

## **Enforcement Decree Of The Act On The Disposal Of Sewage, Excreta And Livestock Wastewater**

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|-------------------|------------|-------------------------------|
| Wholly amended By | 1997· 8·11 | Presidential Decree No. 15456 |
| Amended By        | 1998· 6·24 | Presidential Decree No. 15817 |
| Amended By        | 1998·12·31 | Presidential Decree No. 16060 |
| Amended By        | 1999· 8· 6 | Presidential Decree No. 16508 |
| Amended By        | 2000· 8·17 | Presidential Decree No. 16953 |
| Amended By        | 2002· 8· 8 | Presidential Decree No. 17698 |
| Amended By        | 2002·11·14 | Presidential Decree No. 17782 |
| Amended By        | 2002·12·26 | Presidential Decree No. 17816 |
| Amended By        | 2003· 7·25 | Presidential Decree No. 18065 |
| Amended By        | 2003·11·29 | Presidential Decree No. 18146 |
| Amended By        | 2004· 3·17 | Presidential Decree No. 18312 |

### Article 1 (Purpose)

The purpose of this Decree is to provide for matters delegated by the Act on the Disposal of Sewage, Excreta and Livestock Wastewater and other matters necessary for the enforcement thereof.

### Article 2 (Basic Plan for Treating Excreta, etc.)

(1) The matters to be included in the basic plan for the disposal of excreta and livestock wastewater within the competent zone established by the Special Metropolitan City Mayor, the Metropolitan City Mayor, the Do governor (hereinafter referred to as the "Mayor/Do governor") and the head of Si/Gun/Gu (referring to the head of autonomous Gu; hereinafter the same shall apply) under the provisions of Article 4-2 (1) and (2) of the Act on the Disposal of Sewage, Excreta and Livestock Wastewater (hereinafter referred to as the "Act"), are the same as defined in the following subparagraphs: <Amended by Presidential Decree No. 17782, Nov. 14, 2002>

1. The outline of the population, types of shelters, geographical setting and updated briefs of the raised livestock, etc. in the jurisdictional area;
2. The produced amount of excreta and livestock wastewater, and current situation of treating them;

3. The planned year, area, population and number of livestock to be raised;
4. The matters on the estimated amount of excreta, livestock wastewater and on storing, collecting, transporting and treating them;
5. The matters on converting into resources, such as recycling, etc.;
6. The methods to secure financial resources required for treatment; and
7. Any other matters necessary to treat excreta and livestock wastewater.

(2) The Mayor/Do governor and the head of Si/Gun/Gu shall formulate a basic plan under the provisions of paragraph (1) by making 10 years a unit, and examine every two years the propriety of the basic plan, and reflex it. <Amended by Presidential Decree No. 17782, Nov. 14, 2002>

#### Article 2-2 (Objects of Designation as Sewage Treatment Countermeasure Area)

The term "area prescribed by the Presidential Decree" in Article 4-3 (1) of the Act means an area falling under any of the following subparagraphs: Provided, That this shall not include the area where sewage is made flowed in and treated or other area where sewage is about to be made flowed in and treated using the terminal treatment facilities of sewage for which authorization is granted under Article 6 of the Sewerage Act, the village drainage system for which consultations have already been made under Article 6-2 of the same Act or the terminal treatment facilities of waste-water for which approval is granted under Article 26 of the Water Quality Conservation Act: <Amended by Presidential Decree No. 17782, Nov. 14, 2002; Presidential Decree No. 18065, Jul. 25, 2003>

1. The upstream area within 4km in stream distance from water-intake facilities under subparagraph 15 of Article 3 of the Water Supply and Waterworks Installation Act, and the protection area of water-supply sources under Article 5 of the same Act;
2. The area for which special measures are required to be taken for the preservation of the water quality of water-supply sources under Article 22 of the Framework Act on Environmental Policy;
3. The waterside area under Article 4 (1) of the Act on the Improvement of Water Quality and Support for Residents of the Riverhead of the Han River System, Article 4 (1) of the Act on the Improvement of Water Control and Support for Residents of the Nakdong River System, Article 4 (1) of the Act on the Improvement of Water Quality and Support for Residents of the Geum River System, and Article 4 (1) of the Act on the Improvement of Water Quality and Support for Residents of the Yeongsan River and Seomjin River Systems;
4. The area for preserving water quality of the lake and marsh under Article 34 (1) of the Water Quality Conservation Act;
5. The natural park under subparagraph 1 of Article 2 of the Natural Parks Act, and the park protection area under Article 25 of the same Act;
6. The area for the preservation of ground water under Article 12 of the Groundwater Act;
7. The area which is put on public notice by the Minister of Environment and affects the water quality of the water area for which the environmental standards require the preservation of level of first-class or similar water quality under the provisions of the attached Table 1 of the

Enforcement Decree of the Framework Act on Environmental Policy;

8. The marsh protection area and the control area surrounding the marsh and marsh improvement area under Article 8 of the Marsh Preservation Act;

9. The special control sea area under Article 4-4 (2) of the Prevention of Marine Pollution Act; and

10. The area, etc. within 500-meter beeline distance from the boundary of river, lake, marsh or sea, which is an area requested by the head of Si/Gun/Gu for a designation as the sewage treatment countermeasure area for the purpose of preserving the water quality of public waters.

[This Article Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999]

#### Article 2-3 (Object of Installation of Sewage Treatment Facilities)

The term "building and facilities prescribed by the Presidential Decree" in Article 4-3 (3) of the Act means a building and facilities (hereinafter referred to as "building, etc.") which are used to carry on the business falling under any of the following subparagraphs:

1. The business of food service under Article 21 (1) 3 of the Food Sanitation Act: Provided, That excluded from such types of business are the confectionery-type business which mainly makes and sells bread, rice cakes, candies, ice-cream lines from among the rest restaurants under subparagraph 8 (a) of Article 7 of the Enforcement Decree of the same Act;

2. The lodging business under Article 2 (1) 2 of the Public Health Control Act;

3. The public bath business under Article 2 (1) 3 of the Public Health Control Act; and

4. The tourist lodging business under Article 3 (1) 2 of the Tourism Promotion Act.

[This Article Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999]

#### Article 2-4 (Area Subject to Application of Stringent Standards for Water Quality of Discharged Water)

The term "area prescribed by the Presidential Decree" in Article 5 (2) of the Act means the area falling under any of subparagraphs 1 through 9 of Article 2-2. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

[This Article Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999]

#### Article 3 (Encouragement of Joint Installation of Sewage Treatment Facilities)

The head of Si/Gun/Gu may, upon receiving a report on the installation of the treatment facilities of sewage under Article 9 (2) of the Act, in case that he deems it appropriate to install or utilize jointly the treatment facilities of sewage on the grounds that the buildings, etc. in which such treatment facilities of sewage have to be installed fall under any case of the following subparagraphs, encourage the owners of such buildings, etc. to install or utilize jointly such facilities: <Amended by Presidential Decree No. 17782, Nov. 14, 2002>

1. Where the treatment facilities of sewage with extra treatment capacity are installed or in operation in the vicinity of the building, etc.; or

2. Where a plan exists for installing the treatment facilities of sewage in other buildings, etc in the vicinity of the building, etc., both of which have been constructed at almost same time. [This Article Wholly Amended by Presidential Decree No. 16508, Aug. 6, 1999]

#### Article 4 (Objects of Report on Modified Sewage Treatment Facilities)

The term "important matters determined by the Presidential Decree" in Article 9 (2) of the Act means the matters falling under any of the following subparagraphs: <Amended by Presidential Decree No. 16508, Aug. 6, 1999>

1. Size of the facilities;
2. Structure of the facilities;
3. Treatment methods; and
4. Main body of the sewage treatment facilities.

#### Article 5

Deleted. <by Presidential Decree No. 16508, Aug. 6, 1999>

#### Article 6 (Objects of Reports on Modified Separate Septic Tanks)

The term "important matters determined by the Presidential Decree" in Article 10 (2) of the Act means the matters falling under any of the following subparagraphs:

1. Size of the facilities;
2. Structure of the facilities;
3. Treatment methods; and
4. Main body of the separate septic tanks.

#### Article 6-2 (Installation, etc. of Sewage Treatment Facilities due to Enlargement of Buildings, etc.)

(1) The treatment facilities of sewage shall, in case that the building, etc. to be enlarged or altered for the purpose of other usages under Article 10-2 of the Act falls under any of the following subparagraphs, be installed: <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

1. The building, etc., the total floor space of which is not less than 1, 600 square meters: Provided, That in the area falling under any of subparagraphs 1 through 9 of Article 2-2, the buildings, etc. the total floor space of which is not less than 800 square meters;
2. The rest place under Article 3 (1) 3 of the Enforcement Decree of the Motorway Act, and the passenger vehicle terminal under subparagraph 5 of Article 2 of the Passenger Transport Service Act, the total floor space of each of which is not less than 400 square meters;

3. The building, etc., the total floor space of which is not less than 400 square meters to carry on the business falling under any of the following subparagraphs: Provided, That in the area falling under any of subparagraphs 1 through 9 of Article 2-2, the building, etc., the total floor space of which is not less than 200 square meters:

- (a) The business of food service under Article 21 (1) 3 of the Food Sanitation Act;
- (b) The lodging business under Article 2 (1) 2 of the Public Health Control Act; and
- (c) The tourist lodging business and the business of operating facilities utilized by tourists (excluding the business of selling souvenirs exclusively to foreign tourists) under Article 3 (1) 2 of the Tourism Promotion Act;

4. The building, etc., the total floor space of which is not less than 200 square meters to run the public bath business under Article 2 (1) 3 of the Public Health Control Act;

5. The building, etc. which discharge sewage in business establishments for golf course and skiing ground under Article 10 of the Installation and Utilization of Sports Facilities Act;

6. The building, etc. in which not less than two business establishments falling under the business as prescribed in subparagraphs 2 through 4 are set up and the total floor space of the two business establishments is not less than 400 square meters: Provided, That in the area falling under any of subparagraphs 1 through 9 of Article 2-2, the building, etc., the total floor space of which is not less than 200 square meters;

7. The building, etc. which is used for the business of food service under Article 21 (1) 3 of the Food Sanitation Act, the lodging business or the public bath business under Article 2 (1) 2 or 3 of the Public Health Control Act in the area within 500m in a straight line from the boundary of river, lake and marsh, and sea: Provided, That the buildings, etc. falling under any of the following items shall be excluded:

(a) The building, etc. used for the confectionery-type business of making and selling mainly bread, rice cakes, candies, ice creams from among the rest restaurants under subparagraph 8 (a) of Article 7 of the Enforcement Decree of the Food Sanitation Act; and

(b) The building, etc. used for the business of food service, the lodging business and the public bath business without any enlargement or renovation in the area where the sewage is to be made flowed in and treated using the terminal treatment facilities of sewage for which authorization has been granted under Article 6 of the Sewerage Act, the village drainage system for which consultations have already been made under Article 6-2 of the same Act, or the terminal treatment facilities of wastewater for which approval has been granted under Article 26 of the Water Quality Conservation Act;

8. The building, etc. used for a business falling under any of each subparagraph of Article 2-3 in the sewage treatment countermeasure area under Article 4-3 (1) and (2) of the Act; and

9. The building, etc. which are increased by not less than 50 percent of the total floor space of original construction due to an extension (limited to the case where the total floor space of whole construction, including the floor space to be increased by an extension, is not less than 200 square meters).

(2) In calculating the total floor space of construction in the building, etc. under paragraph (1), when the same person is in possession of not less than two buildings in the connecting site, the total floor space of construction shall be summed up; and in computing the increased floor spaces under paragraph (1) 9, if the extensions are achieved on several occasions, the

respective extension floor spaces shall be summed up altogether. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

(3) In case that the capacity of treatment facilities of sewage or separate septic tanks, which have been installed and presently in operation, becomes insufficient due to an increase of the discharge of sewage following the enlargement or the alteration of the usage of the building, etc. under Article 10-2 of the Act, the treatment capacity of the treatment facilities of sewage or separate septic tanks shall be increased: Provided, That the same shall not apply to the case falling under any of the following subparagraphs: <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

1. Where improvement in the treatment efficiency of the treatment facilities of sewage or separate septic tanks makes it possible to keep such facilities in conformity with the standards for the quality of discharged water without boosting the treatment capacity. In this case, the owner of building, etc. shall file a written review of the improvement of treatment efficiency, the validity of which is reviewed by a person who has registered his business of designing and installing the treatment facilities of sewage, etc. under Article 38 of the Act, or a person who has registered his business of manufacturing the treatment facilities of sewage under Article 39 (3) 1 of the Act (in case of separate septic tanks, the business of manufacturing separate septic tanks under Article 39 (3) 2 of the Act shall be included), to the head of Si/Gun/Gu; and

2. Where the inside cleaning of the separate septic tanks is made not less than once every 6 months if the shortage in treatment capacity of separate septic tanks is less than 20/100. [This Article Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999]

#### Article 7 (Causes of Reports on Abnormal Operation of Sewage Treatment Facilities, etc.)

The term "unavoidable circumstances as provided by the Presidential Decree" in Article 14 (3) of the Act means those circumstances described in any of the following subparagraphs: <Amended by Presidential Decree No. 16508, Aug. 6, 1999>

1. Where it is required for an improvement, alteration or maintenance of the treatment facilities of sewage or separate septic tanks;
2. Where normal operation of the treatment facilities of sewage or separate septic tanks is not expected due to the breakdown of major machinery devices, etc. of the facilities;
3. Where normal operation of the treatment facilities of sewage or separate septic tanks is not expected due to the failure of power or water-supply;
4. Where normal operation of the treatment facilities of sewage or separate septic tanks is not expected due to natural disasters, fires, or other unavoidable causes; and
5. Where normal operation of the treatment facilities of sewage or separate septic tanks is not expected due to a change of weather or the influx of foreign matters.

#### Article 7-2 (Establishment, etc. of Operational Body)

(1) The term "buildings, etc. prescribed by the Presidential Decree" in the former part of Article 14 (6) of the Act means an apartment housing under subparagraph 2 of Article 2 of the Housing Act: Provided, That the apartment housing under Article 48 of the Enforcement Decree of the Housing Act and the apartment housing whose owners are not more than 30

shall be excluded. <Amended by Presidential Decree No. 17782, Nov. 14, 2002; Presidential Decree No. 18146, Nov. 29, 2003>

(2) The head of Si/Gun/Gu may advise the owners of apartment housing corresponding to the proviso of paragraph (1) to establish an operational body for the sewage treatment facilities or separate septic tanks installed for the joint uses. <Newly Inserted by Presidential Decree No. 17782, Nov. 14, 2002>

(3) The term "matters prescribed by the Presidential Decree" in the latter part of Article 14 (6) of the Act means the representative of the operational body.

[This Article Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999]

#### Article 8 (Improvement Order for Sewage Treatment Facilities, etc.)

(1) The head of Si/Gun/Gu shall, when he gives an improvement order under the provisions of Article 14-2 (1) and (2) of the Act, fix a period for such improvement within the scope of 3 months, taking into account necessary measures and the types of machinery and facilities, etc. for such improvement. <Amended by Presidential Decree No. 16508, Aug. 6, 1999>

(2) The head of Si/Gun/Gu may extend the time-limit within a period not exceeding 3 months upon request by the person who is unable to comply with the improvement orders within the period specified in the preceding paragraph (1) due to natural disasters or other unavoidable circumstances. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

(3) The improvement order under paragraph (1) shall include the following matters: <Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999>

1. Contents of violations of the standards for installation, management or the quality of discharged water;

2. The improvement period;

3. Matters concerning the time of filing a report with respect to the execution of an improvement order; and

4. Other matters to be considered when such improvement is made.

(4) The head of Si/Gun/Gu shall check and confirm the progress of improvement during the improvement period under paragraph (1) so as to have such improvement made properly. <Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999>

#### Article 9

Deleted. <by Presidential Decree No. 16508, Aug. 6, 1999>

#### Article 10 (Types of Specified Industrial Products)

The term "specified industrial products as determined by the Presidential Decree" in Article 17 of the Act means a garbage pulverizer for kitchen use which discharges the food waste, etc. generated from a kitchen together with wastewater after pulverizing them.

#### Article 10-2 (Improvement Order for Recycle Facilities)

(1) The head of Si/Gun/Gu shall, when he gives an improvement order under Article 20 (4) of the Act, fix an improvement period within the scope of 3 months, taking account of the measures and the types of machinery and facilities, etc. required for such an improvement.

(2) Provisions of Article 8 (2) through (4) shall apply mutatis mutandis to the extension of improvement period under paragraph (1), to the matters to be included in an improvement order, and to the checkup and confirmation of the progress of measures.

[This Article Newly Inserted by Presidential Decree No. 18065, Jul. 25, 2003]

#### Article 10-3 (Improvement Order for Excreta Treatment Facilities)

(1) The Mayor/Do governor (where the Mayor/Do governor establishes or operates the excreta treatment facilities, it refers to the head of a basin environmental office or of a regional environmental office; hereafter in this Article, the same shall apply) shall, when he gives an improvement order for the treatment facilities of excreta under Article 23 (3) of the Act, fix a period within the scope of 3 months, taking into account necessary measures and the types of machinery and facilities, etc. for such improvement. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

(2) In case that a person who is unable to implement necessary measures during the period as prescribed in paragraph (1) due to natural disasters and other unavoidable reasons, the Mayor/Do governor may, upon an application from such person, extend the period for such improvement within the scope of 3 months. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

(3) The improvement order under paragraph (1) shall include the following matters:

1. The contents of the violation of the standards for installation, management or the quality of discharged water;

2. The improvement period;

3. Matters concerning the time of filing a report with respect to the execution of an improvement order; and

4. Other matters to be considered when such improvement is made.

(4) The Mayor/Do governor shall check and confirm the progress of measures taken to make improvement during the improvement period under paragraph (1) so as to have such improvement made properly. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

(5) The installer or manager of the treatment facilities of excreta shall, upon receiving an improvement order under paragraph (1), take necessary measures to prevent untreated excreta from flowing into public waters in case that the operation of such facilities is suspended.

[This Article Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999]

#### Article 11 (Livestock Wastewater Discharge Facilities Subject to Permit)

Those discharge facilities of livestock wastewater which shall obtain installation permit under Article 24-2 (1) of the Act are as shown in the annexed Table 1. <Amended by Presidential Decree No. 16508, Aug. 6, 1999>

#### Article 12 (Installation Permit for Livestock Wastewater Discharge Facilities)

(1) Any person who desires to obtain installation permit for livestock wastewater discharge facilities under Article 24-2 (1) of the Act shall submit to the head of Si/Gun/Gu the paperwork (including electronic documents) described in the following subparagraphs attached to an application (including application in the form of electronic documents) as prescribed by the Ordinance of the Ministry of Environment: <Amended by Presidential Decree No. 16508, Aug. 6, 1999; Presidential Decree No. 18065, Jul. 25, 2003; Presidential Decree No. 18312, Mar. 17, 2004>

1. A detailed installation statement of the livestock wastewater discharge facilities;
2. A detailed statement on the number of heads of farm animals and prediction regarding discharge amount of pollutants;
3. A detailed installation statement of the livestock wastewater treatment facilities and their blueprints or a standard design book under the proviso of Article 27 of the Act (in the case of a person who is exempted from an installation requirement for the livestock wastewater treatment facilities under the proviso of Article 25 (1) of the Act, the document which proves this exemption);
4. A detailed statement of securing grassland or farmland (limited to cases where the facilities to make liquefied fertilizer are installed);
5. A layout of the business place and a piping diagram of the livestock wastewater discharge system;
6. A detailed statement of the predicted amount of sludge to be generated and its treatment method (excluding those cases where the facilities to make compost or those to make liquefied fertilizer are installed); and
7. A detailed statement of installing the facilities to store compost (limited to the case where the facilities to make liquefied fertilizer are installed).

(2) The head of Si/Gun/Gu shall, upon receiving a permit application in accordance with the provisions of the preceding paragraph (1), examine the following matters, decide whether he grants permit, and issue a permit when it is approved to an applicant: <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

1. Whether the livestock wastewater can be treated under the discharged water quality criteria;
2. Whether a detailed statement predicting the discharge amount of pollutants is accurate;
3. Whether the grassland or farmland is secured, whether the secured grassland or farmland is overlapped with the grassland or farmland secured by other livestock raisers, etc., and whether the liquefied fertilizer may be sprayed (limited to cases where the facilities to make liquefied fertilizer are installed); and

4. Whether the location of a planned installation area for the discharging facilities of livestock wastewater is limited by such provisions as the Framework Act on Environmental Policy, etc. and other related Acts and subordinate statutes.

#### Article 13 (Restricting Permit for Livestock Wastewater Discharge Facilities)

The head of Si/Gun/Gu shall, where restricting permits for an installation or for a modification of a livestock wastewater discharge facilities under Article 24-2 (3) of the Act, take into consideration those matters identified in the following subparagraphs, and designate and publicly announce such restricted areas: <Amended by Presidential Decree No. 16508, Aug. 6, 1999; Presidential Decree No. 17816, Dec. 26, 2002; Presidential Decree No. 18065, Jul. 25, 2003>

1. Current status of water-intake at fountainhead and corresponding plans;
2. Current status of and plans for the Class-II district unit planning zone (limited to the tourism and recreation function) under Article 51 (3) of the National Land Planning and Utilization Act;
3. Effects of such discharge facilities on the quality of public waters under Article 2 of the Water Quality Conservation Act; and
4. Maintenance level of environmental criteria under Article 10 of the Framework Act on Environmental Policy.

#### Article 14 (Livestock Wastewater Discharge Facilities Subject to Report)

Those discharge facilities of livestock wastewater which shall make a report on installation (including a report of modification) under Article 24-2 (4) of the Act are as shown in the attached Table 2. <Amended by Presidential Decree No. 16508, Aug. 6, 1999>

#### Article 15 (Exemption of Installation of Livestock Wastewater Treatment Facilities)

(1) The term "case as determined by the Presidential Decree" in the proviso of Article 25 (1) of the Act means the case defined in any of the following subparagraphs: <Amended by Presidential Decree No. 17782, Nov. 14, 2002>

1. Where the entire amount of livestock wastewater is entrusted for its treatment to a person who made a report on the recycling of livestock wastewater under Article 20 of the Act;
2. Where livestock wastewater is treated by flowing it into excreta treatment facilities as set forth in Article 21 of the Act, public treatment facilities of livestock wastewater as set forth in Article 30 of the Act or sewage terminal treatment facilities as set forth in Article 2 of the Sewerage Act, or such treatments are entrusted;
3. Where the treatment of entire amount of livestock wastewater is entrusted to an operator of the business of treating excreta, etc. under Article 35 (2) 2 of the Act; and
4. Where the treatment of entire amount of livestock wastewater generated in the discharge facilities of livestock wastewater under Article 24-2 (4) of the Act is entrusted to an operator of the business of discharging wastes into the sea under Article 18 of the Prevention of Marine

Pollution Act.

(2) through (4) Deleted. <by Presidential Decree No. 16060, Dec. 31, 1998>

#### Article 16 (Exemption of Installation of Facilities to Separate or Store)

The term "cases prescribed by the Presidential Decree" in the proviso of Article 25 (2) of the Act means the cases falling under each of the following subparagraphs:

1. Where only such liquefied wastewater is treated by purification, as is generated in the process of making compost from the livestock wastewater; and
2. Where the livestock excrements are treated without any separation and a quality standard for discharged water may be satisfied, by applying such technology as has been recognized and published by the Minister of Environment.  
[This Article Newly Inserted by Presidential Decree No. 18065, Jul. 25, 2003]

#### Article 16-2 (Order to Install Facilities to Separate or Store)

- (1) Where the head of Si/Gun/Gu gives an order to install the facilities capable of separating and storing the livestock excrements under Article 25 (3) of the Act, he shall fix a period of installation within the scope of 3 months.
- (2) With regard to the persons who are unable to complete an installation of facilities within the period of installation under paragraph (1) due to natural disasters and other inevitable causes, the head of Si/Gun/Gu may, upon request, extend the period of installation within the scope of 3 months.
- (3) The head of Si/Gun/Gu shall ensure that an installation of facilities is to be properly achieved, through his investigation and confirmation of the situations of said installation during the installation period under paragraph (1).  
[This Article Newly Inserted by Presidential Decree No. 18065, Jul. 25, 2003]

#### Article 17 (Causes for Report on Abnormal Operation of Livestock Wastewater Treatment Facilities, etc.)

The term "unavoidable cause prescribed by the Presidential Decree" in Article 28 (2) of the Act means the case falling under any of the following subparagraphs:

1. Where it is required for an improvement, alteration or maintenance of the discharge facilities of livestock wastewater or the treatment facilities of livestock wastewater;
2. Where normal operation of the treatment facilities of livestock wastewater is impossible due to the breakdown of major machinery devices, etc.;
3. Where proper operation of livestock wastewater treatment facilities is impossible due to power outage or the suspension of water supply;
4. Where proper operation of the treatment facilities of livestock wastewater is impossible due to natural disaster, fire, other unavoidable reasons; and

5. Where proper operation of the treatment facilities of livestock wastewater is impossible due to climate changes or inflow of abnormal materials, etc.

[This Article Wholly Amended by Presidential Decree No. 16508, Aug. 6, 1999]

Article 17-2 (Improvement Order for Livestock Wastewater Treatment Facilities, etc.)

(1) The head of Si/Gun/Gu shall, when he gives an improvement order under the provisions of Article 28 (4) and (5) of the Act, fix a period for such improvement within the scope of 3 months, taking into account necessary measures and the types of machinery and facilities, etc. for such improvement. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

(2) The provisions of Article 10-3 (2) through (4) shall apply mutatis mutandis to an extension of improvement period, matters to be included in the improvement order and the checkup and confirmation of the progress of measures under the provisions of paragraph (1). <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

(3) In case that a person under an improvement order under the provisions of paragraph (1) intends to suspend or restrict the operation of the discharge facilities of livestock wastewater or reduce the discharge of pollutants through improvement of treatment methods, he shall file details of such plan to the head of Si/Gun/Gu for his confirmation of such plan. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

(4) Necessary matters concerning the report on the execution of an improvement order and the confirmation thereof shall be prescribed by the Ordinance of the Ministry of Environment.

[This Article Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999]

Article 18 (Types of Pollutants Subject to Imposition of Discharge Dues)

The types of pollutants for which discharge dues as provided in Article 29 (1) of the Act are imposed shall be organic materials and floating materials.

Article 19 (Computation Method and Criteria for Discharge Dues)

(1) Discharge dues under Article 29 of the Act represent the amount calculated by adding the amount (hereinafter referred to as "disposal dues") equivalent to the disposal expenses for discharged quantity of pollutants exceeding criteria for discharged water quality (hereinafter referred to as "excessive discharged quantity") to the basic dues for the prevention of water environmental damage and of violations of criteria for discharged water quality: Provided, That in a case where a livestock breeder made a report under Article 28 (2) of the Act (hereinafter referred to as a "report on abnormal operation"), the basic dues are not imposed for the relevant report only. <Amended by Presidential Decree No. 16508, Aug. 6, 1999>

(2) The basic dues as referred to in paragraph (1) shall be shown in the annexed Table 3, and the disposal dues shall be the amount computed by the computation method defined in any of the following subparagraphs:

1. Where a report on abnormal operation was made: dues per kilogram of pollutants \* excessive discharged quantity \* computation index of dues by year; and

2. Cases other than subparagraph 1: dues per kilogram of pollutants \* excessive discharged quantity \* imposition coefficient by excess rate of discharged water quality criteria \* computation index of dues by year \* imposition coefficient by number of violations.

(3) Dues per kilogram of pollutants and the imposition coefficient by excess rate of discharged water quality criteria which are necessary for the computation of disposal charges as referred to in paragraph (2) are as shown in annexed Table 4.

#### Article 20 (Excessive Discharged Quantity, etc.)

(1) Excessive discharged quantity which is necessary to calculate disposal dues under Article 19 (2) is that quantity of pollutants discharged in excess of discharged water quality standards during the discharge period defined in any of the following subparagraphs. The excessive discharged quantity is calculated by multiplying the daily excessive discharged quantity by the number of days of the discharge period: <Amended by Presidential Decree No. 16508, Aug. 6, 1999>

1. When a report on abnormal operation was made, the period shall be from the commencing date of abnormal operations specified on the report on abnormal operations to the scheduled completion date of the improvement; and

2. In other cases than subparagraph 1, the period shall be from the commencing date of the discharge of pollutants (in case that the commencing date of the discharge of pollutants cannot be determined, the date of collecting pollutants for an examination of whether the criteria for discharged water quality under Article 5 of the Act are exceeded) to the scheduled completion date of the observance of improvement order under Article 28 (4) or (5) of the Act: Provided, That in any cases falling under any of the following items where the criteria for discharged water quality were exceeded due to the improper operation of livestock wastewater discharge facilities or livestock wastewater treatment facilities in violation of Article 28 (1) of the Act, the period shall be until the date of suspending such acts:

(a) Where the livestock wastewater treatment facilities are not in operation or treatment chemicals are not injected;

(b) Where pollutants are discharged through a hidden discharge outlet;

(c) Where diluted pollutants are discharged, with its pollution level simply lowered, in a status of not removing pollutants by mixing the unpolluted water or the low polluted water with the livestock wastewater during the discharge process (excluding the cases where the treatment of pollutants is deemed to be possible only by dilution in view of a treatment process for livestock wastewater); and

(d) Other cases where the pollutants are discharged without passing through livestock wastewater treatment facilities.

(2) The daily excessive discharged quantity as referred to in paragraph (1) shall be the amount, indicated in kilograms, arrived at by multiplying the density of pollutants exceeding the criteria for discharged water quality on the collection date of discharged pollutants (in case that a report on abnormal operation was made, the collection date of pollutants for the confirmation of the report on abnormal operation), which serves as a justification for an improvement order under Article 28 (4) or (5) of the Act, by the gross amount of livestock wastewater for the day (hereinafter referred to as the "daily fluid amount"). <Amended by

Presidential Decree No. 16508, Aug. 6, 1999>

(3) The daily excessive discharged quantity and daily fluid amount as referred to in paragraph (2) shall be computed according to the annexed Table 5.

(4) The discharge period as referred to in paragraph (1) shall be indicated in the number of days, and calculated in accordance with the provisions of the Civil Act, including the first day.

#### Article 21 (Computation Index of Dues by Year and Imposition Coefficient by Frequency of Violations)

(1) The computation index of dues by year as provided in Article 19 (2) shall be calculated each year by multiplying the computation index of dues of the previous year by the price change index publicly announced by the Minister of Environment in consideration of the price inflation rate of the previous year, etc.

(2) The imposition coefficient by frequency of violations under Article 19 (2) shall be 1.1 for the first violation, and from the next violations, it shall be that arrived at by multiplying the imposition coefficient immediately before such violation by 1.1.

(3) The number of violations under paragraph (2) shall be the frequency of receiving the improvement order under Article 28 (4) or (5) of the Act for discharging pollutants, etc. subject to the discharge dues under Article 18 in excess of the criteria for discharged water quality. In this case, the frequency of violations shall be computed by business place in a unit of the latest 2 years prior to the day the violations take place. <Amended by Presidential Decree No. 16508, Aug. 6, 1999; Presidential Decree No. 17782, Nov. 14, 2002>

#### Article 22 (Payment Notice of Discharge Dues)

The head of Si/Gun/Gu shall, in case that he imposes discharge dues, notify in writing with the indication of the amount of dues, payment period, place of payment and other necessary matters. In this case, the payment period for the discharge dues shall be not less than 30 days from the date of issuing the payment notice. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

#### Article 23 (Adjustment of Discharge Dues)

(1) The head of Si/Gun/Gu shall, in the cases falling under any of the following subparagraphs, adjust the discharge dues by computing it once again; and shall, if there is any difference between the amount already paid and the amount adjusted, either reimpose or refund the difference: <Amended by Presidential Decree No. 16508, Aug. 6, 1999; Presidential Decree No. 18065, Jul. 25, 2003>

1. Where the improvement or the observance of order has not been completed until the scheduled completion date of improvement under Article 20 (1) 1 or the scheduled completion date of observance of the improvement order under Article 28 (4) or (5) of the Act, or where the discharge period, forming the computational basis for discharge dues, becomes different due to the completion of improvement or observance of order within the same period; and

2. Where the discharge status of pollutants becomes different from the time of initial measurement after the imposition of discharge dues, and where the results of reexamination thereof indicate that the discharge amount of pollutants became different from that initially measured.

(2) In case that the discharge dues are adjusted due to the causes under paragraph (1) 1, the discharge period of pollutants for computing the discharge dues shall be until the date of reporting on the completion of improvement concerning the report on abnormal operation, or on the observance of the improvement order under Article 28 (4) or (5) of the Act. <Amended by Presidential Decree No. 16508, Aug. 6, 1999>

(3) In case that the discharge dues are adjusted due to the causes under paragraph (1) 2, the computation of discharge dues shall be made on the basis of remeasured discharge amount, only for the period after the reexamination date.

(4) The reimposition or refund of discharge dues as a result of the adjustment of discharge dues under paragraph (1) 1 shall be made within 30 days from the date when it is ascertained whether the completion of improvement of the relevant livestock wastewater discharge facilities or livestock wastewater treatment facilities is achieved.

(5) Where the head of Si/Gun/Gu reimposes discharge dues or makes refunds as referred to in paragraph (1), he shall notify in writing the amount of money, the date and time, place, and other necessary matters. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

#### Article 24 (Application for Adjustment of Discharge Dues)

(1) In a case where any of subparagraphs of Article 23 (1) is applicable, a livestock enterpriser who receives a payment notice of discharge dues referred to in Article 22 (hereinafter referred to as a "payer of dues") may apply for an adjustment of the discharge dues concerned, no later than 30 days from the date when the payment notice of discharge dues was received, under the conditions as determined by the Ordinance of the Ministry of Environment.

(2) In a case where the head of Si/Gun/Gu receives an application for adjustment referred to in paragraph (1), he shall notify the applicant of the decision concerning the application within 30 days under the conditions as determined by the Ordinance of the Ministry of Environment. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

(3) An application for adjustment referred to in paragraph (1) does not affect the payment period of discharge dues.

#### Article 25 (Collection Deferment, Instalment Payments and Collection Procedures for Discharge Dues)

(1) Where it is deemed that the payer of dues cannot pay discharge dues within the payment period of discharge dues for the reasons defined in any of the following subparagraphs, the head of Si/Gun/Gu may defer collection or allow the installment payments of discharge dues. The same shall apply to the default: <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

1. In a case where there exists severe damage to the assets due to a natural disaster or other calamities; and

2. In a case where the payer is experiencing a crisis due to a severe loss in business.

(2) The period of the collection deferment referred to in paragraph (1) shall be no more than 1 year from the date immediately following the date when such a deferment is made, and the frequency of instalment payments during such period shall be no more than six times.

(3) In a case where charges are double or more than double the capital or the total amount of the investment of the payer of dues (total assets in the case of an individual livestock enterpriser), if the collection of charges is deemed impossible within the period of paragraph (2) due to the reasons defined in subparagraphs of paragraph (1), the collection may be deferred beyond the period of the same paragraph, or instalment payment of the charges may be allowed.

(4) The period for a collection deferment referred to in paragraph (3) shall be no more than 3 years from the date immediately following the date when such deferment is made, and the frequency of instalment payments during such period shall be no more than 12 times.

(5) Where the head of Si/Gun/Gu defers collection under paragraph (1) or (3), he may demand for the provision of a security equivalent to the deferred amount. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

(6) In a case where any of the following subparagraphs is applicable to a payer of dues, the head of Si/Gun/Gu may cancel the collection deferment and collect discharge dues: <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

1. In a case where the discharge dues have not been paid within the specified time limit; and

2. In a case where the order of the head of Si/Gun/Gu necessary for modification or maintenance of a security, etc. has not been followed.

(7) Any person who desires to receive a collection deferment of discharge dues or to make instalment payments under paragraph (1) or (3) shall apply it to the head of Si/Gun/Gu. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

(8) The matters necessary for the period for instalment payments, the amount of money, and the imposition and collection of discharge dues shall be determined by the Municipal Ordinance of Si/Gun/autonomous Gu. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

## Article 26

Deleted. <by Presidential Decree No. 18065, Jul. 25, 2003>

## Article 26-2 (Improvement Order for Public Treatment Facilities of Livestock Wastewater)

(1) The Mayor/Do governor (where the Mayor/Do governor establishes or operates the public treatment facilities of livestock wastewater, it refers to the head of a basin environmental office or of a regional environmental office) shall, when he gives an improvement order under Article 31 (3) of the Act, fix a period for such improvement within the scope of 3 months, taking into account necessary measures and the types of machinery and facilities, etc. for such

improvement. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

(2) The provisions of Article 10-3 (2) through (4) shall apply mutatis mutandis to an extension of improvement period, matters to be included in an improvement order and the check and confirmation of the progress of matters taken for such improvement under paragraph (1). <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

(3) The installer or manager of the public treatment facilities of livestock wastewater who is under an improvement order for such facilities under paragraph (1) shall take measures necessary to prevent livestock wastewater from flowing into public waters in an untreated state if he suspends the operation of such facilities.  
[This Article Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999]

#### Article 27 (Standards for Permission for Business of Excreta, etc.)

The standards for facilities, equipment and technical capability by business type which are required by a person who intends to obtain permission for the business of excreta, etc. under the provisions of Article 35 (1) of the Act are as shown in the attached Table 6.  
[This Article Wholly Amended by Presidential Decree No. 16508, Aug. 6, 1999]

#### Article 27-2 (Conditions of Permission for Business of Excreta, etc.)

In granting permission for the business of excreta, etc. under the provisions of Article 35 (5) of the Act, the head of Si/Gun/Gu shall, when he intends to restrict the business area, take into account the quantity of excreta and livestock wastewater in his jurisdictional area, the quantity of sludge from the treatment facilities of sewage and separate septic tanks, the capacity of treatment facilities capable of finally treating excreta, livestock wastewater or sludge, the distribution of the operators of the business of excreta, etc. by area, the present equipment in possession, the distribution of the origins of excreta, livestock wastewater or sludge by area and the difficulty of collecting them: Provided, That in granting permission for the business of treating excreta, etc. and the business of managing the treatment facilities of sewage, etc., the business area shall not be restricted. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>  
[This Article Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999]

#### Article 28 (Payment of Penalty Charges)

(1) The head of Si/Gun/Gu shall, in case that he intends to impose the penalty charges under Article 37 (2) of the Act, specify the type of offences and the amount of relevant penalty charges in writing, and issue a payment notice.

(2) Any person who receives a notice under paragraph (1) shall pay the penalty charges not later than 30 days from the notification date of payment at the receiving institutions determined by the head of Si/Gun/Gu: Provided, That in case that the payer cannot pay the penalty charges within the specified period due to natural disasters and other unavoidable reasons, he shall pay them not later than 7 days from the date when such reasons are eliminated. <Amended by Presidential Decree No. 16060, Dec. 31, 1998>

(3) The institution which receives the penalty charges under paragraph (2) shall issue a receipt to the person who paid such penalty charges, and transmit without delay a receipt notification

to the head of Si/Gun/Gu.

Article 29 (Types of Offences Subject to Penalty Charges and Criteria, etc. for Amount of Penalty Charges)

Those types of offences subject to the imposition of penalty charges under Article 37 (3) of the Act and their amounts are as shown in the annexed Table 7.

Article 29-2 (Standards for Registration of Business of Designing and Installing Treatment Facilities of Sewage, etc.)

Standards for the facilities, equipment and technical capability, etc. which are to be equipped by the person, who intends to register his business of designing and installing the treatment facilities of sewage, etc. under Article 38 (1) of the Act, shall be as shown in the attached Table 6-2. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>  
[This Article Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999]

Article 29-3 (Construction Business Permitted to Design and Install Sewage Treatment Facilities, Separate Septic Tanks or Livestock Wastewater Treatment Facilities)

The term "construction business as prescribed by the Presidential Decree" in Article 38 (7) of the Act means a business of installing industrial facilities under Article 7 of the Enforcement Decree of the Framework Act on the Construction Industry. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>  
[This Article Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999]

Article 29-4 (Standards for Registration of Business of Manufacturing Sewage Treatment Facilities, etc.)

Standards for the facilities, equipment and technical capability, etc. by business type which are to be equipped by the person, who intends to register his business of manufacturing the treatment facilities of sewage, etc. or separate septic tanks under the provisions of Article 39 (1) of the Act, shall be as shown in the attached Table 6-3.  
[This Article Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999]

Article 29-5 (Inspection of Sewage Treatment Facilities, etc.)

The term "inspection prescribed by the Presidential Decree" referred to in Article 39 (4) of the Act means the inspection falling under any of the following subparagraphs and the objects of such inspection are as shown on the attached Table 7-2: <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

1. Pre-inspection:

This inspection is conducted to determine whether the treatment facilities of sewage or separate septic tanks are in conformity with the standards for the quality of materials and performance under the provisions of Article 39-2 of the Act, which are intended for sale by a person who seeks to register, or who has registered, his business of manufacturing the treatment facilities of sewage or separate septic tanks under the provisions of Article 39 (1) of the Act; and

2. Post-inspection:

This inspection is conducted every three years from the date of registration to confirm whether the treatment facilities of sewage or separate septic tanks are in conformity with the standards for the quality of materials and performance under the provisions of Article 39-2 of the Act, which are manufactured and sold by a person who has registered his business of manufacturing the treatment facilities of sewage or separate septic tanks under the provisions of Article 39 (1) of the Act (hereinafter referred to as a "manufacturer of treatment facilities of sewage, etc.").

[This Article Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999]

Article 30 (Sewage Treatment Facilities, etc. with Technical Manager Posted)

(1) Those treatment facilities of sewage, excreta and livestock wastewater which shall have a technical manager responsible for the technical affairs concerning the maintenance and management of treatment facilities under the text of Article 42 (1) of the Act are as defined in the following subparagraphs: <Amended by Presidential Decree No. 16508, Aug. 6, 1999; Presidential Decree No. 18065, Jul. 25, 2003>

1. Sewage treatment facilities with a daily treatment capacity of 200 cubic meters or more (including the cases where two or more facilities are installed at the same location, and the sum of their capacity is 200 cubic meters or more);

2. Separate septic tanks for not less than 2,000 subjected persons (including the cases where two or more tanks are installed at the same location, and the sum of subjected persons is not less than 2,000);

3. Excreta treatment facilities, and public treatment facilities of livestock wastewater; and

4. Livestock wastewater treatment facilities installed by the person who has obtained an installation permit for discharge facilities of livestock wastewater under Article 24-2 (1) of the Act: Provided, That such livestock wastewater treatment facilities shall be excluded, as purify the livestock wastewater at the facilities to make compost or those to make liquefied fertilizer, and utilize it as the compost for the meadow or farmland, etc.

(2) A technical manager may not be posted, notwithstanding the provisions of paragraph (1), at the treatment facilities of sewage in an area whereat the sewage is led into and treated by the sewage terminal treatment facilities under Article 2 of the Sewerage Act or the wastewater terminal treatment facilities under Article 25 of the Water Quality Conservation Act.

Article 31

Deleted. <by Presidential Decree No. 16508, Aug. 6, 1999>

Article 32 (Persons Subject to Training)

The term "persons, etc. who are responsible for the excreta treatment as determined by the Presidential Decree" referred to in Article 43 (1) of the Act means the persons falling under any of the following subparagraphs: <Amended by Presidential Decree No. 16508, Aug. 6, 1999; Presidential Decree No. 18065, Jul. 25, 2003>

1. A technician responsible for the technical affairs concerning the treatment of excreta, etc. who is employed by a person who has obtained a license for business related to excreta, etc.

under Article 35 (1) of the Act (including the businessman who is a technician);

2. A technician employed by a person who has made a registration for the business of design and installation of the treatment facilities of sewage, etc. under Article 38 (1) of the Act (including the operator of design and installation business who is a technician);

3. A technician employed by the manufacturer of treatment facilities of sewage, etc. under Article 39 of the Act (including the manufacturer of treatment facilities of sewage, etc. who is a technician); and

4. A technical manager of the excreta treatment facilities and the livestock waste-water public treatment facilities under Article 30 (1) 3 of the Act.

#### Article 32-2 (Obligations of Owner of Treatment Facilities)

The term "case as determined by the Presidential Decree" referred to in the latter part of Article 43-2 of the Act means the case falling under any of the following subparagraphs:

1. Where the owner fails to connect the source of electricity; and
2. Where the owner of the facilities concerned, upon a request to improve such facilities from a person who has been entrusted with the management of such facilities, fails to improve the facilities without any clear reasons.

[This Article Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999]

#### Article 32-3 (Report and Inspection, etc.)

The term "case prescribed by the Presidential Decree" referred to in Article 46 (1) of the Act means the case falling under any of the following subparagraphs:

1. Where the proper management of sewage, excreta and livestock wastewater is made according to the guidance and check plan prescribed by the Minister of Environment, the Mayor/Do governor or the head of Si/Gun/Gu;
2. Where pollution damages occur or are feared to occur due to the discharge of sewage, excreta and livestock wastewater;
3. Where a justifiable request is filed by other agency or a petition is filed;
4. Where it is intended to confirm whether an improvement order, etc. under the provisions of Article 14-2 (1) and (2), or 28 (4) and (5) of the Act is executed;
5. Where it is intended to confirm whether a person has manufactured, imported and sold specific industrial products in violation of an order given under the provisions of Article 17 of the Act; and
6. Where it is necessary to file a report on treatment records under the provisions of Article 48 of the Act.

[This Article Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999]

#### Article 33 (Delegation of Authority)

(1) The Minister of Environment shall, under Article 52 (1) of the Act, delegate the authority falling under the following subparagraphs to the Mayor/Do governor:

1. Request, etc. for a revocation of business permit under Article 50-2 of the Act; and
2. Imposition and collection of the fine for negligence under Article 58 (2) 8 of the Act.

(2) Under the provisions of Article 52 (1) of the Act, the Minister of Environment shall delegate the authority on the matters falling under each of the following subparagraphs to the head of a basin environmental office or of a regional environmental office:

1. Order to report and to submit the data, and measures to gain access and inspect under Article 46 of the Act; and
2. Imposition and collection of the fine for negligence under subparagraph 19 of Article 58 of the Act (limited to the matters under Article 46 (1) and (2) of the Act) and subparagraph 24 of the same Article.

[This Article Wholly Amended by Presidential Decree No. 18065, Jul. 25, 2003]

#### Article 33-2 (Entrustment of Training Implementation)

The Minister of Environment shall, in accordance with Article 52 (2) of the Act, entrust the conduct of education for persons in charge of excreta treatment, etc. under Article 43 of the Act to the institution falling under any of the following subparagraphs: <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

1. The Environmental Management Corporation established pursuant to the Environmental Management Corporation Act: the conduct of education for technical managers in charge of the treatment facilities of excreta and the public treatment facilities of livestock wastewater; and
2. The Korea Environmental Preservation Association established pursuant to Article 38 of the Framework Act on Environmental Policy: the conduct of education for the persons subject to the education under Article 32.

[This Article Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999]

#### Article 34 (Work Supervision, etc. following Authority Delegation)

(1) The Minister of Environment may, in case that deemed particularly necessary for the management of water pollution in a large area, directly order to report and to submit the data, and take measures to gain access and inspect under Article 46 of the Act. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

(2) The Minister of Environment shall, in case that the offences against the Acts and subordinate statutes at the business place are found as the results of inspection, verification and examination under paragraph (1), notify its content and recommendation for measures thereof to the relevant Mayor/Do governor or the head of Si/Gun/Gu. <Amended by Presidential Decree No. 18065, Jul. 25, 2003>

## Article 35 (Imposition, etc. of Fine for Negligence)

(1) The Minister of Environment, the Mayor/Do governor or the head of Si/Gun/Gu (hereinafter referred to as the "imponent") shall, in case that he imposes a fine for negligence under Article 58 (3) of the Act, specify in writing the offence, method of objection, objection period, etc., and notify the person subject to the disposition of a fine for negligence of its payment, after an investigation and confirmation of the relevant offenses.

(2) The imponent shall, in case that he intends to impose a fine for negligence under paragraph (1), provide the person subject to the disposition of a fine for negligence with an opportunity to present an opinion orally or in writing with a time-limit of 10 days or more. In this case, if there is no opinion statement by the end of such time-limit, it shall be deemed as having no opinion.

(3) The amount of a fine for negligence imposed is as shown in the attached Table 8. <Newly Inserted by Presidential Decree No. 16508, Aug. 6, 1999>

(4) The imponent shall, in case that he determines the amount of fine for negligence, take into consideration the motive for the relevant offence and consequences therefrom, etc.

(5) Procedures for the collection of fines for negligence shall be determined by the Ordinance of the Ministry of Environment.

## ADDENDA

### Article 1 (Enforcement Date)

This Decree shall enter into force on September 8, 1997: Provided, That the amended provisions of Article 5 shall enter into force on the date of its promulgation.

### Article 2 (Transitional Measures for Those Buildings and Other Facilities for Which Sewage Purification Facility Installation is Required)

(1) Any person who has installed and operated a building or other facilities for which the installation of a sewage purification facility is newly required under the amended provisions of Article 3 (1) (f) of the Act at the time this Decree enters into force shall make a report to the head of Si/Gun/Gu as provided in Article 9 (2) of the Act, not later than six months from the enforcement date of this Decree: Provided, That this shall not apply to those cases falling under any subparagraph of Article 9 (1) of the Act.

(2) Any person who has made a report as referred to in paragraph (1) shall install a sewage purification facility as provided in subparagraph 5 of Article 2 of the Act no later than December 31, 1998: Provided, That in the case where the installation of the facility concerned cannot be completed by December 31, 1998 due to unavoidable reasons, the period may be extended within a time limit of 6 months after obtaining the approval of the head of Si/Gun/Gu.

(3) Any person operating a golf club business or ski resort business who is required to install or improve a sewage purification facility under the amended provisions of Article 3 (1) 5 of

the Decree shall make a report to the pertinent head of Si/Gun/Gu within 3 months as prescribed in Article 9 (2) of the Act and shall install the sewage purification facility nor complete the improvement of the facility under subparagraph 5 of Article 2 of the Act not later than one and half year from the enforcement date of this Decree.

Article 3 (Transitional Measures for Those Livestock Wastewater Discharge Facilities for Which Permission is Required)

(1) Any person who has installed and operated livestock wastewater discharge facilities for which permission is newly required under the amended provisions of Article 11 at the time this Decree enters into force shall obtain installation permission for livestock wastewater discharge facilities as provided in Article 24 (1) of the Act, not later than 1 year from the enforcement date of this Decree.

(2) Any person who has obtained installation permission as provided in paragraph (1) shall install livestock wastewater treatment facilities appropriate to the provisions of Article 25 (2) of the Act by December 31, 1999: Provided, That this shall not apply to those cases falling under the proviso of Article 25 (1) of the Act.

Article 4 (Transitional Measures for Those Livestock Wastewater Discharge Facilities for Which Report is Required)

(1) Any person who has installed and operated livestock wastewater discharge facilities for which a report is newly required under the amended provisions of Article 14 at the time this Decree enters into force shall make a report on installation of the livestock wastewater discharge facility as provided in Article 24 (4) of the Act, not later than 1 year from the enforcement date of this Decree.

(2) Any person who has made a report on installation as provided in paragraph (1) shall install livestock wastewater treatment facilities appropriate to the provisions of Article 25 (2) of the Act by December 31, 1999: Provided, That this shall not apply to those cases falling under the proviso of Article 25 (1) of the Act.

Article 5 (Transitional Measures for Those Livestock Wastewater Discharge Facilities for Which Simple Livestock Wastewater Purification Tanks are Required)

Any person who has installed and operated livestock facilities for which simple livestock wastewater purification tanks are newly required under the amended provisions of Article 27 at the time the amended provisions of the main sentence of Article 33 (1) of the Act on the Disposal of Sewage, Excreta and Livestock Wastewater amended by Act No. 5301 enter into force (Sep. 8, 2998), shall make an installation report of the simple livestock wastewater purification tanks by December 31, 1998 under the provisions of Article 33 (2) of the Act and complete the installation in accordance with the provisions of Article 33 (1) of the Act by December 31, 1999: Provided, That this shall not apply to the proviso of Article 33 (1) of the Act.

Article 6 (Transitional Measures concerning Dispositions, etc.)

At the time this Decree enters into force, any permits, dispositions given or made by any

government offices, or reports and any actions against any government offices shall be regarded as actions by or against the pertinent government offices under this Decree.

Article 7 (Relation with Other Acts and Subordinate Statutes)

In the case where other Acts and subordinate statutes cite the provisions of the Enforcement Decree of the Act on the Disposal of Sewage, Excreta and Livestock Wastewater and there are provisions in this Decree corresponding to such cited provisions, it shall be considered that the corresponding provisions in this Decree are cited in lieu of the previous provisions.

ADDENDA <Presidential Decree No. 15817, Jun. 24, 1998>

Article 1 (Enforcement Date)

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

Articles 2 through 6  
Omitted.

ADDENDUM <Presidential Decree No. 16060, Dec. 31, 1998>  
This Decree shall enter into force on the date of its promulgation.

ADDENDA <Presidential Decree No. 16508, Aug. 6, 1999>

Article 1 (Enforcement Date)

This Decree shall enter into force on August 9, 1999.

Article 2 (Application Example concerning Enlargement, etc. of Building, etc.)

The amended provisions of Article 6-2 shall be applied starting with the building, etc. for which permission for its enlargement is granted for the first time after the enforcement of this Decree, or permission is granted or a report is filed for the business of using the treatment facilities of sewage or separate septic tanks for the purpose which requires alteration or additional installation of such facilities.

Article 3 (Transitional Measures concerning Building, etc. Subject to Installation of Sewage Treatment Facilities)

(1) In the area where the amended provisions of Article 9 of the Act enter into force on January 1, 2002 under Article 1 (2) of the Addenda of the Act on the Disposal of Sewage, Excreta and Livestock Wastewater amended by Act No. 5864 (hereinafter referred to as the "amended Act"), the previous provisions of Article 3 shall be applied until December 31, 2001. In this case, the "purification facilities of sewage" in the previous Article 3 shall be

deemed the "treatment facilities of sewage".

(2) Any person who constructs and operates the building, etc. subject to the installation of the purification facilities of sewage in the area prescribed by previous provisions of Article 3 (1) 1 (f) under Article 2 (1) and (2) of the Addenda of the Enforcement Decree amended by the Presidential Decree No. 15456 of the Act on the Disposal of Sewage, Excreta and Livestock Wastewater shall install the treatment facilities of sewage until December 31, 2001: Provided, That the building, etc. shall, in case that it falls under any of the following subparagraphs, be excluded from the installation of the treatment facilities of sewage:

1. The buildings, etc. located in the area where flowed-in sewage is planned to be treated using the terminal treatment facilities of sewage for which authorization is granted under Article 6 of the Sewerage Act, the village drainage system for which consultations are made under Article 6-2 of the same Act, or the terminal treatment facilities of wastewater for which approval is granted under Article 26 of the Water Quality Conservation Act; and

2. Schools scheduled to be closed by December 31, 2004, from among schools under Article 2 of the Elementary and Secondary Education Act.

#### Article 4 (Transitional Measures concerning Business of Excreta, etc.)

A person who has his business of excreta, etc. licensed or other person who has his business of designing and installing the treatment facilities of excreta, etc. registered at the time of enforcement of this Decree shall have facilities and equipment referred to in the amended provisions of the attached Table 6 or 6-2 within one year from the date of the enforcement of this Decree.

#### Article 5 (Transitional Measures concerning Post-Inspection of Sewage Treatment Facilities, etc.)

(1) As for a person who has his business of manufacturing septic tanks for the manufacture of separate septic tanks registered under the previous provisions at the time of enforcement of this Decree, the date of the enforcement of this Decree shall be deemed the date of such registration which is the basis for the post-inspection under the amended provisions of subparagraph 2 of Article 29-5.

(2) As for a person who has his business of manufacturing septic tanks for the manufacture of combined septic tanks registered under the previous provisions at the time of enforcement of this Decree, the date on which his business is again registered under the provisions of Article 8 of the Addenda to the amended Act shall be deemed the date of such registration which is the basis for the post-inspection under the amended provisions of subparagraph 2 of Article 29-5.

#### Article 6

Omitted.

ADDENDA <Presidential Decree No. 16953, Aug. 17, 2000>

#### Article 1 (Enforcement Date)

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

Articles 2 through 4  
Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 5  
Omitted.

ADDENDA <Presidential Decree No. 17782, Nov. 14, 2002>

(1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation.

(2) (Transitional Measures for Imposition of Fine for Negligence) The previous provisions shall govern any imposition of fine for negligence on the violations committed prior to the enforcement of this Decree, notwithstanding the amended provisions of the attached Table 8.

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

Article 1 (Enforcement Date)

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

Articles 2 through 17  
Omitted.

ADDENDA <Presidential Decree No. 18065, Jul. 25, 2003>

Article 1 (Enforcement Date)

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

Article 2 (Application Example to Change of Use, Extension of Building, etc.)

(1) The amendments to Article 6-2 (1) 8 shall apply from the building, etc. whose usage is altered for the first time after enforcement of this Decree.

(2) The amendments to Articles 6-2 (1) 9 and 6-2 (2) shall apply from the building, etc. which is to be extended for the first time after enforcement of this Decree. In this case, if the building, etc. has been extended prior to enforcement of this Decree, the construction floor space at the time of enforcement of this Decree shall be considered as the original total floor space of construction under the amendments to Article 6-2 (1) 9.

#### Article 3 (Application Example to Post Inspection)

The amendments to subparagraph 2 of Article 29-5 shall apply to the sewage treatment facilities and separate septic tanks to be subjected to a post inspection for the first time after enforcement of this Decree, which are the sewage treatment facilities and separate septic tanks for which the post inspection period under the previous provisions has not passed at the time of enforcement of this Decree.

#### Article 4 (Application Example to Sewage Treatment Facilities or Separate Septic Tanks Subject to Inspections of Material Quality and Functions)

The amendments to the attached Table 7-2 shall apply from the sewage treatment facilities and separate septic tanks which file an application for the inspection of functions or of material quality for the first time after enforcement of this Decree.

#### Article 5 (Transitional Measures for Imposition of Fine for Negligence)

The previous provisions shall govern an imposition of the fine for negligence upon offenses committed prior to the enforcement of this Decree, notwithstanding the amendments to the attached Table 8.

ADDENDA <Presidential Decree No. 18146, Nov. 29, 2003>

#### Article 1 (Enforcement Date)

This Decree shall enter into force on November 30, 2003. (Proviso Omitted.)

Articles 2 through 15  
Omitted.

ADDENDUM <Presidential Decree No. 18312, Mar. 17, 2004>  
This Decree shall enter into force on the date of its promulgation.