receive approval to jointly utilize a hazardous chemical handling facility or the hazardous chemical supervisor pursuant to the former part of Article 38 (1) of the Act shall submit an application for approval of Attached Form 57 to the head of a regional environmental agency together with the following documents:

1. Written plan for joint utilization;
2. Specifications and location map of individual business entities;
3. Detailed statement of facilities and equipment related to hazardous chemicals by individual business entity;
4. Agreement among individual business entities on rights, obligations, etc. concerning the management of hazardous chemicals;
5. Detailed statement of the designation of a locum tenens to conduct management of hazardous chemicals by individual business entity.

(2) Methods for preparing attachments under the subparagraphs of paragraph (1) shall be as listed in Attached Table 8.

Article 43 (Report on Change in Shared Utilization)

(1) The phrase "important matters prescribed by Ordinance of the Ministry of Environment" in Article 38 (2) of the Act refers to the following matters:

1. Representative business entity, and business entities participating in joint utilization;
 2. Capacity of the jointly utilized handling facility of hazardous chemicals (limited to cases where not less than 30/100 of the capacity increases);
 3. Scope of vicarious conduct of a locum tenens who is jointly utilized;
 4. Protocols for joint countermeasures when an accident of hazardous chemicals occurs, among contents of the agreement on rights, obligations, etc. concerning the management of hazardous chemicals.
- (2) Any person who intends to report a change pursuant to Article 38 (2) of the Act shall submit a report on change of Attached Form 58 to the head of a regional environmental agency together with the following documents:

1. Document evidencing a change;
2. Original copy of the permit under Article 28 (1).

Article 44 (Standards for Control of Substances Requiring Preparation for Accidents)

Standards for the control of substances requiring preparation for accidents under the main sentence of Article 40 (1) of the Act shall be as listed in Attached Table 9.

Article 45 (Subject Matters of Submission of Hazard Control Program)

Quantitative standards for each substance requiring preparation for accidents under the part other than the subparagraphs of Article 41 (1) of the Act shall be as listed in Attached Table 10.

Article 46 (Preparation, Submission, etc. of Hazard Control Program)

(1) Any person who handles substances requiring preparation for accidents of not less than the quantity categorized in Attached Table 10 pursuant to Article 41 (1) of the Act shall, every five years, submit an application for examination Attached Form 59 to the Director of the National Institute of Chemical Safety together with a hazard control program under the main sentence of Article 41 (1) of the Act (hereinafter referred to as a "hazard control program").

(2) Notwithstanding paragraph (1), where it is proven through verification under Article 41 (1) 8 that no resident who would be influenced by any chemical accident and no chemical accident has occurred in the preceding five years, it shall be permitted to submit a hazard control program including only those matters under subparagraphs 1, 2, 4, 5, 6, and 8 of Article 41 (1). 8.

(3) Methods for preparing hazard control programs shall be as listed in Attached Table 11.

(4) In addition to the matters provided for in paragraphs (1) through (2) other matters necessary for preparing, etc. of hazard control programs shall be determined and publicly notified by the Minister of Environment.

Article 47 (Review of Hazard Control Programs)

(1) Within thirty days from the date of receipt of an application for examination under Article 46 (1), the Director of the National Institute of Chemical Safety shall review the hazard control program and notify a written result of the review of Attached Form 60 to the applicant together the details of whether the hazard control programs is satisfactory.

(2) If it is deemed necessary to revise and supplement the materials submitted pursuant to Article 46 (1), the Director of the National Institute of Chemical Safety shall give a notification in Attached Form 61 to the applicant together with the details of the matters to be revised and supplemented. In such cases, the period from the date of requesting the revision and supplementation of the materials, to the date of submitting the materials, shall not be included in the period of review under paragraph (1).

Article 48 (Notice of Hazard Control Program to Local Communities)

(1) A notice, which a person handling substances requiring preparation for accidents is required to give under Article 42 (1) of the Act, shall be made in the form of a notification of a hazard control program of Attached Form 62.

(2) Any person who gives a notice pursuant to Article 42 (1) of the Act shall preserve the following matters:

1. Hazard control program under paragraph (1);
2. List of persons to be notified and methods for notification.

(3) A notice under paragraph (1) shall be made in the manners categorized as follows, and may be made by the workplaces individually or jointly:

1. Where giving a notice in writing: notification by mail or email;
2. Where explaining to individuals: sign and seal after explanation;
3. Where communicating collectively: communication by holding a public hearing or explanatory meeting;
4. Where making a notice other than in any manner provided for in subparagraphs 1 through 3: publication in a daily newspaper on the homepages of the National Institute of Chemical Safety and the office of the competent Si/Gun/Gu, or communication via the management offices of apartments, Dong offices and Myeon offices.

(4) The head of a local government shall provide necessary support to facilitate the notification under paragraph (3).

Article 49 (Reporting of Occurrence of Chemical Accidents, etc.)

(1) Where a chemical accident occurs, the person handles such chemical shall, pursuant to Article 43 (2) of the Act, report thereon immediately according to the standards which are determined by the Minister of Environment in consideration of respective quantities of chemical substances released and leaked, types of chemical accidents, and other related matters.

(2) The head of an agency who has received a report pursuant to Article 43 (3) of the Act inform shall, in Attached Form 63, report the Minister of Environment of the cause, scale, etc, of the chemical accident.

Article 50 (Requirements for Official of Scene-of-Accident Control and Coordination)

The phrase "an official who controls the scene and coordinates affairs related thereto meeting requirements prescribed by Ordinance of the Ministry of Environment" in Article 44 (1) of the Act refers to the head or public official of a regional environmental agency having capability of responding to chemical accidents.

Article 51 (Orders to Take Measures, etc.)

(1) Where issuing an order to take measures pursuant to Article 46 (1) of the Act, the head of a regional environmental agency shall send a written order of Attached Form 64 to the relevant business operator together with a detailed document concerning the order. In such cases, the period of performance shall be determined in consideration of the impact of the relevant chemical on the health of people in adjacent areas or the environment, and the period necessary for performing the order measures.

(2) Any person who has been issued a written order to take measures under paragraph (1) shall submit a plan for performance of such order of Attached Form 65 to the head of a regional environmental agency together with the details of the plan for performance and shall perform the order.

(3) Any person who has been issued a written order to take measures under paragraph (1) shall, where performing such order, without delay submit a written result of performance of Attached Form 66 to the head of a regional environmental agency together with the details of the written result.

(4) Where receiving the written result of performance under paragraph (3), the head of a regional environmental agency shall send a certification of performance of Attached Form 67 after verifying and inspecting the performance situation at the spot.

Article 52 (Establishment and Operation of Comprehensive Chemical Information System)

(1) The Director of the National Institute of Chemical Safety shall collect, analyze, and manage the following domestic and overseas information to establish and operate a comprehensive chemical information system pursuant to Article 48 of the Act:

1. General information on the names (Korean name, English name, similar names, etc.), CAS (Chemical Abstracts Service) numbers, UN numbers, etc. of chemicals;
2. Information on chemicals controlled by Acts related to chemicals, such as toxic substances, restricted substances, prohibited substances, substances requiring preparation for accidents, dangerous substances, and toxic gases;
3. Information on hazards, risks, etc. of chemicals;
4. Information on quantities handled, handling facilities, etc. by workplace;
5. Information necessary for the preparation for chemical accidents, such as the usages, dangers, and methods for disaster prevention of chemicals;
6. Information necessary for the response to chemical accidents such as the separation distance in the event of the outflow or leakage of chemicals, and the separation distance and the distance for fire suppression activities in the event of a fire;
7. Information on the records of the occurrence of chemical accidents;
8. Domestic and overseas information on products containing chemicals and products containing chemicals;
9. Other information on the safety management of chemicals and the preparation for and response to chemical accidents, in addition to the matters provided for in subparagraph 1 through 8.

(2) The Director of the National Institute of Chemical Safety shall formulate and implement a plan for establishment and operation of the comprehensive chemical information system under Article 48 of the Act.

(3) The Director of the National Institute of Chemical Safety shall, for efficient establishment of the comprehensive chemical information system under paragraph (2), organize and operate a consultative body with the National Institute of Environmental Research, the Korea Occupational Safety and Health Agency under the Korea Occupational Safety and Health Agency Act, public institutions and or organization related to the safety of chemicals.

(4) The institutions or organizations participating in the consultative body under paragraph (3) shall mutually cooperate so as to systematically and comprehensively collect, analyze, and, manage domestic and overseas information prescribed under paragraph (1) through the mutual provision or sharing of the information held by them respectively.

Article 53 (Performance Report on Handler of Hazardous Chemicals)

(1) Pursuant to Article 49 (1) of the Act, any person falling under any of the following subparagraphs shall submit a performance report of Attached Form 68 to the Association together with a detailed performance report categorized as follows until March 31 every year. In such cases, the Association shall integrate and analyze the performance reports of the previous year and submit the result to the Director of the National Institute of Chemical Safety by May 31 every year:

1. Any person falling under Article 49 (1) 2 of the Act: detailed performance report of Attached Form 69;
2. Any person falling under Article 49 (1) 3 of the Act: detailed performance report of Attached Form 70;
3. Any person falling under Article 49 (1) 4 of the Act: detailed performance report of Attached Form 71;
4. Any person falling under Article 49 (1) 5 of the Act: detailed performance report of Attached Form 72;
5. Any person falling under Article 49 (1) 6 of the Act: detailed performance report of Attached Form 73;
6. Any person falling under Article 49 (1) 7 of the Act: detailed performance report of Attached Form 74.

(2) The Minister of Environment shall, with respect to chemicals whose effects on citizens' health and the environment are deemed substantial, request the submission of materials concerning the current status, etc. of the manufacture, importation or sales of the relevant chemicals in addition to the detailed performance reports under the subparagraphs of paragraph (1).

(3) Any person falling under Article 49 (1) 7 may, pursuant to the subparagraph 1 (d) 2) and 3) of Attached Table 1 of the Decree, submit materials necessary for the calculation of annual sales turnover, to the Director of the National Institute of Chemical Safety until March 31 every year. In such cases, the

Minister of Environment may reflect them in calculating a penalty surcharge under the subparagraph 1 of Attached Table 1 of the Decree.

Article 54 (Entry and Inspection)

(1) Entry and inspection under Article 49 (1) of the Act shall be permitted where any of the following causes exists:

1. Where such entry and inspection are made on the basis of such plan for regular or occasional guidance and inspection as determined by the Minister of Environment or the head of a regional environmental agency for the proper management of chemicals;
2. Where a chemical accident has occurred or is likely to occur;
3. Where a justifiable request for entry and inspection from other institution exists or a civil petition therefor has been raised;
4. Where such entry and inspection are inevitable for properly conducting affairs regarding permission, reporting, approval, etc. under the Act;
5. Where intending to verify whether any evaluation of the impact on the outside of the place of business is consistent with the facts and whether the requirements are observed;
6. Where intending to verify whether the criteria for the disposition, installation and management of hazardous chemical handling facilities under Article 24 of the Act are observed;
7. Where intending to verify whether a improvement order under Article 25 of the Act or an order to take measures under Article 46 of the Act is performed;
8. Where intending to verify whether any person falls under the cause for cancellation of permission to conduct hazardous chemical business under Article 35 of the Act;
9. Where intending to verify whether the standards for control of substances requiring preparation for accidents under Article 40 of the Act are observed;
10. Where intending to verify whether a hazard control program under Article 41 of the Act is consistent with the facts and whether the program is complied with;
11. Where intending to verify whether a report of a chemical accident under Article 43 of the Act is proper;
12. Where intending to respond to make onsite response to a chemical accident pursuant to Article 44 of the Act;
13. Where intending to conduct an investigation into the effects of a chemical accident under Article 45 of the Act;
14. Other matters which the Minister of Environment deems necessary for the safe management of chemicals in addition to the matters provided for in subparagraphs 1 through 13.

Article 55 (Chemicals Inspection Agency)

Where collecting chemicals pursuant to Article 49 (1) of the Act, the Minister of Environment or the head of a regional environmental agency may request to the following institutions to examine whether such chemicals constitute toxic substances:

1. The National Institute of Environmental Research;
2. The Director of the National Institute of Chemical Safety;
3. The head of the relevant river basin environmental office or the head of the relevant regional environmental office;
4. The Korea Environment Corporation under the Korea Environment Corporation Act;
5. Public health and environmental research institutes established in the Seoul Special Metropolitan City, other Metropolitan Cities, Dos and the Specials Self-Governing Province pursuant to the Public Health and Environment Research Institute Act;
6. The Korea Occupational Safety and Health Agency under the Korea Occupational Safety and Health Agency Act.

Article 56 (Recording and Preservation of Documents)

(1) Any person required to record and preserve relevant documents pursuant to Article 50 (1) of the Act shall after recording the following documents, preserve them for five years:

1. Ingredient specifications and certificates of verification of chemicals, and documents identifying chemicals provided by manufacturers, exporters, or import agencies;
2. Import-related documents such as a certificate of import declaration (limited to imports).

(2) Any person falling under any of the subparagraphs of Article 50 (1) of the Act shall record matters concerning the management of hazardous chemicals in the ledgers for chemicals management under Attached Form 75 through 78 and shall preserve such ledgers for five years from the date the last record was entered therein.

Article 57 (Application for Data Protection, etc.)

(1) Any person who intends to make a request of data protection pursuant to the part other than the subparagraphs of Article 52 (1) of the Act shall file an application for data protection of Attached Form 79 attaching the following documents with the head of a regional environmental agency or the head of the Association:

1. A document stating the gist of protected content and reasons for protection;
2. Data subject to protection.

(2) Any person who intends to make a request for the extension of the period of data protection pursuant to the proviso of Article 21 (1) of the Decree shall, thirty days before the expiration of the period of data protection, file an application for extension of Attached Form 80 attaching a written result under paragraph (3), to the Director of the National Institute of Chemical Safety, the head of a regional environmental agency or the head of the Association.

(3) The Director of the National Institute of Chemical Safety, the head of a regional environmental agency or the head of the Association shall, within fifteen days from the date of receipt of an application under paragraph (1) or (2), examine whether such data is eligible for protection and then notify the decision in Attached Form 81 to the applicant.

Article 58 (Management of Protected Data)

The Director of the National Institute of Chemical Safety, the head of a regional environmental agency or the head of the Association shall manage the protected data as determined and publicly notified by the Minister of Environment for the proper management of protected data under Article 52 (1) of the Act, such as the keeping of the management ledgers and the designation of a manager.

Article 59 (Fees)

- (1) Fees under Article 54 of the Act shall be as listed.
- (2) Fees under paragraph (1) may be paid in revenue stamps, or by means of electronic money or electronic settlement, etc. by using the information and communication networks.

Article 60 (Report)

- (1) The matters to be reported to the Minister of Environment by the director of the National Institute of Chemical Safety, the head of a regional environmental agency and the head of the Association pursuant to Article 23 of the Decree, the date of report, etc. shall be as listed in Attached Table 13.
- (2) With respect to affairs delegated and affairs entrusted pursuant to Article 22 of the Decree, the Director of the National Institute of Chemical Safety, the head of a regional environmental agency or the head of the Association shall respectively prepare and submit respective comprehensive reports comprising all reported matters of the previous year under paragraph (1) to the Minister of Environment.

Article 61 (Re-examination of Regulation)

As at the following reference date, the Minister of Environment shall examine the validity of the following matters every three years (meaning the period ending before every third anniversary from January 1) and shall then take measures for improvement, etc. thereof:

1. Preparation and submission of an evaluation of the impact on the outside of the place of business under Article 19: January 1, 2015;
2. Report on contract of the handling of a hazardous chemical under Article 32: January 1, 2015.

ADDENDA

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Verification of Chemicals)

The amended provisions of the latter part of Article 2 (2) shall apply beginning from the first chemicals manufactured or imported after this Rule enters into force.

Article 3 (Transitional Measures concerning Permission to Import Restricted Substances)

In accordance with Article 2 of the Addenda of the Act, any person who has been granted permission to import a restricted substance before this Rule enters into force shall, where issued a permit under the amended provisions of Article 16 (2) until December 31, 2015, be deemed to have been granted permission for importation of a restricted substance under Article 20 (1) of the Act.

Article 4 (Transitional Measures concerning Declaration for Import of Toxic Substances)

In accordance with Article 3 of the Addenda of the Act, any person who has made an import declaration under the former Toxic Chemicals Control Act before this Rule enters into force shall, where issued a certificate of import declaration under the amended provisions of Article 17 (2) until December 31, 2015, be deemed to have made an import declaration of a toxic substance under Article 20 (2) of the Act.

Article 5 (Transitional Measures concerning Approval for Export of Restricted Substances or Prohibited Substances)

In accordance with Article 4 of the Addenda of the Act, any person who has been granted permission for export of a restricted substance or prohibited substance under the previous Toxic Chemicals Control Act before this Rule enters into force shall, where issued a renewed permit for import under the amended provisions of Article 18 (3) until December 31, 2015, be deemed to have been granted permission for export of a restricted substance or prohibited substance under the former part of Article 21 (1) of the Act.

Article 6 (Transitional Measures concerning Preparation and Submission of Evaluation of Impact on Outside of Place of Business)

(1) In accordance with the proviso Article 5 (1) of the Addenda of the Act, any person who has registered business of a toxic substance under the previous Toxic Chemicals Control Act or has been granted permission for business of restricted or prohibited substance under the same Act before this Rule enters into force shall, notwithstanding the amended provisions of Article 19, submit an evaluation of the impact on the outside of the place of business until the date categorized in the following subparagraphs:

1. Any person required to prepare and submit a plan for safety improvement under Article 13-2 of the High-Pressure Gas Safety Control Act: December 31, 2015;
2. Any person conducting a business falling under any of the subparagraphs of Article 33-6 (1) of the Decree of the Occupational Safety and Health Act among persons required to prepare and submit a process safety report under Article 49-2 of the same Act: December 31, 2015;
3. Any person handling not less than 1,000 tons per year of hazardous or dangerous substances under Attached Table 10 of the Decree of the Occupational Safety and Health Act among persons required to prepare and submit a process safety report under Article 49-2 of the same Act: December 31, 2016;
4. Any person handling less than 1,000 tons per year of hazardous or dangerous substances under Attached Table 10 of the Decree of the Occupational Safety and Health Act, among persons required to prepare and submit a process safety report under Article 49-2 of the Occupational Safety and Health Act: December 31, 2017;
5. Any person handling not less than 100 tons per year of hazardous chemicals, who does not fall under any of the subparagraphs 1 through 4: December 31, 2018;

6. Any person handling less than 100 tons per year of hazardous chemicals, not subject to any of subparagraphs 1 through 4: December 31, 2019.

(2) Any person who has established a facility handling a hazardous chemical pursuant to the previous Toxic Chemicals Control Act before this Rules enters into force shall, notwithstanding the amended provisions of Article 19, submit an evaluation of the impact on the outside of the place of business until the date categorized as follows:

1. Any person handling not less than 100 tons per year of hazardous chemicals, who does not fall under any of subparagraphs 1 through 4 of paragraph (1): December 31, 2018;

2. Any person handling less than 100 tons per year of hazardous chemicals, who does not fall under any of the subparagraphs 1 through 4: December 31, 2019.

(3) Any person establishing a hazardous chemical handling facility shall, notwithstanding the amended provisions of Article 19, submit an evaluation of the impact on the outside of the place of business until December 31, 2015.

Article 7 (Transitional Measures concerning Permission to Conduct Hazardous Chemical Business)

(1) In accordance with Article 5 (2) of the Addenda of the Act, any person who has handled substances requiring preparation for accidents pursuant to the Toxic Chemicals Control Act before this Rule enter into force shall, notwithstanding the amended provisions of Article 27 (1), obtain permission to conduct hazardous chemical business until the date categorized as follows:

1. Any person required to prepare and submit a plan to improve safety under Article 13-2 of the High-Pressure Gas Safety Control Act: December 31, 2015;

2. Any person conducting any business falling under any of the subparagraphs of Article 33-6 (1) of the Decree of the Occupational Safety and Health Act under Article 49-2 of the same Act: December 31, 2015;

3. Any person required to prepare and submit a process safety report under Article 49-2 of the Occupational Safety and Health Act, who does not fall under subparagraph 2: December 31, 2016;

4. Any person required to obtain permission for hazardous chemical business, who does not fall under any of subparagraphs 1 through 3: December 31, 2017.

(2) Any person who has registered business of a toxic chemical under the previous Toxic Chemicals Control Act or has been granted permission for business of restricted or prohibited substance under the same Act before this Rule enters into force shall, notwithstanding the amended provisions of Attached Table 6, meet the standards provided for in the subparagraphs 1 (a) through (c) and (e) through (i) and 2 of Attached Table 6 until December 31, 2017.

Article 8 (Transitional Measures concerning Reporting of Awarding of Contracts for Handling of Hazardous Chemicals)

In accordance with Article 6 of the Addenda of the Act, any person who has awarded a contract for the handling of hazardous chemicals before this Rule enters into force shall, notwithstanding the amended provisions of Article 32 (1), report the awarding of a contract until December 31, 2015.

Article 9 (Transitional Measures concerning Reporting Appointment of Hazardous Chemical Supervisors)

In accordance with Article 7 of the Addenda of the Act, any person who has appointed a toxic substance supervisor or a restricted substance supervisor before this Rule enters into force shall, notwithstanding the amended provisions of Article 34 (1), report the appointment of a hazardous chemical supervisor until December 31, 2015.

Article 10 (Transitional Measures concerning Preparation and Submission of Hazard Control Program)

In accordance with Article 8 of the Addenda of the Act, any person who has submit a self-prevention plan pursuant to the previous Toxic Chemicals Control Act or has been excluded from those persons required to submit such plan before this Rule enters into force shall, notwithstanding the amended provisions of Article 46, submit a hazard control program until the date categorized as follows:

1. Any person required to prepare and submit a plan for safety improvement under Article 13-2 of the High-Pressure Gas Safety Control Act: December 31, 2015;
2. Any person who conducts any business falling under any of the Article 33-6 (1) of the Decree of the Occupational Safety and Health Act among persons required to prepare and submit a process safety report under Article 49-2 of the same Act: December 31, 2015;
3. Any person required to prepare and submit a process safety report under Article 49-2 of the Occupational Safety and Health Act, who does not fall under subparagraph 2: December 31, 2016;
4. Any person required to prepare and submit a hazard control program, who does not fall under any of subparagraphs 1 through 3: December 31, 2017.

Article 11 (Transitional Measures concerning Criteria for Handling Hazardous Chemicals)

Any person who has handled hazardous chemicals pursuant to the previous Toxic Chemicals Control Act before this Rule enters into force and does not meet requirements for facilities, apparatuses, equipment, etc., among criteria for handling hazardous chemicals under the amended provisions of Attached Table 1 shall meet the requirements under Attached Table 1 until December 31, 2016.

Article 12 (Transitional Measures concerning Labelling Methods for Hazardous Chemicals)

Where failing to meet any of the standards for labelling hazardous chemicals, any person who has labeled toxic substances pursuant to the previous Toxic Chemicals Control Act shall, meet the standards under attached Table 2 by December 31, 2016.

Article 13 (Transitional Measures concerning Criteria for Disposition, Installation and Management of Handling Facilities)

Where failing to meet the criteria for the disposition, installation, and management under the amended provisions of Attached Table 5, any person who has registered business of toxic substances or has been granted permission for business of restricted or prohibited substances pursuant to the previous Toxic Chemicals Control Act before this Rule enters into force shall meet the standards under Attached Table 5 until December 31, 2019.

Article 14 (Amendments of Other Statutes) Omitted.

Article 15 (Relations with Other Acts or Subordinate Statutes)

References to the Rule of the Toxic Chemicals Control Act or any provision thereof at as the time when this Rule enters into force shall, if there are any provisions corresponding thereto in this Rule, be deemed to refer to this Rule or the corresponding provisions thereof in lieu of the Rule or the previous Toxic Chemicals Control Act or the provisions thereof.

