

ACT ON THE DISPOSAL OF SEWAGE, EXCRETA AND LIVESTOCK WASTEWATER

Act No.4364, Mar. 8,1991

Amended by Act No.4656, Dec. 27,1993

Act No.4714, Jan. 5,1994

Act No.5301, Mar. 7,1997

Act No.5453, Dec. 13,1997

Act No.5864, Feb. 8,1999

Act No.6656, Feb. 4,2002

Act No.6827, Dec. 26,2002

Act No.7129, Jan. 29,2004

Act No.7428, Mar. 31,2005

Act No.7459, Mar. 31,2005

Act No.7643, Jul. 29,2005

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to contribute to the improvement of public health and the preservation of environment by making natural and living environment clean and reducing the water pollution through a proper treatment of sewage, excreta and livestock wastewater.

Article 2 (Definitions)

The definitions of terms used in this Act shall be as follows: *<Amended by Act No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997; Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>*

1. The term "sewage" means water which is mixed with dirty liquid or solid substance and is unusable for human life or business as it is, and which is discharged from the flush toilets, bathrooms, kitchens, etc. in connection with the human daily life;
2. The term "excreta" means any liquid or solid pollutants removed from the collection-type toilets (including non-dehydrated sludges from among sludges arising from the process of cleaning the treatment facilities of sewage and separate septic tanks);
2-The term "livestock excreta" means any liquid or solid pollutants discharged by the livestock;
- 2.
3. The term "livestock wastewater" means a mixture of livestock excreta and water used to clean

- up livestock excreta and the discharge facilities of livestock wastewater;
4. The term "discharge facilities of livestock wastewater" means facilities including animal shelters and places, etc. from which livestock wastewater resulting from the raising of cattle is discharged and which are prescribed by the Ordinance of the Ministry of Environment;
 5. The term "treatment facilities of sewage" means facilities, excluding separate septic tanks, which are installed to purify sewage through settlement, resolution and other methods prescribed by the Ordinance of the Ministry of Environment;
 6. Deleted; <by Act No. 5864, Feb. 8, 1999>
 7. The term "separate septic tanks" means facilities for the purification of sewage coming from flush toilets by settling, dissolving, or other methods as determined by the Ordinance of the Ministry of Environment;
 8. The term "treatment facilities of livestock wastewater" means facilities for the treatment of livestock wastewater by settling, dissolving, or other methods as determined by the Ordinance of the Ministry of Environment;
 - 8-The term "facilities to transform into compost" means the treatment facilities of livestock wastewater, which transform the livestock wastewater into the compost by fermenting it;
 - 8-The term "facilities to transform into liquid-form manure" means the treatment facilities of livestock wastewater, which transform the livestock wastewater into liquid-form manure through storage or treatment;
 9. The term "treatment facilities of excreta" means facilities for the treatment of excreta by settling, dissolving, or other methods as determined by the Ordinance of the Ministry of Environment;
 10. The term "public treatment facilities of livestock wastewater" means facilities for the treatment of livestock wastewater generated from the livestock raising farmhouses, in the area where animals are collectively farmed, by settling, dissolving, or other methods as determined by the Ordinance of the Ministry of Environment; and
 11. The term "livestock" means raising animals as prescribed by the Ordinance of the Ministry of Environment.

Article 3 (Responsibility of State and Local Governments)

(1) In order to dispose of excreta and livestock wastewater in the areas under his jurisdiction under the conditions as prescribed by this Act, the head of *Si/Gun/Gu* (referring to the head of *Gu* which is a local government; hereinafter the same shall apply) shall install, maintain and manage the treatment facilities of excreta and the public treatment facilities of livestock wastewater in any necessary area, and make efforts to prevent the pollution of water caused by such excreta and livestock wastewater and to make livestock excreta into manures, such as the improvement of treatment process, etc. <Amended by Act No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997; Act No. 5864, Feb. 8, 1999>

(2) The Seoul Special Metropolitan City Mayor, Metropolitan City Mayors and *Do* governors (hereinafter referred to as the "Mayor/*Do* governor") shall give the head of *Si/Gun/Gu* technical and financial supports so as to faithfully fulfill their responsibility as referred to in paragraph (1), and coordinate treatment projects of excreta and livestock wastewater in the areas under their jurisdiction. *<Amended by Act No. 5301, Mar. 7, 1997>*

(3) The State shall research, develop and assist techniques for treating excreta and livestock wastewater, give Mayor/*Do* governor or the head of *Si/Gun/Gu* technical and financial supports necessary for faithfully fulfilling their responsibility as referred to in paragraphs (1) and (2), and coordinate treatment projects of excreta and livestock wastewater among the Seoul Special Metropolitan City, Metropolitan Cities and *Dos* (hereinafter referred to as the "City/ *Do*").
<Amended by Act No. 5301, Mar. 7, 1997>

Article 4 (Wide Area Control, etc. over Excreta and Livestock Wastewater)

(1) If it is deemed necessary to treat in wide areas excreta and livestock wastewater produced by not less than two Cities/*Dos* or *Sis/Guns/Gus* (referring to *Gus*, local autonomous governments; hereinafter the same shall apply), the heads of local governments may install and operate jointly the treatment facilities of excreta and the public treatment facilities of livestock wastewater. *<Amended by Act No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997; Act No. 5864, Feb. 8, 1999>*

(2) In coordinating treatment projects of excreta and livestock wastewater between local governments under Article 3 (2) and (3), if it is required to jointly use the treatment facilities of excreta and the public treatment facilities of livestock wastewater, the Minister of Environment or the Mayor/*Do* governor may recommend to jointly use them, and recommend the head of a local government concerned to give any support required for preservation and improvement of living environment in the areas where such facilities are installed. In this case, the head of a local government concerned shall comply with it unless there is any special reason. *<Amended by Act No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997>*

Article 4-2 (Principal Plans for Treatment of Excreta and Livestock Wastewater)

(1) After he establishes principal plans for treatment of excreta and livestock wastewater in an area under his jurisdiction, the Mayor/*Do* governor shall seek approval from the Minister of Environment. This paragraph shall also apply to modifications of such principal plans. In such cases, the Minister of Environment shall make a consultation on the approval of principal plans with or without modifications with the head of competent central administrative authorities.

(2) After he establishes principal plans for treatment of excreta and livestock wastewater in an area under his jurisdiction, a head of *Si/ Gun/Gu* shall submit them to the Mayor/*Do* governor.

(3) Matters to be contained in principal plans pursuant to the provisions of paragraphs (1) and (2) shall be determined by the Presidential Decree.

[This Article Newly Inserted by Act No. 5301, Mar. 7, 1997]

Article 4-3 (Designation, etc. of Areas Requiring Sewage Treatment)

(1) The Mayor/*Do* governor may designate, publish or alter any area as the area which is deemed especially necessary to take measures to treat sewage for the preservation of water quality therein from among the areas prescribed by the Presidential Decree after consultations with the head of *Si/Gun/Gu* who has jurisdiction over such area.

(2) The Minister of Environment may, in case that it is deemed necessary to preserve the water quality of water-supply sources for metropolitan cities under subparagraph 3 of Article 3 of the Water Supply and Waterworks Installation Act, designate, publish or alter any area which affects the water quality of the water-supply sources for such metropolitan cities as the area for which measures need to be taken to treat sewage after consultations with the Mayor/*Do* governor who has jurisdiction over such area.

(3) Any owner of a building and facilities prescribed by the Presidential Decree (hereinafter referred to as a "building, etc.") in the area for which measures need to be taken to treat sewage under paragraphs (1) and (2) shall install and operate the treatment facilities of sewage within 2 years from the date such area is designated and published. In this case, the owner of the building, etc. shall file a report on the installation of such facilities under the provisions of Article 9 (2) within one year from the date such area is designated and published as the area for which measures need to be taken to treat sewage as prescribed by the Ordinance of the Ministry of Environment.

(4) The head of *Si/Gun/Gu* may, in case that facilities installed to treat sewage under paragraph (3) are intended to treat sewage from not less than two buildings, etc., install and operate such facilities. In this case, the head of *Si/Gun/Gu* may have the owners of such buildings, etc. bear the cost, in whole or in part, of installing such facilities as prescribed by the Municipal Ordinance of the local government concerned and collect expenses necessary for the operation of such facilities from any person discharging such sewage.

(5) The State and City/*Do* may provide technical and financial assistance in the installation and operation of facilities installed under paragraphs (3) and (4) for the treatment of sewage.

[This Article Newly Inserted by Act No. 5864, Feb. 8, 1999]

Article 5 (Standards for Quality of Discharged Water)

(1) Standards for the quality of water discharged by the treatment facilities of sewage, separate septic tanks, the treatment facilities of excreta, the treatment facilities of livestock wastewater and the public treatment facilities of livestock wastewater shall be prescribed by the Ordinance of the Ministry of Environment.

(2) The Minister of Environment may set more stringent standards than the standards referred to in paragraph (1) for the area for which special measures need to be taken under the provisions of

Article 22 of the Framework Act on Environmental Policy or another area which is prescribed by the Presidential Decree and required to preserve the water quality of water-supply sources and the life environment according to what is prescribed by the Ordinance of the Ministry of Environment.

(3) The City/Do may, in case that it is deemed difficult to maintain the environmental standards under Article 10 (3) of the Framework Act on Environmental Policy, set more stringent standards for the quality of discharged water than the standards referred to in paragraph (1) by the Municipal Ordinance of the local government concerned.

(4) Where any excreta or livestock wastewater, which has been treated in the treatment facilities of excreta or public treatment facilities of livestock wastewater, is led and treated in the sewage terminal treatment facilities under the proviso of Article 21 (2) or that of Article 30 (3), the matters to be taken into consideration in setting the standard for leading the treated water in the sewage terminal treatment facilities shall be set by the Ordinance of the Ministry of Environment. <Newly Inserted by Act No. 6827, Dec. 26, 2002>

[This Article Wholly Amended by Act No. 5864, Feb. 8, 1999]

Article 6 (Entry, etc. in Other Person's Land)

(1) If it is required for surveys, measurements and works on the treatment facilities of excreta or the public treatment facilities of livestock wastewater, the head of a local government or a person who acts under the order of, or is entrusted by the head of the local government may enter other's land or temporarily use other's land with no special usage, as stacking yard of materials, passage or provisional walkway, and if particularly necessary, remove or alter trees and other obstacles.

<Amended by Act No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997; Act No. 5864, Feb. 8, 1999>

(2) Any person who intends to enter other's land under paragraph (1), shall notify it in advance to the occupant of the land, and any person who intends to use other's land or remove or alter obstacles etc., shall notify it in advance to the owner and the occupant of the land and hear their opinions.

(3) Nobody may enter, before sunrise and after sunset, a housing site or other's land enclosed with walls or fences without consent of the occupant of the land.

(4) No owner or occupant of land shall refuse or interfere with any entry or use as referred to in paragraph (1) without any justifiable reason.

(5) Any person who intends to enter other's land under paragraph (1), shall be equipped with a certificate indicating his powers and produce it to the persons concerned.

(6) Matters necessary for the certificate as referred to in paragraph (5) shall be determined by the Ordinance of the Ministry of Environment. *<Amended by Act No. 5301, Mar. 7, 1997>*

Article 7 (Compensation for Loss)

(1) If there is any person who suffers any loss by the entry, use, or removal or alteration of obstacles under Article 6 (1), the head of a local government shall compensate for the loss.

<Amended by Act No. 5864, Feb. 8, 1999>

(2) When the head of a local government compensates for the loss under paragraph (1), he shall consult with the person who is to be compensated. <Amended by Act No. 5864, Feb. 8, 1999>

(3) If the consultation as referred to in paragraph (2) fails to be effected, or it is impossible to hold the consultation, the ruling may be requested to the competent land expropriation committee under the conditions as prescribed by the Ordinance of the Ministry of Environment. <Amended by Act No. 5301, Mar. 7, 1997>

Article 8 (Expropriation or Use of Land, etc.)

(1) The head of a local government may expropriate or use land, buildings or things fixed to the land or any right other than the ownership of land, buildings or things, if required for installing the treatment facilities of excreta or the public treatment facilities of livestock wastewater. <Amended by Act No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997; Act No. 5864, Feb. 8, 1999>

(2) Except as otherwise provided by this Act, the provisions of the Act on the Acquisition of Land, etc. for Public Works and the Compensation Therefor shall be applicable to the expropriation or use as referred to in paragraph (1). <Amended by Act No. 6656, Feb. 4, 2002>

(3) In application of the Act on the Acquisition of Land, etc. for Public Works and the Compensation Therefor under paragraph (2), the approval made under Articles 21 (2) and 30 (3) shall be deemed as a project approval as prescribed in Article 20 of the said Act. <Amended by Act No. 5864, Feb. 8, 1999; Act No. 6656, Feb. 4, 2002>

CHAPTER II TREATMENT OF SEWAGE

Article 9 (Installation of Treatment Facilities of Sewage)

(1) Any person who constructs the buildings, etc. which discharge sewage shall, individually or jointly, install the treatment facilities of sewage: *Provided*, That the same shall not apply to the case falling under any of the following subparagraphs: <Amended by Act No. 5864, Feb. 8, 1999; Act No. 7459, Mar. 31, 2005>

1. Where sewage drains into the sewage terminal treatment facilities under Article 2 of the Sewerage Act or the wastewater terminal treatment facilities under Article 48 of the Water Quality Conservation Act, and is treated there (including the cases in which sewage drains in an area where the terminal treatment facilities of sewage or those of wastewater are being or expected to be installed, but the time of drainage into such facilities or of its treatment shall be prior to the expected completion of buildings or other installations); or
2. Other cases as determined by the Ordinance of the Ministry of Environment.

(2) Any person who intends to install the treatment facilities of sewage under paragraph (1) or alter important matters prescribed by the Presidential Decree shall file a report thereon in advance to the head of *Si/ Gun/Gu* under the conditions as prescribed by the Ordinance of the Ministry of Environment. The same shall apply to the case where he intends to close the treatment facilities of sewage. *<Amended by Act No. 5864, Feb. 8, 1999>*

(3) A person who intends to install the treatment facilities of sewage under paragraph (1) shall install them in a manner consistent with the installation standards prescribed by the Ordinance of the Ministry of Environment. *<Amended by Act No. 5864, Feb. 8, 1999>*

(4) The State and local governments may provide technical and financial support necessary for the installation of the treatment facilities of sewage under the provisions of paragraph (1). *<Newly Inserted by Act No. 5864, Feb. 8, 1999>*

Article 9-2 Deleted. *<by Act No. 5864, Feb. 8, 1999>*

Article 10 (Installation of Separate Septic Tanks)

(1) A person installing flush toilets shall also install separate septic tanks appurtenant to them: *Provided, That in a case falling under any of the following subparagraphs, this shall not apply:* *<Amended by Act No. 5864, Feb. 8, 1999; Act No. 7459, Mar. 31, 2005>*

1. Where sewage flushed from flush toilets drains into facilities for the treatment of sewage under Article 9, and is treated there; or
2. Where sewage flushed from flush toilets drains, through sewers separating sewage from rain water, into the sewage terminal treatment facilities under Article 2 of the Sewerage Act or into the terminal treatment facilities of wastewater under Article 48 of the Water Quality Conservation Act, and is treated there (including the cases in which sewage drains into an area where the terminal treatment facilities of sewage or those of wastewater are being or expected to be installed, but the time of drainage into such facilities or of its treatment shall be prior to the expected completion time of buildings or other installations).

(2) A person who intends to install separate septic tanks under paragraph (1) or to make changes in the important matters under the Presidential Decree shall report, in advance, to the head of *Si/Gun/Gu* under the Ordinance of the Ministry of Environment. This paragraph shall also apply to the closure of separate septic tanks. *<Amended by Act No. 5864, Feb. 8, 1999>*

(3) A person who intends to install separate septic tanks under paragraph (1) shall install them in such a way as to satisfy the installation criteria under the Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 5301, Mar. 7, 1997]

Article 10-2 (Special Cases for Enlargement, etc. of Building, etc.)

The owner of a building, etc. shall, where he intends to enlarge the building, etc. to a size larger

than what is prescribed by the Presidential Decree or alter the purpose of such building, etc. to the purpose prescribed by the Presidential Decree and such enlargement results in an increase in the quantity of sewage from such enlarged building, etc., install the treatment facilities of sewage or separate septic tanks under the provisions of Article 9 or 10, or increase the treatment capacity of such facilities. In this case, the method of calculating the amount of sewage discharged shall be determined and put on public notice by the Minister of Environment.

[This Article Newly Inserted by Act No. 5864, Feb. 8, 1999]

Article 11 (Special Cases for Combined Treatment of Sewage and Wastewater)

(1) A business establishment conducting the combined treatment of sewage, excreta, or livestock wastewater discharged in the same business establishment, and of wastewater discharged by the sewerage facilities approved or reported under Article 33 of the Water Quality Conservation Act by the facilities for the prevention of water pollution under Article 35 of the Water Quality Conservation Act under the Ordinance of the Ministry of Environment shall be deemed to have respectively installed the installations of the treatment facilities of sewage, separate septic tanks or the treatment facilities of livestock wastewater under this Act. *<Amended by Act No. 5864, Feb. 8, 1999; Act No. 7459, Mar. 31, 2005>*

(2) Sewage, excreta, or livestock wastewater jointly treated by the facilities preventing water pollution under paragraph (1) shall be construed as the wastewater under subparagraph 4 of Article 2 of the Water Quality Conservation Act. *<Amended by Act No. 7459, Mar. 31, 2005>*

[This Article Wholly Amended by Act No. 5301, Mar. 7, 1997]

Article 12 (Work Completion Inspection, etc. of Treatment Facilities of Sewage, etc.)

(1) Any person who installs or modifies the treatment facilities of sewage under Article 9 or the separate septic tanks under Article 10 shall, when he completes the relevant installation or modification works, receive a completion inspection of the head of *Si/Gun /Gu.*" *<Amended by Act No. 5864, Feb. 8, 1999>*

(2) The head of *Si/Gun/Gu* shall perform a water quality examination on the discharged water after the work completion inspection under paragraph (1), in order to confirm whether or not the standard for water quality of discharged water is observed for the treatment facilities of sewage or separate septic tanks. *<Amended by Act No. 6827, Dec. 26, 2002>*

(3) Matters necessary for an application for work completion inspection under paragraph (1) and the method of said inspection, and for the object, period, method, etc. of the water quality examination of discharged water under paragraph (2) shall be stipulated by the Ordinance of the Ministry of Environment. *<Newly Inserted by Act No. 6827, Dec. 26, 2002>*

[This Article Wholly Amended by Act No. 5301, Mar. 7, 1997]

Article 13 (Design and Construction of Treatment Facilities of Sewage, etc.)

(1) Any person who intends to install or alter the treatment facilities of sewage or separate septic tanks shall have the person, who has registered for business of designing and installing the treatment facilities of sewage, etc. under Article 38 (1), design or construct them: *Provided*, That the same shall not apply to cases falling under any of the following subparagraphs: <Amended by Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>

1. Where an owner of building installs or modifies the treatment facilities of sewage or separate septic tanks appurtenant to his own building;
2. Where the installation or modification of the treatment facilities of sewage or separate septic tanks is made with a purpose of researches on treatment of sewage;
3. Where a person, who has registered for the preventive facilities business under Article 18 of the Development of and Support for Environmental Technology Act, installs or modifies the treatment facilities of sewage or separate septic tanks;
4. Where the test facilities (limited to those which have passed tests performed by national or public test agencies or environment research institutes of universities, or other research or test institutes recognized by the Minister of Environment), applying the method of purification of sewage which has not been generalized as yet in the domestic treatment technologies, are installed; and
5. Where a person who has registered his business of manufacturing the treatment facilities of sewage under the provisions of Article 39 (3) 1 or manufacturing business of the separate septic tanks under the subparagraph 2 of the same paragraph directly installs or alters the treatment facilities of sewage or separate septic tanks manufactured by him.

(2) and (3) Deleted. <by Act No. 5864, Feb. 8, 1999>

Article 13-2 Deleted. <by Act No. 6827, Dec. 26, 2002>

Article 14 (Operation and Management of Treatment Facilities of Sewage, etc.)

(1) The owner or manager of the treatment facilities of sewage or separate septic tanks shall be prohibited from performing any act falling under any of the following subparagraphs when he treats sewage: <Amended by Act No. 5864, Feb. 8, 1999>

1. The act of discharging sewage without draining it into the treatment facilities of sewage or separate septic tanks, or installing any facilities capable of discharging sewage without draining it into the treatment facilities of sewage or separate septic tanks;
2. The act of discharging midway sewage flowing into the treatment facilities of sewage or separate septic tanks without going through the outlet, or of installing facilities capable of discharging midway sewage;
3. The act of treating sewage diluting it with water or discharging sewage diluting it with water; and

4. The act of discharging sewage in excess of the standards for the quality of discharged water under the provisions of Article 5 by failing to normally operate the treatment facilities of sewage or separate septic tanks without any justifiable reasons.

(2) The owner or manager of the treatment facilities of sewage or separate septic tanks shall operate and maintain such facilities according to the management standards prescribed by the Ordinance of the Ministry of Environment with respect to the self-measurement of the quality of discharged water and internal cleaning, etc. and may entrust the management of such facilities to a person who has obtained permission for the business of managing the treatment facilities of sewage under the provisions of Article 35 (4) 4. <Amended by Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>

(3) The owner or manager of the treatment facilities of sewage or separate septic tanks shall, in case that he has to discharge water in excess of the standards for the quality of discharged water under the provisions of Article 5 due to unavoidable reasons as provided in the Presidential Decree, file a report thereon to the head of *Si/Gun/Gu*." <Amended by Act No. 5864, Feb. 8, 1999>

(4) Matters for the report by an owner or manager of the treatment facilities of sewage or separate septic tanks and the procedures for it under paragraph (3) shall be determined by the Ordinance of the Ministry of Environment. <Amended by Act No. 5864, Feb. 8, 1999>

(5) The head of *Si/Gun/Gu* may, in case that an owner or manager of the treatment facilities of sewage or separate septic tanks has been punished by a fine for negligence under the provisions of Article 58 due to his failure of cleaning the inside of relevant facilities under paragraph (2) and yet he has not implemented it, conduct an execution by proxy under the provisions of the Administrative Vicarious Execution Act and collect its expenses from the owner or manager. <Amended by Act No. 5864, Feb. 8, 1999>

(6) The owners of building, etc. which is prescribed by the Presidential Decree and flows sewage into the treatment facilities of sewage or separate septic tanks from among the treatment facilities of sewage or separate septic tanks installed for joint usage shall create an operational body in charge of the operation of such facilities, designate a representative of such body and file a report thereon to the head of *Si/Gun/Gu* as prescribed by the Ordinance of the Ministry of Environment. The same shall also apply to the case where he intends to change matters prescribed by the Presidential Decree. <Newly Inserted by Act No. 5864, Feb. 8, 1999>

(7) In applying the provisions of paragraphs (1) through (5) and Article 14-2, the representative of the operational body established under paragraph (6) shall be deemed the installer or manager of such treatment facilities of sewage or separate septic tanks. <Newly Inserted by Act No. 5864, Feb. 8, 1999>

[This Article Wholly Amended by Act No. 5301, Mar. 7, 1997]

Article 14-2 (Improvement Order for Treatment Facilities of Sewage, etc.)

(1) The head of *Si/Gun/Gu* may, in case that the water discharged from the treatment facilities of sewage or separate septic tanks is found, as a result of the water quality examination of discharged water after the work completion inspection, to be in excess of the standards for the quality of discharged water under the provisions of Article 5, order the installer of such facilities (the owner or manager of treatment facilities of sewage or separate septic tanks in case that such installer is declared bankrupt, flees or unavoidable reasons exist) to take necessary measures to improve, replace, or close such facilities, or install a gauge capable of confirming the operational state of such facilities (hereinafter referred to as an "improvement order") for a fixed period as prescribed by the Presidential Decree. *<Amended by Act No. 6827, Dec. 26, 2002>*

(2) The head of *Si/Gun/Gu* may, in case that the treatment facilities of sewage or separate septic tanks are deemed not to be operated or managed in ways consistent with the provisions of Articles 5, 9 (3), 10 (3) and 14 (2), or other facilities are found to be installed which are capable of discharging sewage without flowing such sewage into the treatment facilities of sewage or separate septic tanks, give an improvement order to the owner or manager of such facilities with respect to the facilities in question for a fixed period as prescribed by the Presidential Decree.

(3) Any person who has received such improvement order under paragraph (1) or (2) shall, when he completes the improvement of facilities, etc., promptly file a report thereon to the head of *Si/Gun/Gu*. In this case, the head of *Si/Gun/Gu* shall confirm the implementation of such order and notify the results to the person who has received the improvement order.

(4) Matters concerning the confirmation, etc. of order implementation under paragraph (3) shall be prescribed by the Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 5864, Feb. 8, 1999]

Article 15 Deleted. *<by Act No. 5864, Feb. 8, 1999>*

Article 16 Deleted. *<by Act No. 7129, Jan. 29, 2004>*

Article 17 (Restrictions, etc. on Use of Specific Industrial Products)

The Minister of Environment may, in case that the use of any specific industrial products prescribed by the Presidential Decree is judged to aggravate noticeably the quality of sewage, order a ban or restrictions on the manufacture, imports, sales or use of such industrial products after consultation with the heads of central administrative agencies concerned. *<Amended by Act No. 5301, Mar. 7, 1997; Act No. 5864, Feb. 8, 1999>*

[This Article Wholly Amended by Act No. 4656, Dec. 27, 1993]

CHAPTER III TREATMENT OF EXCRETA

Article 18 (Duty of Treating Excreta)

(1) The head of *Si/Gun/Gu* shall conduct the collection, transportation and treatment of excreta

generated within an area under his jurisdiction. In this case, the head of *Si/Gun/Gu* may have the undertaker of business of excreta, etc. under Article 35 conduct by proxy its collection, transportation or treatment under the Municipal Ordinance of the local government concerned.

(2) The *Si/Gun/Gu* may determine, by the Municipal Ordinance of the local government concerned, the areas whereto the provisions of paragraph (1) may not be applied under the criteria as provided for in the Ordinance of the Ministry of Environment with respect to the areas such as hinterland or remote area, etc. wherein it is difficult to collect, transport or treat the excreta. *<Amended by Act No. 5864, Feb. 8, 1999>*

(3) A person who operates a vehicle, ship or aircraft with the toilets installed, and who installs or manages the mobile toilets, shall collect, transport and treat by himself the excreta discharged from the said toilets (including the sewage discharged from the flush toilets), and may, in case that he is unable to collect, transport and treat by himself, have the undertaker of business of excreta, etc. under Article 35 conduct by proxy its collection, transportation or treatment. *<Amended by Act No. 5864, Feb. 8, 1999>*

(4) The head of *Si/Gun/Gu* may, in the collection, transportation and treatment of the excreta, collect the fees under the Municipal Ordinance of the local government concerned: *Provided*, That in case that the Mayor/ *Do* governor installs and operates the treatment facilities of excreta, he may collect the fees for his treatment of excreta pursuant to the Municipal Ordinance of City /*Do*." *<Amended by Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>*

(5) A person installing and operating the treatment facilities of excreta under Article 21 shall not refuse to treat the excreta collected or transported under paragraphs (1) and (3), with the exception of cases where the causes under the Ordinance of the Ministry of Environment such as a suspension of operation of the treatment facilities of excreta, etc. have taken place.

[This Article Wholly Amended by Act No. 5301, Mar. 7, 1997]

Article 19 (Treatment of Excreta)

(1) Criteria for the collection, transportation and treatment of excreta under Article 18 (1) and (3) shall be determined by the Ordinance of the Ministry of Environment.

(2) A person conducting the collection, transportation or treatment of excreta shall not dump the excreta in places other than one wherein they may be properly treated, or shall not collect, transport or treat it in violation of the criteria under paragraph (1).

(3) In the areas prescribed by the Municipal Ordinance of local government under Article 18 (2), the excreta may, notwithstanding the provisions of paragraphs (1) and (2), be treated and used by the means which may cause no damage to the living environments.

[This Article Wholly Amended by Act No. 5301, Mar. 7, 1997]

Article 20 (Recycling of Excreta, etc.)

(1) A person who intends to treat the excreta or livestock wastewater in the volume in excess of that prescribed by the Ordinance of the Ministry of Environment for recycling shall make a report on it to the head of *Si/Gun/Gu*: *Provided*, That this paragraph shall not apply to the cases where excreta are recycled under Article 19 (3), or where the person who is approved to install the discharge facilities of livestock wastewater, or makes a report thereon under Article 24-2 (1) and (4), recycles the livestock wastewater. <Amended by Act No. 5864, Feb. 8, 1999>

(2) Any person who has filed a report pursuant to paragraph (1) shall, in case that he intends to change important matters prescribed by the Ordinance of the Ministry of Environment, file a report thereon to the head of *Si/Gun /Gu*." <Newly Inserted by Act No. 5864, Feb. 8, 1999>

(3) A person who has made a report under paragraph (1) shall, in case that he intends to treat the excreta or livestock wastewater for recycling, install or manage the recycling facilities in accordance with the criteria for installation and management under the Ordinance of the Ministry of Environment.

(4) When the head of *Si/Gun/Gu* deems that the recycling facilities are installed and operated incongruously with the provisions of paragraph (3), he may order the person who installs and operates the said recycling facilities to improve the relevant facilities, with fixing the period under the conditions as prescribed by the Presidential Decree. <Newly Inserted by Act No. 6827, Dec. 26, 2002>

[This Article Wholly Amended by Act No. 5301, Mar. 7, 1997]

Article 21 (Installation of Treatment Facilities of Excreta)

(1) The treatment facilities of excreta shall be installed in conformity with the installation criteria as determined by the Ordinance of the Ministry of Environment. <Amended by Act No. 5301, Mar. 7, 1997>

(2) Any person who intends to install the treatment facilities of excreta (excluding the case where such facilities are installed by those who intend to obtain a permit for the business of treating excreta, etc. under Article 35 (4) 2, and who have obtained the permit), shall obtain an approval of the Mayor/*Do* governor (the head of regional environment authority in case where the Mayor/*Do* governor installs the treatment facilities of excreta) under the conditions as prescribed by the Ordinance of the Ministry of Environment. This provision shall also apply to the case where he intends to modify the important matters which are prescribed by the Ordinance of the Ministry of Environment from among the matters already approved: *Provided*, That the same shall not apply to the case where the excreta treated in the treatment facilities of excreta is flowed into the terminal treatment facilities of sewage installed under Article 2 of the Sewerage Act for a final treatment and authorization or alteration authorization under the provisions of Article 6 of the Sewerage Act with respect to the matters concerning the installation of treatment facilities of excreta is granted.

<Amended by Act No. 5301, Mar. 7, 1997; Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26,

2002>

Article 22 Deleted. <by Act No. 5864, Feb. 8, 1999>

Article 23 (Operation, Management, etc. of Treatment Facilities of Excreta)

(1) The installer or manager of the treatment facilities of excreta shall be prohibited from performing any act falling under any of the following subparagraphs in treating excreta: <Amended by Act No. 5864, Feb. 8, 1999>

1. The act of discharging midway excreta flowing into the treatment facilities of excreta without going through the terminal outlet or installing facilities capable of discharging midway excreta; and
2. The act of diluting excreta with water or discharging excreta diluting it with water: *Provided*, That the same shall not apply to the case where the method of treating excreta requires the mixture of water to treat pollutants.

(2) The installer or manager of the treatment facilities of excreta shall make a self-assessment of the quality of water discharged by treatment facilities of excreta under the Ordinance of the Ministry of Environment, and properly maintain and manage the relevant facilities in accordance with the criteria for maintenance or management under the Ordinance of the Ministry of Environment.

(3) The Mayor/*Do* governor (the head of regional environment authority in case where the Mayor/*Do* governor installs and operates the treatment facilities of excreta) may, in case where it is deemed that the treatment facilities of excreta are not maintained and managed in a way suitable to the criteria under paragraph (2) and Articles 5, 19 (1) and 21 (1), issue an improvement order for the relevant facilities to the said installer or manager by setting a time-limit as prescribed by the Presidential Decree. <Amended by Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>

(4) The installer or manager of the treatment facilities of excreta may, in case that there exists a room in the treatment capacity of the said facilities, treat the livestock wastewater by flowing it into the treatment facilities of excreta. <Newly Inserted by Act No. 5864, Feb. 8, 1999>

[*This Article Wholly Amended by Act No. 5301, Mar. 7, 1997*]

CHAPTER IV TREATMENT OF LIVESTOCK WASTEWATER

Article 24 (Obligation of Treatment of Livestock Wastewater)

A person raising the livestock shall not have the livestock wastewater discharged from the discharge facilities of livestock wastewater drained into public waters under an untreated status. In this case, the term "public waters" means the public waters under subparagraph 9 of Article 2 of the Water Quality Conservation Act. <Amended by Act No. 7459, Mar. 31, 2005>

[*This Article Newly Inserted by Act No. 5864, Feb. 8, 1999*]

Article 24-2 (Installation Permit, etc. of Discharge Facilities of Livestock Wastewater)

(1) Any person who intends to install the discharge facilities of livestock wastewater in a scale larger than that as determined by the Presidential Decree shall obtain a permit of the head of *Si/Gun/Gu* under the conditions as prescribed by the Presidential Decree. <Amended by Act No. 5301, Mar. 7, 1997; Act No. 6827, Dec. 26, 2002>

(2) A person who has obtained a permit under paragraph (1) shall, when he intends to modify the permitted matters, obtain a permit on such modification, or make a report on such modification under the Ordinance of the Ministry of Environment. <Amended by Act No. 5301, Mar. 7, 1997>

(3) The head of *Si/Gun/Gu* may, in granting the permit or that of modification under paragraph (1) or (2), restrict the relevant permit or that of modification with respect to the areas wherein it is deemed difficult to maintain the criteria for environment under Article 10 of the Framework Act on Environmental Policy due to the pollutants discharged from the relevant discharge facilities of livestock wastewater, or where it is deemed that any serious danger or injury to the health and property of residents may be caused thereby, under the Presidential Decree. <Amended by Act No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997; Act No. 6827, Dec. 26, 2002>

(4) Any person who intends to install the discharge facilities of livestock wastewater in a scale larger than that as determined by the Presidential Decree, in case of the facilities other than the discharge facilities of livestock wastewater under paragraph (1), shall report it to the head of *Si/Gun/Gu* under the Ordinance of the Ministry of Environment. This provision shall also apply to the case where he intends to modify the reported matters. <Amended by Act No. 5301, Mar. 7, 1997>

Article 25 (Installation, etc. of Treatment Facilities of Livestock Wastewater)

(1) A person who has obtained a permit or that for modification or who made a modification report under Article 24-2 (1) or (2), and a person who has made a report or a modification report under paragraph (4) of the same Article (hereinafter referred to as "livestock raiser"), shall, in case that he installs or alters the relevant discharge facilities of livestock wastewater, individually or jointly install or alter the treatment facilities of livestock wastewater in order to have the pollutants discharged from the relevant discharge facilities in less than the criteria for quality of discharged water under Article 5: *Provided*, That this shall not apply to the case as determined by the Presidential Decree such as where deemed possible to make a proper treatment of the livestock wastewater by the method other than the installation of the treatment facilities of livestock wastewater. <Amended by Act No. 5301, Mar. 7, 1997; Act No. 5864, Feb. 8, 1999>

(2) Any person who treats the livestock wastewater and discharges it into the public waters under the latter part of Article 24 from among the livestock raisers under paragraph (1), shall install the facilities capable of separating and storing the livestock excreta so as to meet the standards set by the Ordinance of the Ministry of Environment: *Provided*, That the same shall not apply to the case prescribed by the Presidential Decree. <Newly Inserted by Act No. 6827, Dec. 26, 2002>

(3) Where the person liable to install the facilities capable of separating and storing the livestock

excreta under paragraph (2) fails to install them, the head of *Si/Gun/Gu* may order him to install them with fixing the period under the conditions as prescribed by the Presidential Decree. <Newly Inserted by Act No. 6827, Dec. 26, 2002>

(4) The installation criteria for the treatment facilities of livestock wastewater and other matters necessary for its installation shall be determined by the Ordinance of the Ministry of Environment. <Amended by Act No. 5301, Mar. 7, 1997>

(5) The State and local governments may provide technical and financial assistance necessary to install the treatment facilities of livestock wastewater under paragraph (1). <Newly Inserted by Act No. 5864, Feb. 8, 1999>

Article 25-2 Deleted. <by Act No. 5864, Feb. 8, 1999>

Article 25-3 (Succession to Rights and Duties)

(1) In case that a livestock raiser has transferred the discharge facilities of livestock wastewater and treatment facilities of livestock wastewater, or has died, or the transferee, heir or a juristic person surviving after the merger, or that established by the merger in case that there is a merger of juristic persons, shall succeed to the rights and duties of the livestock raiser incidental to the permit or report. <Amended by Act No. 5301, Mar. 7, 1997>

(2) Deleted. <by Act No. 5864, Feb. 8, 1999>

[This Article Newly Inserted by Act No. 4656, Dec. 27, 1993]

Article 26 (Completion Inspection of Discharge Facilities of Livestock Wastewater, etc.)

A livestock raiser shall, upon a completion of installation or alteration of discharge facilities of livestock wastewater and treatment facilities of livestock wastewater, undergo a completion inspection by the head of *Si/Gun/Gu* under the conditions as prescribed by the Ordinance of the Ministry of Environment. <Amended by Act No. 5301, Mar. 7, 1997; Act No. 6827, Dec. 26, 2002>
[This Article Wholly Amended by Act No. 4656, Dec. 27, 1993]

Article 27 (Design and Installation Work of Treatment Facilities of Livestock Wastewater)

A person who intends to install or alter the treatment facilities of livestock wastewater shall have a person who has registered the business of designing and installing the treatment facilities of sewage, etc. under Article 38 (1), or one who has registered the preventive facilities business under Article 18 of the Development of and Support for Environmental Technology Act, make the design and implement the installation work: *Provided*, That this shall not apply to the case where he installs or alters by himself the treatment facilities of livestock wastewater on the basis of the standard design book as prescribed by the Minister of Environment. <Amended by Act No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997; Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>

Article 28 (Management, etc. of Discharge Facilities of Livestock Wastewater and Treatment

Facilities of Livestock Wastewater)

(1) Any livestock raiser or any person who treats the livestock wastewater by obtaining a permission for the business of treating excreta, etc. under Article 35 (4) 2 (hereafter in this Article, referred to as the "livestock raiser, etc.") shall be prohibited from performing the act falling under any of the following subparagraphs when he treats livestock wastewater discharged from discharge facilities of livestock wastewater: <Amended by Act No. 6827, Dec. 26, 2002>

1. The act of discharging livestock wastewater discharged from the discharge facilities of livestock wastewater without flowing it into the treatment facilities of livestock wastewater or installing facilities capable of discharging livestock wastewater without flowing it into the treatment facilities of livestock wastewater;
2. The act of discharging midway livestock wastewater drained into the treatment facilities of livestock wastewater or installing facilities without going through a final outlet or installing facilities capable of discharging midway livestock wastewater;
3. The act of treating livestock wastewater drained into the treatment facilities of livestock wastewater by diluting with water, or discharging the livestock wastewater by diluting with water: *Provided*, That the same shall not apply to the case where the method of treating livestock wastewater requires the mixture of water to treat pollutants;
4. The act of using any compost in a state unfermented by the facilities to transform into compost, or of providing it to other persons, in case where the livestock wastewater is treated in the facilities to transform into compost: *Provided*, That the same shall not apply to the case where the compost in an unfermented state is provided to a person intending to use it by fermenting;
5. The act of discarding the compost discharged from the facilities to transform into compost without using it as the compost;
6. The act of spreading liquid-form manure over places other than meadow or farmland secured by the livestock raisers when livestock wastewater is treated in the facilities to transform into liquid-form manure; and
7. The act of failing to normally operate treatment facilities of livestock wastewater without any justifiable reasons or discharging livestock wastewater in excess of the standards for the quality of discharged water under the provisions of Article 5.

(2) Any livestock raiser shall, when he has to discharge livestock wastewater in excess of the standards for quality of discharged water under the provisions of Article 5 due to unavoidable reasons prescribed by the Presidential Decree, file a report thereon to the head of *Si/Gun/Gu* as prescribed by the Ordinance of the Ministry of Environment.

(3) Any livestock raiser, etc. shall maintain and manage his treatment facilities of livestock wastewater in accordance with the installation standards as prescribed in Article 25 (4) and the management standards as prescribed by the Ordinance of the Ministry of Environment, and any

livestock raiser may entrust the management of relevant facilities to a person who has obtained permission for the business of managing the treatment facilities of sewage, etc. under Article 35 (4) 4. <Amended by Act No. 6827, Dec. 26, 2002>

(4) The head of *Si/Gun/Gu* may, in case that the discharge facilities of livestock wastewater and the treatment facilities of livestock wastewater are not deemed to be operated, maintained or managed in ways consistent with the provisions of paragraphs (1) and (3) and Article 5, give an improvement order to the livestock raiser, etc, concerned to correct such operational ways for a fixed period as prescribed by the Presidential Decree. <Amended by Act No. 6827, Dec. 26, 2002>

(5) The head of *Si/Gun/Gu* may, in case that the treatment facilities of livestock wastewater are not found to be installed in conformity with the installation standards under Article 25 (4) as a result of an inspection of the installation work pursuant to the provisions of Article 26 or the water discharged from such facilities is found to exceed the standards for quality of discharged water under Article 5, give an improvement order to the installer of such facilities (the owner or manager of the treatment facilities of livestock wastewater in case that such installer is declared bankrupt, flees or unavoidable reasons exist) for a fixed period as prescribed by the Presidential Decree. <Amended by Act No. 6827, Dec. 26, 2002>

[This Article Wholly Amended by Act No. 5864, Feb. 8, 1999]

Article 29 (Discharge Dues)

(1) The head of *Si/Gun/Gu* shall, in case that the person who has obtained a permit or that for alterations under Article 24-2 (1) or (2), discharges the pollutants in excess of the criteria for quality of discharged water under Article 5, order him to pay the discharge dues calculated on the basis of kind, discharge period, discharged quantity, etc. of the pollutants under the Presidential Decree. This provision shall also apply in the case where a person has installed the discharge facilities of livestock wastewater without obtaining a permit or that for alterations under Article 24-2 (1) or (2). <Amended by Act No. 5301, Mar. 7, 1997; Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>

(2) The head of *Si/Gun/Gu* shall, in case that a person who is liable for payment of the discharge dues under paragraph (1) has failed to pay them within the prescribed term, collect an additional dues. <Newly Inserted by Act No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997; Act No. 6827, Dec. 26, 2002>

(3) The provisions of Article 27 of the Local Tax Act shall be applicable to the additional dues as referred to in paragraph (2). <Newly Inserted by Act No. 4656, Dec. 27, 1993; Act No. 6827, Dec. 26, 2002>

(4) If a person who is liable for payment of discharge dues or additional dues fails to pay them within a time limit of payment, the head of *Si/ Gun/Gu* shall collect them following the examples of the disposition of local taxes in arrears. <Amended by Act No. 4656, Dec. 27, 1993; Act No. 5301,

Mar. 7, 1997; Act No. 6827, Dec. 26, 2002>

(5) Deleted. *<by Act No. 6827, Dec. 26, 2002>*

Article 30 (Installation of Public Treatment Facilities of Livestock Wastewater)

(1) The head of a local government may, in case that it is necessary to deal with the livestock wastewater discharged from small sewerage facilities of livestock wastewater other than those facilities under Article 24-2 (1), install the public treatment facilities of livestock wastewater.

<Amended by Act No. 5864, Feb. 8, 1999>

(2) Public treatment facilities of livestock wastewater under paragraph (1) shall be installed in a way suitable to the installation criteria as prescribed in the Ordinance of the Ministry of the Environment.

(3) The head of a local government shall, in case that he intends to install the public treatment facilities of livestock wastewater under paragraph (1), obtain approval from the Mayor/Do governor (the head of regional environment authority, in case where the Mayor/Do governor installs the public treatment facilities of livestock wastewater) in accordance with the Ordinance of the Ministry of Environment. This paragraph shall also apply to the modifications of important matters as prescribed in the Ordinance of the Ministry of Environment from among the approved matters: *Provided*, That the same shall not apply to the case where the livestock wastewater treated in the public treatment facilities of livestock wastewater is flowed into the terminal treatment facilities of sewage under Article 2 of the Sewerage Act for a final treatment and authorization or alteration authorization under Article 6 of the Sewerage Act with respect to the matters concerning the installation of the public treatment facilities of livestock wastewater concerned is granted.

<Amended by Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>

(4) The head of a local government shall, when he intends to begin using the public treatment facilities of livestock wastewater, publish the scope of livestock wastewater discharge facilities and the area to be covered by such facilities. The same shall apply to the case where he intends to change the published matters. *<Newly Inserted by Act No. 5864, Feb. 8, 1999>*

(5) The head of a local government may, when he publishes pursuant to paragraph (4), order a person, who installs and operates the discharge facilities of livestock wastewater which are the objects of treatment by the public treatment facilities of livestock wastewater, to take measures falling under any of the following subparagraphs as prescribed by the Ordinance of the Ministry of Environment: *<Newly Inserted by Act No. 5864, Feb. 8, 1999>*

1. Installation of facilities capable of storing livestock wastewater; and
2. Installation of facilities capable of separately discharging livestock excreta.

(6) The livestock wastewater generated from the discharge facilities of livestock wastewater under Article 24-2 (1) may be treated at public treatment facilities of livestock wastewater in the case the falling under any of the following subparagraphs notwithstanding paragraph (1): *<Newly Inserted*

by Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>

1. Where a report has been filed under Article 28 (2);
2. Where the livestock wastewater in the area where the discharge facilities of livestock wastewater are concentrated is flowed into the public treatment facilities of livestock wastewater concerned by using pipe drains; and
3. Where there exist some rooms in the treatment capacity of public treatment facilities of livestock wastewater. In this case, the livestock wastewater generated from the small-scale discharge facilities of livestock wastewater shall be preferentially treated.

Article 31 (Operation, Management, etc. of Public Treatment Facilities of Livestock Wastewater)

(1) In treating livestock wastewater, the installer or manager of public treatment facilities of livestock wastewater shall not perform the act falling under any of the following subparagraphs:

<Amended by Act No. 5864, Feb. 8, 1999>

1. The act of installing facilities capable of discharging midway or discharging midway livestock wastewater flowing into public treatment facilities of livestock wastewater without going through the final outlet; and
2. The act of treating livestock wastewater diluting it with water, or discharging it by dilution:
Provided, That the same shall not apply to the case where the method of treating livestock wastewater requires the mixture of water to treat pollutants.

(2) An installer or manager of the public treatment facilities of livestock wastewater shall make a self-assessment of the quality of water discharged by the public treatment facilities of livestock wastewater under the Ordinance of the Ministry of Environment, and properly maintain and manage the relevant facilities in accordance with the criteria for maintenance or management under the Ordinance of the Ministry of Environment.

(3) The Mayor/*Do* governor (the head of regional environment authority, in case where the Mayor/*Do* governor installs and operates the public treatment facilities of livestock wastewater) may, when the public treatment facilities of livestock wastewater are not found to be maintained or managed in conformity with the standards under paragraph (2) and Articles 5, 30 (2) and 32 (2), give an improvement order for the facilities to the installer or manager for a fixed period as prescribed by the Presidential Decree. *<Amended by Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>*

(4) The installer or manager of the public treatment facilities of livestock wastewater may, when a room exists in the treating capacity of such facilities, flow excreta into the public treatment facilities of livestock wastewater for treatment. *<Newly Inserted by Act No. 5864, Feb. 8, 1999>*
[This Article Wholly Amended by Act No. 5301, Mar. 7, 1997]

Article 32 (Treatment of Livestock Wastewater, Imposition of Expenses, etc.)

(1) The head of *Si/Gun/Gu* shall conduct the collection, transportation and treatment of livestock wastewater generated within an area under his jurisdiction. In such cases, the head of *Si/Gun/Gu* may, pursuant to the Municipal Ordinance of the local government concerned, have the undertakers of business of excreta, etc. under Article 35, conduct by proxy the collection, transportation or treatment of livestock wastewater. *<Amended by Act No. 5864, Feb. 8, 1999>*

(2) Standards for the collection, transportation or treatment of livestock wastewater under paragraph (1) shall be determined by the Ordinance of the Ministry of Environment. *<Amended by Act No. 5864, Feb. 8, 1999>*

(3) The head of *Si/Gun/Gu* may, in case of the collection, transportation and treatment of livestock wastewater, collect the expenses necessary for the maintenance and management of the relevant facilities, under the Municipal Ordinance of the local government concerned, from the person who discharges the livestock wastewater treated at the public treatment facilities of livestock wastewater under Article 30.

(4) Expenses collected by the provisions of paragraph (3) shall not be spent for the usage other than the maintenance and management of public treatment facilities of livestock wastewater.

[This Article Wholly Amended by Act No. 5301, Mar. 7, 1997]

Articles 33 and 33-2 Deleted. *<by Act No. 5864, Feb. 8, 1999>*

Article 34 (Restrictions, etc. on Livestock Raising)

(1) The head of *Si/Gun/Gu* may, in case that it is deemed especially necessary to preserve the living environment for local residents and the water quality of water-supply sources, designate a specific area and restrict the livestock raising therein as prescribed by the Municipal Ordinance of the local government concerned. *<Amended by Act No. 5864, Feb. 8, 1999>*

(2) The head of *Si/Gun/Gu* may, in case that deemed that the livestock raising is feared to pose a serious danger to the preservation of living environment for local residents or of the water quality of water-supply sources, order the relevant livestock raiser to take necessary measures such as a moving of barn, elimination of other danger and damage, etc., under the Municipal Ordinance of the local government concerned. In this case, if he intends to order a moving of barn, he shall give a grace period longer than 6 months, and take proper countermeasures such as a financial support for moving or an offering of his good offices in arranging a site, etc. *<Amended by Act No. 5864, Feb. 8, 1999>*

(3) No one shall raise any animals prescribed by the Ordinance of the Ministry of Environment from among the livestock in areas which are deemed especially necessary to preserve the water quality of water-supply sources and prescribed by the Presidential Decree, including but not limited to the special countermeasure area, etc. under the provisions of Article 22 of the Framework Act on

Environmental Policy. <Newly Inserted by Act No. 5864, Feb. 8, 1999>

**CHAPTER V BUSINESS LICENSES, ETC. RELATED TO
TREATMENT OF SEWAGE, EXCRETA AND LIVESTOCK
WASTEWATER**

Article 35 (Business Related to Excreta, etc.)

(1) Any person who intends to carry on the business of collecting, transporting or treating excreta or livestock wastewater, or of cleaning and managing the treatment facilities of sewage and separate septic tanks, or of transporting sludge from the cleaning process of the treatment facilities of sewage and separate septic tanks (hereinafter referred to as the "business of excreta, etc.") shall meet such requirements as facilities, equipment and technical capability, etc. which are in conformity with the standards prescribed by the Presidential Decree to obtain a license by business type from the head of *Si/Gun /Gu*." When he intends to alter permitted matters, he shall obtain permission for such alteration or file a report thereon as prescribed by the Ordinance of the Ministry of Environment.

(2) Any person intending to obtain the permission or modified permission for the business of excreta, etc. shall submit to the head of *Si/Gun/ Gu*, under the conditions as stipulated by the Ordinance of the Ministry of Environment, the written project plan for business related to excreta, etc. before filing an application for the permission or modified permission under paragraph (1), and may request him to examine whether or not the permission is pertinent. <Newly Inserted by Act No. 6827, Dec. 26, 2002>

(3) The head of *Si/Gun/Gu* shall examine the written project plan submitted under paragraph (2), and within 1 month from the date of receiving the request under the same paragraph, he shall notify whether or not the said permission is pertinent. In this case, when any person who has received the notice of pertinency files an application for permission within 6 months from the date of receiving the said notice by equipping himself with the requirements, such as the facilities, equipments and technological abilities, etc. pursuant to the project plan subjected to a notice of its pertinency, the head of *Si/Gun/Gu* shall confirm it and promptly grant the permission. <Newly Inserted by Act No. 6827, Dec. 26, 2002>

(4) The classification and contents of the business of excreta, etc. shall be as follows:

1. The business of collecting and transporting excreta, etc.:

The business of collecting excreta (excluding sludge from the cleaning process of treatment facilities of sewage and separate septic tanks) or livestock wastewater (including sludge from the cleaning process of treatment facilities of livestock wastewater) to transport them to places where they are treated;

2. The business of treating excreta, etc.:

The business of treating excreta or livestock wastewater finally and safely using the treatment facilities of excreta or livestock wastewater;

3. The business of cleaning septic tanks:

The business of cleaning the treatment facilities of sewage or separate septic tanks and transporting sludges from the cleaning process of the treatment facilities of sewage and separate septic tanks to places where they are treated according to the standards prescribed by the Ordinance of the Ministry of Environment; and

4. The business of managing treatment facilities of sewage, etc.:

The business of managing by proxy the treatment facilities of sewage, separate septic tanks or treatment facilities of livestock wastewater.

(5) The head of *Si/Gun/Gu* may, when it is deemed necessary to efficiently collect, transport and treat sewage, excreta and livestock wastewater generated in his jurisdictional area, determine a business area or attach conditions thereto in granting permission pursuant to paragraph (3) as prescribed by the Presidential Decree. *<Amended by Act No. 6827, Dec. 26, 2002>*

(6) Matters concerning procedures for permission, the alteration of such permission and a report on alteration under paragraph (1) shall be prescribed by the Ordinance of the Ministry of Environment.

(7) A person who has obtained permission under paragraph (1) shall be prohibited from allowing any other person to use his name or trade name to do the business of excreta, etc. or lending his license to any other person.

[This Article Wholly Amended by Act No. 5864, Feb. 8, 1999]

Article 35-2 (Succession to Rights and Duties)

(1) Where a person having a license under Article 35 transfers his business or dies or where there exists a merger of corporations, his assignee, successor or a surviving corporation after a merger or one established by a merger shall succeed to the rights and duties of the businessman ensuing from the license, modification of license or reports on modifications: *Provided*, That a person falling under any of subparagraphs of Article 36 may not succeed to such rights and duties.

(2) Deleted. *<by Act No. 5851, Feb. 8, 1999>*

[This Article Newly Inserted by Act No. 5301, Mar. 7, 1997]

Article 35-3 (Code of Practice for Undertaker of Business of Excreta, etc.)

(1) Any undertaker of business of excreta, etc. shall not charge fees in excess of the criteria as prescribed by the Municipal Ordinance of the local government concerned.

(2) Matters related to the code of practice for undertaker of business of excreta, etc. licensed under Article 35 (including employees) shall be determined by the Ordinance of the Ministry of Environment.

[This Article Newly Inserted by Act No. 5301, Mar. 7, 1997]

Article 36 (Disqualifications)

No person falling under any of the following subparagraphs shall obtain a license for a business of excreta, etc.: *<Amended by Act No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997; Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002; Act No. 7428, Mar. 31, 2005>*

1. Minor, incompetent or quasi-incompetent;
2. Person who was sentenced to bankruptcy, but has not been reinstated as yet;
3. Person who is sentenced to a punishment heavier than imprisonment because of violating the provisions of this Act, the Water Quality Conservation Act or the Wastes Control Act, and for whom 2 years have not passed after the date of completion (including the case where it is deemed to have been completed) of its execution, or of the fixed exemption therefrom;
4. Person whose license for a business of excreta, etc. is cancelled under this Act, and for whom 2 years have not been over after the date of its cancellation; and
5. Juristic person one of whose officers falls under any of subparagraphs 1 through 4.

Article 37 (Cancellation of License and Imposition of Penalty Surcharge, etc.)

(1) The head of *Si/Gun/Gu* may, in case that an undertaker of business of excreta, etc. under Article 35 falls under any of the following subparagraphs, cancel the relevant license or order him to suspend all or part of his business within a fixed period not exceeding 6 months: *Provided*, That in case that he falls under subparagraph 1 or 2, his license shall be cancelled: *<Amended by Act No. 5301, Mar. 7, 1997>*

1. Where he falls under subparagraphs 1 through 3 or 5 of Article 36: *Provided*, That in case that there exists anyone from among the officers of a juristic person who falls under subparagraph 5 of Article 36 but is replaced within 6 months, this shall not apply;
2. Where he obtains the license by falsity or other illegal means;
 - 2-Where he runs a business without obtaining approval of modifications in a license or making
 2. reports on such modifications, or where he has obtained approval of modifications in a license or made reports on such modifications by illegal means;
 - 2-Where he has other persons operate the business of excreta, etc. under his trade name or full
 3. name, or grant the use of his license;
3. Where he fails to commence a business within 1 year after obtaining the license or has consecutively suspended the business for 1 or more years without any justifiable reason;
 - 3-Where he conducts other businesses than a licensed one;
 - 2.
4. Where he collects, transports or treats excreta in contravention of the criteria as prescribed in Article 19 (1);

- 4-Where he fails to comply with the provisions of Article 19 (2);
- 2.
5. Where he becomes deficient in the criteria for license as prescribed in Article 35 (1); and
6. Where he violates the provisions of this Act or any other orders issued under this Act.
- (2) The head of *Si/Gun/Gu* may, in case that an undertaker of business of excreta, etc. falls under paragraph (1) 4 through 6 and a disposition of business suspension is to be made, and where the relevant business suspension may cause a great inconvenience to the clients of relevant business or is feared to harm the public interest, order him to pay a penalty surcharge not exceeding 20 million won in lieu of the said business suspension. *<Amended by Act No. 5301, Mar. 7, 1997>*
- (3) Classification of the offenses whereon a penalty surcharge under paragraph (2) is imposed and the amount of the said surcharge and other necessary matters shall be determined by the Presidential Decree.
- (4) If a person who is liable for the penalty surcharge under paragraph (2) fails to pay it by the time limit of payment, the head of *Si/Gun/Gu* shall collect it pursuant to the example of the disposition on default of local tax.
- (5) The penalty surcharge collected under paragraph (2) shall be used by the competent agency (including subvention or loan), but shall not be used for any other purposes than the project for environment preservation.

Article 38 (Design or Construction Business of Sewage Treatment Facilities, etc.)

- (1) Any person who intends to carry on the business of designing and installing the treatment facilities of sewage, separate septic tanks, the treatment facilities of excreta, or the treatment facilities of livestock wastewater (hereinafter referred to as the "business of designing and installing the treatment facilities of sewage, etc.") shall meet such requirements as facilities, equipment and technical capability, etc. which are in conformity with the standards prescribed by the Presidential Decree to register his business with the head of *Si/Gun /Gu*." When he intends to alter registered matters, he shall make alteration registration or file a report on such alteration as prescribed by the Ordinance of the Ministry of Environment. *<Amended by Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>*
- (2) Matters relevant to the procedures, etc. for a registration or modification registration, or of filing reports on such modifications under paragraph (1) shall be determined by the Ordinance of the Ministry of Environment.
- (3) A person who has registered his business under paragraph (1) shall be prohibited from allowing any other person to use his name or trade name to do the business of designing and installing the treatment facilities of sewage, etc. or lending his registration certificate to any other person. *<Newly Inserted by Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>*
- (4) Deleted. *<by Act No. 6827, Dec. 26, 2002>*

(5) The provisions of Articles 35-2 and 36 shall apply *mutatis mutandis* to the registration of business of designing and installing the treatment facilities of sewage, etc. <Amended by Act No. 6827, Dec. 26, 2002>

(6) Code of practice for those who have registered a business of designing and installing the treatment facilities of sewage, etc. and other necessary matters shall be determined by the Ordinance of the Ministry of Environment. <Amended by Act No. 6827, Dec. 26, 2002>

(7) The designer or installer of the treatment facilities of sewage, etc., may, in case that his installation of the treatment facilities of sewage, separate septic tanks or the treatment facilities of livestock wastewater under Articles 13 and 27 falls under a construction work as prescribed in subparagraph 4 of Article 2 of the Framework Act on the Construction Industry, design and install such facilities notwithstanding the provisions of Articles 8 (1) and 9 (1) of the said Act, and a person who has made, under Article 9 (1) of the said Act, a registration of the construction business of such types as prescribed by the Presidential Decree may design and install the treatment facilities of sewage, separate septic tanks or the treatment facilities of livestock wastewater notwithstanding the provisions of Articles 13 and 27 of this Act. <Amended by Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>

Article 39 (Business of Manufacturing Treatment Facilities of Sewage, etc.)

(1) Any person who intends to do the business of manufacturing the treatment facilities of sewage or separate septic tanks shall meet such requirements as facilities, equipment and technical capability, etc. in conformity with the standards prescribed by the Presidential Decree to register his business with the Mayor/Do governor. When he intends to alter registered matters, he shall make an alteration registration or alteration report as prescribed by the Ordinance of the Ministry of Environment.

<Amended by Act No. 6827, Dec. 26, 2002>

(2) Matters concerning procedures for registration, alteration registration and alteration report under paragraph (1) shall be prescribed by the Ordinance of the Ministry of Environment.

(3) The type of the business of manufacturing the treatment facilities of sewage and separate septic tanks shall be as follows:

1. The business of manufacturing the treatment facilities of sewage; and
2. The business of manufacturing separate septic tanks.

(4) Any person who intends to register his business under paragraph (1) or any other person who has registered his business (hereinafter referred to as a "manufacturer of treatment facilities of sewage, etc.") shall undergo the inspection prescribed by the Presidential Decree to determine whether the performance and the material quality of the treatment facilities of sewage or separate septic tanks he intends to make and sell are in conformity with the standards as prescribed in Article 39-2 (2). In this case, necessary matters concerning inspection including inspection agencies

and method of and procedures for such inspection shall be determined by the Ordinance of the Ministry of Environment.

(5) The manufacturer of treatment facilities of sewage, etc. shall be prohibited from allowing other person to use his name and trade name to make the treatment facilities of sewage or separate septic tanks or from lending his registration certificate to any other person.

(6) Matters to be observed by the manufacturers of treatment facilities of sewage, etc. and other necessary matters shall be determined by the Ordinance of the Ministry of Environment.

(7) The provisions of Articles 35-2 and 36 shall apply *mutatis mutandis* to the registration of the business of manufacturing treatment facilities of sewage and separate septic tanks under paragraph (1).

[This Article Wholly Amended by Act No. 5864, Feb. 8, 1999]

Article 39-2 (Manufacturing of Treatment Facilities of Sewage, etc.)

(1) Any person who is not a manufacturer of treatment facilities of sewage, etc. shall be prohibited from making the treatment facilities of sewage or separate septic tanks for sale. *<Amended by Act No. 5864, Feb. 8, 1999>*

(2) Standards for the structure, measurements, quality of materials and performance of treatment facilities of sewage and separate septic tanks which the manufacturers of treatment facilities of sewage, etc. may manufacture and sell shall be determined by the Ordinance of the Ministry of Environment. *<Amended by Act No. 5864, Feb. 8, 1999>*

(3) The Minister of Environment shall, in case that he intends to determine by the Ordinance of the Ministry of Environment the criteria under paragraph (2), be reflective of the criteria for septic tanks from among Korean Industrial Measurements under the Industrial Standardization Act.

[This Article Newly Inserted by Act No. 5301, Mar. 7, 1997]

Article 39-3 (Sales of Treatment Facilities of Sewage, etc.)

(1) No one shall sell or display for the purpose of sales the treatment facilities of sewage or separate septic tanks which have not passed the inspection under Article 39 (4) or which are not in conformity with the provisions of Article 39-2 (2). *<Amended by Act No. 5864, Feb. 8, 1999>*

(2) The Minister of Environment or the Mayor/Do governor may have his officials enter places where the treatment facilities of sewage or separate septic tanks are manufactured or sold to inspect whether the manufacturing or marketing is made for the treatment facilities of sewage or separate septic tanks which have not passed the inspection under Article 39 (4) or are not in conformity with the provisions of Article 39-2 (2). *<Amended by Act No. 5864, Feb. 8, 1999>*

(3) The public servants who enter places where the treatment facilities of sewage or separate septic tanks are sold for inspections shall produce their certificates indicating their authority to the persons concerned. *<Amended by Act No. 5864, Feb. 8, 1999>*

[This Article Newly Inserted by Act No. 5301, Mar. 7, 1997]

Article 40 (Cancellation, etc. of Registration)

The Mayor/Do governor or the head of *Si/Gun/Gu* may, in case that a design and construction businessman of treatment facilities of sewage, etc. under Article 38 or a manufacturer of treatment facilities of sewage, etc. under Article 39 falls under any of the following subparagraphs, cancel his registration, or order him to suspend all or part of his business within a fixed period of no longer than 6 months: *Provided*, That if he falls under subparagraph 1 or 2, his registration shall be cancelled: <Amended by Act No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997; Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>

1. Where he falls under subparagraphs 1 through 3 or 5 of Article 36 which is applicable *mutatis mutandis* under Article 38 (5) or 39 (7): *Provided*, That in case that there exists one of juristic person's officers falling under subparagraph 5 of Article 36, and who is replaced within six months, this shall not apply;
2. Where he makes a registration by a falsity or other illegal means;
 - 2-Where he runs businesses without making a modification registration or a report on such
 2. modifications, or where he has made a modification registration or a report on such modifications by an illegal means;
3. Where he fails to commence the business within 1 year after making the registration, or he has suspended the business consecutively for one or more years without any justifiable reason;
 - 3-Where he manufactures or markets products other than registered ones;
 - 2.
4. Where he becomes deficient in the criteria for registration under Article 38 (1) or 39 (1);
5. Where he has other persons run businesses under his trade name or full name, or leasing his certificate of registration;
6. Where a design and construction businessman of treatment facilities of sewage, etc. has unfaithfully executed his design and construction, or makes a subcontract en bloc of the contracted construction work;
7. Where a manufacturer of treatment facilities of sewage, etc. has not received an inspection under Article 39 (4), or manufactured or marketed the treatment facilities of sewage or separate septic tanks which are in discord with the criteria under Article 39-2 (2); and
8. Where he violates the provisions of this Act or any order issued under this Act.

Article 41 (Continuous Construction by Design and Construction Businessman of Treatment Facilities of Sewage, etc. Whose Registration is Cancelled or Whose Business is Suspended)

(1) Any design and construction businessman of treatment facilities of sewage, etc. who has been subjected to a disposition of cancellation of a registration or suspension of a business under Article

40 may continue the design and construction of the relevant construction work only for the portion of contract concluded before such disposition. In this case, the head of *Si/Gun/Gu* may designate the person qualified under the Ordinance of the Ministry of Environment as a supervisor of work execution, and have him supervise and control the construction works. <Amended by Act No. 5301, Mar. 7, 1997; Act No. 6827, Dec. 26, 2002>

(2) Any person who executes the design and construction under paragraph (1) shall be considered as a design and construction businessman of treatment facilities of sewage, etc. under this Act until he completes the design and construction of the facilities concerned. <Amended by Act No. 6827, Dec. 26, 2002>

CHAPTER VI SUPPLEMENTARY PROVISIONS

Article 42 (Technical Manager)

(1) Any person, who installs and operates the treatment facilities larger than a fixed size as determined by the Presidential Decree for treating sewage, excreta and livestock wastewater, shall appoint a technical manager in charge of technical services related to the maintenance and management of the relevant facilities: *Provided*, That this shall not apply to any of the following cases: <Amended by Act No. 4656, Dec. 27, 1993; Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002; Act No. 7459, Mar. 31, 2005>

1. Where the management of treatment facilities is entrusted to a person who has obtained permission for the business of managing the treatment facilities of sewage, etc. under Article 35 (4) 4; and
2. Where an environment manager as prescribed in Article 47 of the Water Quality Conservation Act is appointed for the business place.

(2) Deleted. <by Act No. 5864, Feb. 8, 1999>

(3) Matters necessary for the qualification criteria and a code of practice for a technical manager under paragraph (1) shall be determined by the Ordinance of the Ministry of Environment. <Amended by Act No. 5301, Mar. 7, 1997; Act No. 5864, Feb. 8, 1999>

Article 43 (Education and Training of Persons in Charge of Excreta Treatment, etc.)

(1) Any person who employs persons in charge of excreta treatment, etc. as prescribed by the Presidential Decree, shall have them undergo the education and training conducted by the Minister of Environment under the conditions as prescribed by the Ordinance of the Ministry of Environment. <Amended by Act No. 5301, Mar. 7, 1997; Act No. 6827, Dec. 26, 2002>

(2) The Minister of Environment may, in accordance with the Ordinance of the Ministry of Environment, collect the expenses necessary for the education under paragraph (1) from those who employ the persons subject to the education. <Newly Inserted by Act No. 5301, Mar. 7, 1997>

Article 43-2 (Special Cases for Management of Treatment Facilities of Sewage, etc.)

Any person who is entrusted with the management of the treatment facilities of sewage, separate septic tanks, treatment facilities of excreta, treatment facilities of livestock wastewater, public treatment facilities of livestock wastewater or public toilets under Article 14 (2), 28 (3) or 52 (3) shall be deemed the owner or manager of the facilities concerned under the provisions falling under any of the following subparagraphs: *Provided*, That this shall not apply to the case where the owner of facilities concerned is deemed indisputably faulty and other cases prescribed by the Presidential Decree: <Amended by Act No. 6827, Dec. 26, 2002>

1. The owner or manager of treatment facilities of sewage or separate septic tanks under Articles 14 and 14-2 (2);
2. Deleted; <by Act No. 7129, Jan. 29, 2004>
3. The installer or manager of treatment facilities of excreta under Article 23;
4. The livestock raiser under Article 28 (1) through (4); and
5. The installer or manager of public treatment facilities of livestock wastewater under Article 31.

[This Article Newly Inserted by Act No. 5864, Feb. 8, 1999]

Article 44 (Entry and Keeping of Books)

Any person who reutilizes the excreta or livestock wastewater under Article 20, and an undertaker of business of excreta, etc. under Article 35, shall keep the books under the Ordinance of the Ministry of Environment, and record the place and quantity of collection, and treatment status, etc. of excreta or livestock wastewater, and its conservation period shall be 3 years from date when the last entry is made. <Amended by Act No. 5301, Mar. 7, 1997; Act No. 5864, Feb. 8, 1999>

Article 45 (Report on Suspension, Cessation, etc. of Business)

An undertaker of business of excreta, etc. under Article 35, a design and construction businessman of treatment facilities of sewage, etc. under Article 38 or a manufacturer of treatment facilities of sewage, etc. under Article 39 shall, in case that he suspends, ceases or resumes his business, make a report on it under the Ordinance of the Ministry of Environment to the authorities entitled to grant a license or to make a registration. <Amended by Act No. 5301, Mar. 7, 1997; Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>

Article 46 (Report and Inspection)

(1) The Minister of Environment, the Mayor/Do governor or the head of *Si/Gun/Gu* may, in case that the Presidential Decree prescribes, have the person falling under any of the following subparagraphs file a necessary report or furnish data, and have his officials enter facilities or business establishments concerned to check related documents or facilities, equipments, etc.: <Amended by Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>

1. A person who manufactures, imports or sells specified industrial products under Article 17;

2. A person who recycles excreta or livestock wastewater under Article 20;
 - 2-A person who installs and operates the treatment facilities of excreta under Article 21;
 - 2.
 - 2-A person who installs and operates the public treatment facilities of livestock wastewater
3. under Article 30;
3. A person who does the business of excreta, etc. under Article 35;
4. A design and construction businessman of treatment facilities of sewage, etc. under Article 38;
and
5. A person who does the business of manufacturing treatment facilities of sewage, etc. under Article 39.

(2) The Minister of Environment, the Mayor/*Do* governor or the head of *Si/Gun/Gu* may have his officials in charge enter buildings, etc. in which the treatment facilities of sewage, separate septic tanks or the treatment facilities of livestock wastewater (excluding the treatment facilities of livestock wastewater installed by the businessman of treatment of excreta, etc.) are installed to inspect the maintenance and management state of such facilities. *<Amended by Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>*

(3) A public official who enters and inspects under paragraphs (1) and (2) shall be equipped with a certificate indicating his powers and produce it to the persons concerned.

Article 47 (State Subsidy)

The State may subsidize local governments for the whole or part of expenses needed for installation of treatment facilities of excreta and public treatment facilities of livestock wastewater within the limit of the budget. *<Amended by Act No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997>*

Article 48 (Report on Actual Result of Treatment)

(1) The Mayor/*Do* governor shall report each year to the Minister of Environment the actual results of sewage, excreta and livestock wastewater treatment in the areas under his jurisdiction no later than the end of February in the following year, under the conditions as prescribed by the Ordinance of the Ministry of Environment. *<Amended by Act No. 5301, Mar. 7, 1997>*

(2) The Minister of Environment may have the Mayor/*Do* governor or the head of *Si/Gun/Gu* report the actual results of direction and control related to the sewage, excreta and livestock wastewater services to the extent that it is required for the enforcement of this Act. *<Amended by Act No. 5301, Mar. 7, 1997>*

Article 49 (Fees for Permission, etc.)

Any person who intends to obtain permission, make registration and undergo inspection falling each under any of the following subparagraphs shall pay fees as prescribed by the Ordinance of the Ministry of Environment: *<Amended by Act No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997>*

Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>

1. Permission or alteration permission for the discharge facilities of livestock wastewater under Article 24-2 (1) or (2);
2. Permission or alteration permission for the business of excreta, etc. under Article 35 (1);
3. Registration or alteration registration of the design and installation business of the treatment facilities of sewage, etc. under Article 38 (1);
4. Registration or alteration registration of the business of manufacturing treatment facilities of sewage or separate septic tanks under Article 39 (1); and
5. Inspection under Article 39 (4).

Article 50 (Criteria for Administrative Disposition)

The criteria for administrative disposition against any offense violating this Act or any order issued under this Act shall be determined by the Ordinance of the Ministry of Environment. *<Amended by Act No. 5301, Mar. 7, 1997>*

Article 50-2 (Request, etc. for Cancellation of Business Permission)

(1) In case where any person falls under one of the following subparagraphs, who has obtained a permission, filed a report, made a registration, or notified of the fact of opening with regard to such businesses as the restaurant business, lodging business, lodging business for tourists, or managing business of the facilities utilized by tourists (excluding the business of selling tourist souvenir exclusively to foreigners) under the Food Sanitation Act, the Public Health Control Act or the Tourism Promotion Act, the Minister of Environment may request the governmental offices, which are involved in the permission, report, registration of the relevant businesses, or notified of the fact of opening them, to cancel the permission or registration, or to issue an order to close down a business place, or to suspend the business with fixing the period: *<Amended by Act No. 6827, Dec. 26, 2002>*

1. Where he has failed to install the treatment facilities of sewage under Article 4-3, 9 or 10-2;
2. Where he has violated the standards for the quality of water discharged from the treatment facilities of sewage under Article 5 not less than twice during the latest one year; and
3. Where he has failed to follow an improvement order for the treatment facilities of sewage under Article 14-2.

(2) The head of an administrative agency concerned, upon receiving a request under paragraph (1), shall comply with such request unless there are special reasons for him not to do so.

[This Article Newly Inserted by Act No. 5864, Feb. 8, 1999]

Article 51 (Hearing)

Where the Minister of Environment, the Mayor/*Do* governor or the head of *Si/Gun/Gu* desires to make a disposition falling under any of the following subparagraphs, he shall hold a hearing:

1. Cancellation of license under Article 37; and
2. Cancellation of registration under Article 40.

[This Article Wholly Amended by Act No. 5453, Dec. 13, 1997]

Article 52 (Delegation and Entrustment of Authority or Services)

(1) The authority of the Minister of Environment vested under this Act may be delegated partially to the Mayor/*Do* governor or the head of a regional environment office under the conditions as prescribed by the Presidential Decree. *<Amended by Act No. 5301, Mar. 7, 1997; Act No. 5864, Feb. 8, 1999>*

(2) The Minister of Environment may entrust the relevant professional institutes as prescribed by the Presidential Decree with the implementation of education for the persons in charge of excreta treatment, etc. under Article 43. *<Newly Inserted by Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>*

(3) The head of local government may, in case that deemed necessary for the efficient management and operation of treatment facilities of excreta, public treatment facilities of livestock wastewater and public toilets installed under this Act, entrust a person capable of managing and operating them with the relevant management and operation under the Ordinance of the Ministry of Environment. *<Amended by Act No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997>*

CHAPTER VII PENAL PROVISIONS

Article 53 (Penal Provisions)

Any person falling under any of the following subparagraphs shall be punished by imprisonment with prison labor for not more than 2 years or by a fine not exceeding 20 million won: *<Amended by Act No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997; Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>*

1. A person who has failed to install treatment facilities of sewage or to increase the treatment capacity in contravention of the provisions of Article 4-3 (3), 9 (1) or 10-2: *Provided*, That it shall be limited to the case where the treatment capacity of the sewage treatment facilities to be installed or increased exceeds 2m³ per day;
 - 1-A person who has manufactured, imported or sold specific industrial products in contravention
 2. of the order under Article 17;
2. A person who has installed treatment facilities of excreta without obtaining approval under Article 21 (2);
 - 2-A person who has violated the provisions of Article 23 (1) or 31 (1);
 - 2.
3. A person who has installed the discharge facilities of livestock wastewater without obtaining, or

obtaining by falsity or other illegal means, the permission or alteration permission under Article 24-2 (1) or (2);

4. A person who has used the discharge facilities of livestock wastewater without installing or altering the treatment facilities of livestock wastewater under Article 25 (1) after obtaining permission or alteration permission under Article 24-2 (1) or (2);
5. A person who has obtained permission or alteration permission under Article 24-2 (1) or (2), but has violated the provisions of Article 24 or 28 (1);
6. A person who has carried on the business of excreta, etc. without obtaining permission under Article 35 (1);
6-A person who has obtained permission for the business of excreta, etc. under Article 35 (4) 2, and who has violated the provisions of Article 28 (1);
6-A person who has violated the provisions of Article 35 (7), 38 (3) or 39 (5);
- 3.
7. A person who has done the business of designing and installing the treatment facilities of sewage, etc. without registering his business under Article 38 (1); and
8. A person who has done the business of manufacturing the treatment facilities of sewage or separate septic tanks, or manufactured such facilities for the purpose of selling them without registering his business under Article 39 (1) or undergoing the inspection under Article 39 (4).

Article 54 (Penal Provisions)

Any person falling under any of the following subparagraphs shall be punished by imprisonment with prison labor for not more than 1 year or a fine not exceeding 10 million won:

1. A person who fails to install the treatment facilities of sewage or to increase their treatment capacities in contravention of the provisions of Article 4-3 (3), 9 (1), or 10-2: *Provided*, That it shall be limited to the case where the treatment capacity of the treatment facilities of sewage to be installed or increased is less than 2m³ per day;
2. A person who fails to install the separate septic tanks or to increase their treatment capacities in contravention of the provisions of Article 10 (1), or 10-2: *Provided*, That it shall be limited to the case where the number of persons subject to treatment by the separate septic tanks to be installed or increased exceeds 10 men;
3. A person who performs an act falling under one of each subparagraph of Article 14 (1) with respect to the treatment facilities of sewage;
4. A person who fails to comply with the improvement order for the treatment facilities of sewage under Article 14-2 (1) or (2) or the improvement order under Article 28 (5);
5. A person who dumps excreta at random in contravention of the provisions of Article 19 (2);
6. A person who has treated the excreta or livestock wastewater for the purpose of recycling

- without filing a report under Article 20 (1);
7. A person who fails to comply with the improvement order under Article 20 (4);
 8. A person who has modified the approved matters without obtaining the modified approval under Article 21 (2);
 9. A person who fails to comply with the improvement order under Article 23 (3);
 10. A person who has obtained the permission or modified permission under Article 24-2 (1) or (2), and who has failed to comply with the improvement order under Article 28 (4);
 11. A person subject to a report under Article 24-2 (4), who has used the discharging facilities of livestock wastewater without installing the treatment facilities of livestock wastewater;
 12. A person subject to a report under Article 24-2 (4), who has violated the provisions of Article 24;
 13. A person who has filed a report or modified report under Article 24-2 (4), and who has violated the provisions of Article 28 (1);
 14. A person who has failed to comply with the improvement order under Article 31 (3);
 15. A person who has failed to comply with the order under Article 34 (2);
 16. A person who has obtained the license or modified license for business of excreta, etc. under Article 35 (1) by a falsity or other illegal means;
 17. A person who has modified the licensed matters for business of excreta, etc. without obtaining the modified license under Article 35 (1);
 18. A person who has run a business during the period of business suspension under Article 37 (1) or 40;
 19. A person who has made a registration or modification registration of the design and construction business of treatment facilities of sewage, etc. under Article 38 (1) by falsity or other illegal means;
 20. A person who has modified the registered matters of the designing and installing business of treatment facilities of sewage, etc. without making a modified registration under Article 38 (1);
 21. A person who has made a registration or modified registration of a manufacturing business of the treatment facilities of sewage or that of separate septic tanks under Article 39 (1) by falsity or other illegal means;
 22. A person who has modified the registered matters without making a modified registration under Article 39 (1); and
 23. A person who has sold the treatment facilities of sewage or the separate septic tanks or displayed them for the purpose of selling in contravention of the provisions of Article 39-3 (1).

[This Article Wholly Amended by Act No. 6827, Dec. 26, 2002]

Article 55 Deleted. <by Act No. 6827, Dec. 26, 2002>

Article 56 (Penal Provisions)

Any person falling under any of the following subparagraphs shall be punished by a fine not exceeding 2 million won: <Amended by Act No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997; Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>

1. A person who has carried out an act falling under any of subparagraphs of Article 14 (1) with respect to separate septic tanks;
2. A person who has failed to execute an improvement order for his separate septic tanks under the provisions of Article 14-2 (1) or (2);
3. A person who has gathered, transported or treated the excreta in contravention of the standards under Article 19 (1);
4. A person who has reused excreta or livestock wastewater in contravention of the provisions of Article 20 (3);
5. A person who has filed a report or an alteration report under Article 24-2 (4) and failed to execute an improvement order under Article 28 (4);
6. A person who has installed and operated the discharge facilities of livestock wastewater for which no permission or report is required under Article 24-2 and violated the provisions of Article 24;
7. A person who has gathered, transported or treated the livestock wastewater in contravention of the standards under Article 32 (2); and
8. A person who has failed to employ the technical manager under Article 42 (1).

Article 57 (Joint Penal Provisions)

If a representative of a juristic person, or agent, servant or any other employee of a juristic person or individual commits an offense as prescribed in Articles 53 through 56 in connection with affairs of the said juristic person or individual, the fine as prescribed in respective Article shall be imposed on the juristic person or individual in addition to the punishment of the offender.

Article 58 (Fine for Negligence)

(1) Any person falling under any of the following subparagraphs shall be punished by a fine for negligence not exceeding 5 million won: <Amended by Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>

1. A person who has discharged by violating the standards for the water quality of discharged water (in a case of the treatment facilities of sewage, referring to the executor of works for relevant facilities not later than the time when passing the water quality inspection of discharged water after the work completion inspection) from the treatment facilities of sewage or those of excreta under Article 5 (limited to the case of installation by the treatment businessmen of excreta, etc. under Article 35 (4) 2);

2. A person who has filed a report or alteration report under Article 24-2 (4) or the treatment businessman of excreta, etc. under Article 35 (4) 2, and who has violated the criteria for the water quality of discharged water from the treatment facilities of livestock wastewater under Article 5;
3. A person who has failed to install the separate septic tanks or to increase their treatment capacities in contravention of the provisions of Article 10 (1) or 10-2: *Provided*, That it shall be limited to the case where the number of persons subject to treatment by the separate septic tanks to be installed or increased is not more than 10 men; and
4. A person who has failed to comply with the order under Article 25 (3).

(2) Any person falling under any of the following subparagraphs shall be punished by a fine for negligence not exceeding 1 million won: <Amended by Act No. 5864, Feb. 8, 1999; Act No. 6827, Dec. 26, 2002>

1. A person who has discharged by violating the standards for the water quality of discharged water from separate septic tanks under Article 5 (referring to the executor of works for relevant facilities not later than the time when passing the water quality inspection of discharged water after the work completion inspection);
2. A person who has rejected or interfered with the entry or use of land in contravention of the provisions of Article 6 (4);
3. A person who has failed to file a report in contravention of the provisions of Article 9 (2) or 10 (2);
 - 3-A person who has failed to comply with the code of practice in pursuance of a report on
 2. closedown under Article 9 (2) or 10 (2);
4. A person who has used the treatment facilities of sewage, separate septic tanks or the treatment facilities of livestock wastewater without undergoing a work-completion inspection under Article 12 or 26;
5. A person who has entrusted the installation or alterations of the treatment facilities of sewage, etc., in contravention of the provisions of Article 13 or 27, to the person who has not registered his business of designing and installing the treatment facilities of sewage, etc., or the person who has not registered his business of installing preventive facilities under Article 18 of the Development of and Support for Environmental Technology Act;
6. A person who has failed to maintain and manage the treatment facilities of sewage, separate septic tanks or the treatment facilities of livestock wastewater in conformity with the management standards under the provisions of Article 14 (2) or 28 (3);
7. A person who has not established an operational body in contravention of the provisions of Article 14 (6);
8. A person who has used a specific industrial product in contravention of an order given under

the provisions of Article 17;

- 8-A person who has failed to gather, transport or treat the excreta in contravention of Article 18 2. (3);
9. A person who has failed to file a report in contravention of the provisions of Article 20 (2);
10. A person who has installed the discharge facilities of livestock wastewater without filing an alteration report under Article 24-2 (2) or (4);
11. A person who has installed the discharge facilities of livestock wastewater or the treatment facilities of livestock wastewater without filing a report or modified report under Article 24-2 (4);
12. A person who has failed to execute an order given under Article 30 (5);
13. A person who has raised livestock in contravention of the provisions of Article 34 (1) or (3);
14. A person who has failed to file an alteration report under Article 35 (1), 38 (1) or 39 (1), or filed a false report;
15. A person who has violated the business area and other necessary conditions under Article 35 (5);
16. A person who has received fees in contravention of Article 35-3 (1);
17. A person who has failed to observe matters as the operator of the business of designing and installing the treatment facilities of sewage, etc. under Article 38 (6);
18. A person who has failed to observe matters as the operator of the business of manufacturing the treatment facilities, etc. of sewage under Article 39 (6);
19. A person who has rejected, interfered with or avoided the entry, examination or inspection under Article 39-3 (2), 46 (1) or (2);
20. A person who has failed to observe matters as the technical manager under Article 42 (3);
21. A person who has failed to get the persons in charge of excreta treatment, etc. to undergo the educational program under Article 43 (1);
22. A person who has failed to keep records and conserve them in contravention of Article 44 or entered false matters in such records;
23. A person who has failed to file a report in contravention of Article 45; and
24. A person who has failed to file a report under Article 46 (1) or filed a false report.

(3) The fine for negligence as referred to in paragraphs (1) and (2) shall be imposed and collected by the Minister of Environment, the Mayor/*Do* governor or the head of *Si/Gun/Gu* under the conditions as prescribed by the Presidential Decree. <Amended by Act No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997>

(4) Any person who is dissatisfied with the disposition of the fine for negligence as referred to in paragraph (3), may make an objection against the Minister of Environment, the Mayor/*Do* governor or the head of *Si/ Gun/Gu* within 30 days after he is informed of the disposition. <Amended by Act

No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997>

(5) In case that a person who was subjected to a fine for negligence under paragraph (3), makes an objection under paragraph (4), the Minister of Environment, the Mayor/Do governor or the head of Si/Gun/Gu shall notify it without delay to the competent court, which shall, upon receiving the notification, bring the case of fine for negligence to a trial under the Non-Contentious Case Litigation Procedure Act. <Amended by Act No. 4656, Dec. 27, 1993; Act No. 5301, Mar. 7, 1997>

(6) If no objection is made, or no fine for negligence is paid, within the period as referred to in paragraph (4), it shall be collected pursuant to the example of the disposition on default of national or local tax. <Amended by Act No. 4656, Dec. 27, 1993>

ADDENDA

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Business License, etc.)

The permission or registration in the left column in the following table pursuant to the provisions of the previous Wastes Control Act at the time when this Act enters into force, shall be deemed to have obtained the permission or registration in the right column in the same Table under this Act:

Permission or registration under the previous Wastes Control Act	Permission or registration under this Act
Permission on general waste disposal business (excreta collection and transport business, excreta treatment business, septic tank cleaning business) as prescribed in Article 11 (1) of the Wastes Control Act	Excreta-related business (excreta collection and transport business, excreta treatment business, septic tank cleaning business) under Article 35 (1)
Registration of the design and work execution business of excreta treatment facilities or sewage purifying facilities as prescribed in Article 17 (3) of the Wastes Control Act	Registration of the design and work execution business of excreta treatment business or sewage purifying facilities as prescribed in Article 38 (1)
Registration of the design and work execution of excreta septic	Registration of the design and work execution business of

tank or livestock wastewater purifying facilities as prescribed in Article 17 (4) of the Wastes Control Act	septic tank or livestock wastewater purifying facilities as prescribed in Article 38 (2)
Registration of the excreta septic tank manufacturing business as prescribed in Article 18 (1) of the Wastes Control Act	Registration of septic tank manufacturing business as prescribed in Article 39 (1)

Article 3 (Transitional Measures concerning Sewage Purifying Facilities, etc.)

- (1) Sewage purifying facilities, excreta septic tanks, excreta treatment facilities and livestock wastewater purifying facilities which are installed under the previous Wastes Control Act at the time this Act enters into force, shall be considered as sewage purifying facilities, septic tanks, excreta treatment facilities and livestock wastewater purifying facilities under this Act, respectively.
- (2) Livestock wastewater discharge and preventive facilities installed under the Water Quality Conservation Act at the time this Act enters into force, shall be considered as livestock wastewater discharge and purifying facilities under this Act.

Article 4 (Transitional Measures concerning Public Notice, Disposition and Continuing Act under Wastes Control Act)

Any public notice, approval, administrative disposition, other act of administrative agencies, or various application, report and other act against administrative agencies, which are made under the previous Wastes Control Act at the time this Act enters into force, shall be deemed as acts of or against administrative agencies under this Act.

Article 5 (Transitional Measures concerning Application of Penal Provisions)

The application of the penal provisions to offenses against the Wastes Control Act before this Act enters into force shall be subject to the previous provisions.

Article 6 Omitted.

Article 7 (Relation with Other Acts and Subordinate Statutes)

In cases where the provisions of the previous Wastes Control Act are cited by other Acts and subordinate statutes at the time this Act enters into force, if the provisions corresponding to them exist in this Act, this Act or the corresponding provisions of this Act shall be deemed to have been cited in lieu of the previous provisions.

ADDENDA <Act No. 4656, Dec. 27, 1993>

Article 1 (Enforcement Date)

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

Article 2 (Examples of Application to Additional Dues, etc.)

The amended provisions of Article 29 (2) and (3) concerning additional dues, etc. shall be applicable to the discharge dues on the livestock wastewater imposed after this Act enters into force.

Article 3 (Transitional Measures concerning Combined Sewage and Wastewater Treatment Facilities)

Any facility treating together sewage, excreta, livestock wastewater or other wastewater, which was or is being installed through a technical examination by the environmental technical supervisory corps as prescribed in Article 40 of the Framework Act on the Environmental Policy, pursuant to the previous provisions at the time this Act enters into force, shall be deemed as a facility which was or is being installed with the approval of the Minister of Environment under the revised provisions of Article 12 (1).

Article 4 (Transitional Measures concerning Joint Livestock Wastewater Purifying Facilities)

Any livestock wastewater purifying facility which was or is being jointly installed by stock raisers in an area where livestock complex or business places as prescribed in the revised Article 25-2 are concentrated, pursuant to the previous provisions at the time this Act enters into force, shall be deemed as facility the installation of which is approved pursuant to the revised provisions of Article 25-2: *Provided*, That such facility shall be conformed to the discharging water quality criteria as prescribed in Article 5 within one year from the enforcement date of this Act.

Article 5 (Transitional Measures concerning Installation, etc. of Simple Livestock Wastewater Purification Tanks)

(1) Any simple livestock wastewater purification tank which was or is being installed pursuant to the previous provisions in the special countermeasure area, etc. as prescribed in the amended Article 33 (1), at the time this Act enters into force, shall be deemed as the simple livestock wastewater purification tank conformed to the amended provisions of Article 33 (1) and (2).

(2) Any person who installs and operates any livestock facilities in which a simple livestock wastewater purification tank as prescribed in the amended Article 33 (1) is to be installed, at the time this Act enters into force, shall install the simple livestock wastewater purification tank conformed to the amended provisions of Article 33 (1) within one year from the enforcement date of this Act.

Article 6 (Transitional Measures concerning Registration of Design and Construction Business of Septic Tank or Livestock Wastewater Purifying Facilities)

Any person who registers the design and construction business of the septic tank or livestock wastewater purifying facilities, or making a modified registration thereof, with the Mayor/Do governor pursuant to the previous provisions at the time this Act enters into force, shall be deemed

to have made such registration or modified one with the Minister of Environment pursuant to the amended provisions of Article 38 (1).

Article 7 (Relation with Other Acts and Subordinate Statutes)

In cases where the provisions of the Act on the Disposal of Sewage, Excreta and Livestock Wastewater are cited in other Acts and subordinate statutes, at the time this Act enters into force, if there are provisions corresponding to them in this Act, this Act or the corresponding provisions of this Act shall be deemed to have been cited in lieu of the previous provisions.

ADDENDA <Act No. 4714, Jan. 5, 1994>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 1995.

Articles 2 and 3 *Omitted.*

ADDENDA <Act No. 5301, Mar. 7, 1997>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation, except where the amended provisions of the text of Article 33 (1) shall enter into force one year after this Act enters into force.

Article 2 (Enforcement Date of Provisions relating to Installation of Combined Septic Tanks)

(1) The amended provisions of Article 9-2 shall enter into force on January 1, 1999 for each of the following geographical areas, and from January 1, 2002 for other areas:

1. Special countermeasure area in accordance with the provisions of Article 22 of the Framework Act on Environmental Policy;
2. Special zones for the control of water quality in lakes and marshes in accordance with the provisions of Article 33 of the Water Quality Conservation Act;
3. Upper zones of reservoir not exceeding 4 kilometer distance watercourse from the facilities for conveying water from reservoir in accordance with the provisions of subparagraph 15 of Article 3 of the Water Supply and Waterworks Installation Act and preserved zones of reservoir in accordance with the provisions of Article 5 of the said Act;
4. Park zones in accordance with the provisions of Articles 4 through 6 of the Natural Parks Act and preserved zones for parks in accordance with the provisions of Article 25 of the said Act; or
5. Preserved zones for groundwater in accordance with the provisions of Article 10 of the Groundwater Act.

(2) Notwithstanding the provisions of paragraph (1), the amended provisions mentioned above shall enter into force on July 1, 1997 in the case of installation or operation of buildings or other facilities

as falling under each of the following subparagraphs within 500 meter distance of watercourse from the limits of rivers, lakes, or sea:

1. Food service businesses in accordance with the provisions of Article 21 of the Food Sanitation Act; or
2. Accommodation or bathing services in accordance with the provisions of Article 2 of the Public Health Act.

Article 3 (Transitional Measures concerning Combined Septic Tanks)

After the amended provisions of Article 9-2 takes effect in accordance with the provisions of Article 2 of the Addenda, a person who has installed and has been operating, or is installing separate septic tanks and simplified septic tanks of sewage shall be regulated by the previous provisions.

Article 4 (Transitional Measures concerning Separate Septic Tanks)

After this Act enters into force, a person who installed septic tanks in accordance with the previous provisions shall be deemed to have installed separate septic tanks pursuant to the amended provisions of Article 10.

Article 5 (Transitional Measures concerning Treatment Facilities, etc. of Livestock Wastewater)

After this Act enters into force, purification or treatment facilities of livestock wastewater pursuant to the previous provisions shall be construed as such in accordance with this Act.

Article 6 (Transitional Measures concerning Registration of Design or Construction Business of Purification Facilities, etc. of Sewage)

After this Act enters into force, a person who has been registered, with or without modification, for design or construction business of purification facilities of sewage, septic tanks, or purification facilities of livestock wastewater shall be deemed to have applied for registration, with or without modifications, to the Mayor/*Do* governors in accordance with the amended provisions of Article 38 (1).

ADDENDA <Act No. 5453, Dec. 13, 1997>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 1998. (Proviso Omitted.)

Article 2 Omitted.

ADDENDA <Act No. 5864, Feb. 8, 1999>

Article 1 (Enforcement Date)

- (1) This Act shall enter into force six months after the date of its promulgation.
- (2) Notwithstanding the provisions of paragraph (1), the amended provisions of Article 9 shall enter into force on January 1, 2002 to buildings, etc. located in other area than the area falling under any

of the following subparagraphs (excluding the buildings, etc. where such businesses as the restaurant business under Article 21 of the Food Sanitation Act, the lodging business or the bathing business under Article 2 of the Public Health Act are done in the area within 500 meters in a beeline distance from the boundary of rivers, lakes and marshes, or the sea):

1. The area which has been designated as special countermeasure area for the preservation of the water quality of water-supply sources under Article 22 of the Framework Act on Environmental Policy;
2. The area which has been designated as an area protected for the preservation of the water quality of a lake or a marsh under Article 7 of the Water Quality Control of Lakes and Marshes Act;
3. The upstream area located within 4km in river distance from waterintake facilities under subparagraph 15 of Article 3 of the Water Supply and Waterworks Installation Act and the area which is protected as the water-supply source under Article 5 of the same Act;
4. The park area which has been put on public notice under Article 7 of the Natural Parks Act and the park protection area under Article 25 of the same Act; and
5. The ground water preservation area under Article 12 of the Ground Water Act.

(3) The term "river, lake and marsh, and sea" in the main sentence of paragraph (2) shall be defined as follows: *<Amended by Act No. 7643, Jul. 29, 2005>*

1. The term "river" means a river under subparagraph 1 of Article 2 and Article 10 of the River Act and a small river under subparagraph 1 of Article 2 of the Small River Maintenance Act;
2. The term "lake and marsh" means a lake and a marsh under subparagraph 1 of Article 2 of the Water Quality Control of Lakes and Marshes Act; and
3. The term "sea" means the area of the surface water outside the coastline under Article 5 (1) 5 of the Waterway Service Act.

(4) Notwithstanding the provisions of paragraph (1), the amended provisions of Article 24 (Treatment Obligation of Livestock Wastewater) shall enforce into force on July 1, 1999 in the area falling under any subparagraph of paragraph (2) and on January 1, 2000 in other areas.

Article 2 (Transitional Measures concerning Treatment Facilities of Sewage)

The purification facilities of sewage or combined septic tanks which are in operation or under installation at the time of enforcing this Act (hereinafter referred to as "at the time of enforcing this Act") under the provisions of Article 1 (1) of the Addenda shall be deemed to be in operation or under installation under the amended provisions of Article 9.

Article 3 (Transitional Measures concerning Establishment of Operational Body of Treatment Facilities of Sewage, etc.)

Any person who utilizes the treatment facilities of sewage or separate septic tanks under the amended provisions of Article 14 (6) at the time of enforcing this Act shall establish an operational

body, designate the representative of such operational body and file a report thereon to the head of *Si/Gun/Gu* within one year from the date of the enforcement of this Act.

Article 4 (Transitional Measures concerning Simple Livestock Wastewater Purification Tanks)

Any person who operates or installs simple livestock wastewater purification tanks under the previous provisions of Article 33 at the time of enforcing this Act shall be deemed to be in operation or under installation of the treatment facilities of livestock wastewater under the amended provisions of Article 25.

Article 5 (Transitional Measures concerning Public Notice of Public Treatment Facilities of Livestock Wastewater)

The head of a local government who installs or operates the public treatment facilities of livestock wastewater at the time of enforcing this Act shall put such operation or installation on public notice under the amended provisions of Article 30 (4) within 6 months from the date of the enforcement of this Act (hereinafter referred to as the "date of the enforcement of this Act") under the provisions of Article 1 (1) of the Addenda.

Article 6 (Transitional Measures concerning Prohibition of Livestock Raising)

Any person who raises livestock in the area where the livestock raising is prohibited under the amended provisions of Article 34 (3) at the time of enforcing this Act may raise such livestock within the size of the discharge facilities of livestock wastewater in operation notwithstanding the same amended provisions.

Article 7 (Transitional Measures concerning Business Operator of Excreta, etc.)

(1) Any person who is licensed to carry on the business of collecting and transporting excreta, etc. or the business of collecting and transporting livestock wastewater at the time of enforcing this Act shall be deemed to be licensed to do the business of collecting and transporting excreta, etc. under the amended provisions of Article 35 (2) 1.

(2) Any person who is prescribed by the Presidential Decree under the provisions of Article 42 (1) 1 at the time of enforcing this Act shall be deemed to obtain a license for the business of managing the treatment facilities of sewage, etc. under the amended provisions of Article 35 (2) 4 for up to one year from the date of the enforcement of this Act.

Article 8 (Transitional Measures concerning Manufacturers of Septic Tanks)

Any manufacturer of purification tanks who has his business registered under the previous provisions at the time of enforcing this Act shall be deemed to have the business of manufacturing the treatment facilities of sewage registered under the amended provisions of Article 39 (4) for up to 18 months from the date of the enforcement of this Act.

Article 9 (Transitional Measures concerning Application of Penal Provisions, etc.)

The application of the penal provisions and fine for negligence to any act performed prior to the

enforcement of this Act shall be dealt with according to the previous provisions.

Article 10 Omitted.

ADDENDA <Act No. 6656, Feb. 4, 2002>

Article 1 (Enforcement Date)

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

Articles 2 through 12 Omitted.

ADDENDA <Act No. 6827, Dec. 26, 2002>

- (1) (Enforcement Date) This Act enters into force six months after the date of its promulgation: *Provided*, That the amendments to Article 58 (1) 1 and (2) 1 shall enter into force on the date of its promulgation.
- (2) (Transitional Measures for Existing Discharge Facilities of Livestock Wastewater) A person who is installing and operating the discharge facilities of livestock wastewater subject to a permission or a report at the time of enforcement of this Act, shall install the facilities capable of separating and storing the livestock excreta under the amendment to Article 25 (2) within 2 years and 6 months from the enforcement date of this Act.
- (3) (Transitional Measures for Businessmen of Designing and Installing Treatment Facilities of Excreta, etc.) A person who has made a registration of a design and installation business of the treatment facilities of excreta, and of a design and installation business of the treatment facilities of sewage, separate septic tanks and treatment facilities of livestock wastewater under the previous provisions of Article 38 (1) and (4) 1 and 2 at the time of enforcement of this Act, shall be deemed to have made a registration of the design and installation business of treatment facilities of sewage, etc. under the amendment to Article 38 (1), but he shall obtain a delivery of new registration certificate by equipping himself with the requirements under the provisions of this Act within 1 year from the enforcement date of this Act.
- (4) (Transitional Measures for Administrative Dispositions) Where the jurisdiction of duties has been altered under the amendments to Articles 21 (2), 23 (3), 24-2, 26, 28 (4), 29, 30 (3), 31 (3), 38 (1), 39 (1), 40 and 41 (1), any permission or report made by the administrative agencies, such as the Minister of Environment and the Mayor/*Do* governor, etc., and other acts by the administrative agencies under the previous provisions at the time of enforcement of this Act, or the various applications and other acts against the administrative agencies, shall be regarded as the acts by the administrative agencies or the acts against the administrative agencies under this Act corresponding thereto.
- (5) (Transitional Measures for Application of Penal Provisions) The previous provisions shall govern

the application of penal provisions to the acts committed before the enforcement of this Act.

ADDENDA <Act No. 7129, Jan. 29, 2004>

- (1) (Enforcement Date) This Act enters into force six months after the date of its promulgation.
(2) through (4) Omitted.

ADDENDA <Act No. 7428, Mar. 31, 2005>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Act No. 7459, Mar. 31, 2005>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Act No. 7643, Jul. 29, 2005>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.