

ENFORCEMENT DECREE OF THE ATOMIC ENERGY ACT

[Enforcement Date: Dec. 31, 2008] [Presidential Decree No. 21214, Dec. 31, 2008, Amendment of Other Laws and Regulations]

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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Decree is to provide for the matters delegated by the Atomic Energy Act (hereinafter referred to as the "Act") and those necessary for the enforcement thereof. *<Amended by Presidential Decree No. 19044, Sep. 14, 2005>*

Article 2 (Definitions)

(1) The definitions of terms used in this Decree shall be as follows: *<Amended by Presidential Decree No. 12729, Jun. 16, 1989; Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20740, Feb. 29, 2008>*

1. The term "high-level radioactive wastes" means the radioactive wastes, of which the radioactive concentration and the heat release rate exceed the levels prescribed by the Minister of Education, Science and Technology (hereinafter referred to as the "Minister") from among radioactive wastes; and the term "medium-level and low-level radioactive wastes" means the radioactive wastes other than the high-level radioactive wastes;
2. The term "nuclear fuel assembly" means a bundle of nuclear fuel materials which is in a suitable form to be used as the fuel of a nuclear reactor;

3. The term "sealed radioisotopes" means the radioisotopes sealed in a container made of materials having sufficient mechanical strength and high resistance to corrosion, and the structure of which is made so as to allow, at the time when they are used, the radiation to be released towards outside the container, while preventing the radioisotopes from being leaked;
4. *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*
5. The term "radiation dose limit" means the upper limit of the amount of radiation exposed which is the aggregate of the amount of radiation exposed externally and the amount of radiation exposed internally, and its levels are shown in the attached Table 1;
6. *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*
7. *<Deleted by Presidential Decree No. 14797, Oct. 19, 1995>*
8. and 9. *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*
10. The term "permissible surface contamination level" means the radioactive contamination level permissible on the surface of material objects or human bodies determined by the Minister;
11. *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*
12. The term "preservation zone" means the area which requires special management for the preservation of facilities installed to utilize nuclear power;
13. The term "restricted zone" means the area in the vicinity of the radiation control zone and the preservation zone, where the exposed radiation dose is feared to exceed the level prescribed by the Minister;
14. *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*
15. The term "person having frequent access" means a person other than the radiation work employee, who frequently visits the radiation control zone on business (excluding those who make a temporary visit to such zone);

16. *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

17. and 18. *<Deleted by Presidential Decree No. 14797, Oct. 19, 1995>*

19. through 30. *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

31. *<Deleted by Presidential Decree No. 14797, Oct. 19, 1995>*

32. The term "permanent disposal" means the permanent isolation of radioactive wastes from the sphere of human life with no intention to recover them;

33. The term "spent nuclear fuel interim storage" means a safe storage for a specified period of nuclear fuel materials spent as fuel of nuclear reactors or produced after nuclear fission of other method from the time such materials are received from the generators until the time of treatment or permanent disposal thereof;

34. The term "specific-type radioactive materials" means hard solid type radioactive materials or radioactive materials sealed in a capsule, which meet the standards for transportation determined by the Minister;

35. *<Deleted by Presidential Decree No. 19582, Jun. 30, 2006>*

36. The term "discharge" means the discharge of radioactive wastes and other materials contaminated by them (hereinafter referred to as the "radioactive materials, etc.") which are produced in the form of liquid or vapor during the normal operation of nuclear power utilization facilities into the outside through the drainage or ventilation facilities in a planned and controlled state within the limited level set by the Minister;

37. The term "annual intake limit" means the amount of radioactivity for which the amount of the exposed radiation is deemed to reach the radiation dose limit if taken into the body of a radiation worker by ingestion for a year, which is prescribed by the Minister;

38. The term "derived air concentration" means the concentration of radioactivity in air, for which the amount of the radioactivity intake would reach the annual limit of intake if inhaled into a body of a radiation worker for a year, which is prescribed by the Minister;
and

39. The term "person with peculiar reading" means a person who falls under any of the following items:

- (a) A person who has been exposed to radiation in excess of the dose limit;
- (b) A person for whom it is impossible to read the level of radiation due to the damage, loss, etc. of dosimeter; or
- (c) A person who has submitted the dosimeter two or more months after the replacement period prescribed by the Minister.

(2) The definitions of terms used in this Decree other than the terms defined in paragraph (1) shall be governed by the Act. <Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999>

Article 3 (Nuclear Fuel Materials)

The term "materials as prescribed by the Presidential Decree" in subparagraph 3 of Article 2 of the Act means the following:

1. Uranium of which the ratio of uranium 235 to uranium 238 is the same as that of natural mixture, and its chemical compounds;
2. Uranium of which the ratio of uranium 235 to uranium 238 is less than that of natural mixture, and its chemical compounds;
3. Thorium and its chemical compounds;
4. Materials containing one or more of the materials referred to in subparagraphs 1 through 3, which can be used as fuel of nuclear reactor;
5. Uranium of which the ratio of uranium 235 to uranium 238 exceeds that of natural mixture, and its chemical compounds;
6. Plutonium and its chemical compounds;
7. Uranium 233 and its chemical compounds; and

8. Materials containing one or more of the materials referred to in subparagraphs 5 through 7.

Article 4 (Nuclear Raw Materials)

The term "materials as prescribed by the Presidential Decree" in subparagraph 4 of Article 2 of the Act means materials containing uranium or its chemical compounds, or thorium or its chemical compounds, other than nuclear fuel materials.

Article 5 (Radioisotopes)

The term "isotopes and compounds as prescribed by the Presidential Decree" in subparagraph 6 of Article 2 of the Act means substances for which the quantity and concentration of isotopes exceed the quantity and concentration prescribed by the Minister, excluding the following substances: *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

1. Nuclear fuel materials as prescribed in subparagraph 3 of Article 2 of the Act;
2. Nuclear raw materials as prescribed in subparagraph 4 of Article 2 of the Act; and
3. Radioactive materials or devices containing radioactive materials, which do not threaten to cause radiation damages, as determined and publicly notified by the Minister.

[This Article Wholly Amended by Presidential Decree No. 15434, Jul. 10, 1997]

Article 6 (Radiation)

The term "electromagnetic waves or particle beams as prescribed by the Presidential Decree" means the following: *<Amended by Presidential Decree No. 15434, Jul. 10, 1997>*

1. Alpha rays, deuteron rays, proton rays, beta rays and other heavily charged particle rays;
2. Neutron rays;
3. Gamma rays and X-rays; and

4. Electron rays with energy exceeding fifty thousand electron volts.

Article 7 (Nuclear Reactor Excluded from Application)

The term "nuclear reactors as prescribed by the Presidential Decree" in the *proviso* of subparagraph 8 of Article 2 of the Act means devices other than those which are capable of controlling the chain reaction of nuclear fission and of maintaining the equilibrium state of the reaction without using the neutron source.

Article 8 (Radiation Generating Devices)

The term "equipment as prescribed by the Presidential Decree" in subparagraph 9 of Article 2 of the Act means the following: *Provided*, That the equipment for which the uses and capacity are not more than those determined by the Minister shall be excluded: <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

1. X-ray generating equipment;
2. Cyclotron;
3. Synchrotron;
4. Synchrocyclotron;
5. Linear accelerator;
6. Betatron;
7. Van de Graff type accelerator;
8. Cockcroft-Walton type accelerator;
9. Transformer type accelerator;
10. Microtron;
11. Cyclotron light accelerator;

12. Ion implanter; and

13. Others determined and publicly announced by the Minister.

Article 9 (Related Facilities)

The term "facilities as prescribed by the Presidential Decree" in subparagraph 10 of Article 2 of the Act means the following facilities: *<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

1. Nuclear reactor cooling system facilities;
2. Instrumentation control system facilities;
3. Handling and storage facilities of nuclear fuel materials;
4. Treatment, discharge and storage facilities for radioactive wastes located in a nuclear power plant;
5. Radiation control facilities;
6. Nuclear reactor containment facilities;
7. Nuclear reactor safety system facilities; and
8. Other facilities related to the safety of a nuclear reactor, which are determined by the Minister.

Article 9-2 (Nuclear Power Utilization Facilities)

"Facilities prescribed by the Presidential Decree" in subparagraph 20 of Article 2 of the Act means the following facilities: *<Amended by Presidential Decree No. 17304, Jul. 16, 2001>*

1. Nuclear reactors and related facilities;
2. Nuclear fuel cycling facilities;

3. Facilities using nuclear materials;
4. Facilities for the production, use, distribution, storage, custody, treatment and discharge of radioactive isotopes;
5. Radiation generating devices and subsidiary facilities thereof;
6. Facilities for intermediate storage of spent nuclear fuel;
7. Facilities for the permanent disposal of radioactive wastes; and
8. Facilities for the treatment and storage of radioactive wastes.

[This Article Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999]

CHAPTER II ATOMIC ENERGY COMMISSION AND ATOMIC ENERGY SAFETY COMMISSION <Amended by Presidential Decree No. 15434, Jul. 10, 1997>

Article 10 (Duties, etc. of Chairperson)

(1) The chairperson of the Atomic Energy Commission (hereinafter referred to as the "Chairperson") shall exercise overall control and supervision over the affairs of the Atomic Energy Commission (hereinafter referred to as the "Commission") and represent the Commission. <Amended by Presidential Decree No. 14797, Oct. 19, 1995>

(2) In the event that the Chairperson is unable to perform his/her duties due to unavoidable reasons, the member designated in advance by the Chairperson shall act on behalf of the Chairperson. <Amended by Presidential Decree No. 12729, Jun. 16, 1989; Presidential Decree No. 17304, Jul. 16, 2001>

Article 11 <Deleted by Presidential Decree No. 12729, Jun. 16, 1989>

Article 12 (Meetings)

(1) The Chairperson shall convene the meetings of the Commission and preside over such meetings.

(2) The Chairperson may convene a meeting at any time as deemed necessary. *<Amended by Presidential Decree No. 12729, Jun. 16, 1989>*

(3) The Chairperson shall notify each member in writing (including electronic documents) of the date and time, venue and agenda of the meeting one week prior to the opening of the meeting unless there exists any special situation. *<Amended by Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 18312, Mar. 17, 2004>*

(4) The executive secretary of the Commission shall, by the order of the Chairperson, arrange in advance items on the agenda and refer them with necessary materials to the meeting. *<Amended by Presidential Decree No. 12729, Jun. 16, 1989>*

(5) The meeting shall pass a resolution with the attendance of a majority of the registered members and by consenting votes of a majority of the present members. *<Amended by Presidential Decree No. 12729, Jun. 16, 1989>*

Article 13 (Specialized Committee on Use and Development of Nuclear Energy)

(1) A Specialized Committee on Use and Development of Nuclear Energy shall be established in the Commission to investigate and deliberate the affairs under the jurisdiction of the Commission. *<Amended by Presidential Decree No. 15434, Jul. 10, 1997>*

(2) The Specialized Committee on Use and Development of Nuclear Energy as prescribed in paragraph (1) shall be composed of not more than 25 part-time specialist members (hereinafter referred to as "specialist members"). *<Amended by Presidential Decree No. 15434, Jul. 10, 1997>*

(3) The specialist members shall be appointed or commissioned by the Chairperson upon the recommendation of the Minister from among the persons having profound academic knowledge and experience in nuclear energy and staff of the related agencies. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 15434, Jul. 10, 1997>>*

(4) The chairperson of the Specialized Committee on Use and Development of Nuclear Energy shall be nominated by the Chairperson from among the members of the Commission. *<Amended by Presidential Decree No. 15434, Jul. 10, 1997>*

(5) *<Deleted by Presidential Decree No. 15434, Jul. 10, 1997>*

(6) Where deemed necessary, the chairperson of the Specialized Committee on Use and Development of Nuclear Energy may establish subcommittees under the Specialized Committee on Use and Development of Nuclear Energy as prescribed in paragraph (1), and matters necessary for the organization and operation thereof shall be determined by the chairperson of the Specialized Committee on Use and Development of Nuclear Energy. *<Amended by Presidential Decree No. 15434, Jul. 10, 1997>*

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 14 *<Deleted by Presidential Decree No. 14797, Oct. 19, 1995>*

Article 15 (Request for Investigation and Research, etc.)

(1) Where deemed necessary for the deliberation of the matters falling under Article 4 of the Act, the Chairperson may request the appropriate domestic or foreign institution or experts to conduct survey or research, or to furnish data concerning the relevant matters.

(2) Necessary expenditures may be paid within the limit of the budget when requesting survey, research or data pursuant to the provisions of paragraph (1).

Article 16 (Statement, etc. of Opinion)

Where deemed necessary for the deliberation of the matters under its jurisdiction, the Commission may have the staff member of the related agency state opinions to the Commission or Specialized Committee. *<Amended by Presidential Decree No. 12729, Jun. 16, 1989>*

Article 17 (Allowances, etc.)

The allowances and actual expenses incurred in the performance of duties may be paid to the members and specialist members who attended the meetings of the Commission, the Specialized Committee on Use and Development of Nuclear Energy and subcommittees within the limit of the budget. *<Amended by Presidential Decree No. 15434, Jul. 10, 1997>*

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 18 (Executive Secretary)

The executive secretary of the Commission shall take charge of the administrative affairs by the orders of the Chairperson.

[This Article Wholly Amended by Presidential Decree No. 17304, Jul. 16, 2001]

Article 19 (Minutes of Meeting)

The executive secretary shall prepare the minutes of a meeting which have stated the progress of the meeting, and shall report them in the next meeting.

Article 19-2 (Detailed Operational Rules)

Except as provided in this Decree, matters necessary for the operation of the Commission and the Specialized Committee on Use and Development of Nuclear Energy shall be determined by the Chairperson through a resolution of the Commission.

[This Article Newly Inserted by Presidential Decree No. 15434, Jul. 10, 1997]

Article 19-3 (Specialized Committee, etc.)

(1) The Specialized Committee on Nuclear Energy Safety shall be established at the Nuclear Energy Safety Commission (hereinafter referred to as the "Safety Commission") to investigate and deliberate the affairs under the jurisdiction of the Safety Commission as prescribed in Article 5 of the Act.

(2) In the event that an accident falling under any of the following subparagraphs has occurred, the Safety Commission may organize a special examination committee and have it investigate the accident:

1. A serious accident in the safety system of nuclear energy-related facilities;
2. An environmental pollution accident due to radiation; and
3. A serious radiation exposure accident.

[This Article Newly Inserted by Presidential Decree No. 15434, Jul. 10, 1997]

Article 20 (Provisions to Be Applied *Mutatis Mutandis*)

The provisions of Articles 10, 12, 13 (2) through (4) and 15 through 19-2 shall apply *mutatis mutandis* to the chairperson, meetings, specialist members and detailed operational rules of the Nuclear Energy Safety Commission, respectively. In this case, the terms "Commission", "Chairperson", "Specialized Committee on Use and Development of Nuclear Energy" and "Article 4 of the Act" in Article 15 (1) shall be deemed as "Safety Commission", "chairperson of the Safety Commission", "Specialized Committee on Nuclear Energy Safety" and "Article 5-2 of the Act", respectively.

[This Article Wholly Amended by Presidential Decree No. 15434, Jul. 10, 1997]

CHAPTER II-2 EXECUTION OF NUCLEAR ENERGY RESEARCH AND DEVELOPMENT PROJECTS, ETC. <Newly Inserted by Presidential Decree No. 15371, May 9, 1997>

Article 20-2 (Minor Matters)

The term "minor matters prescribed by the Presidential Decree" in the *proviso* of Article 8-2 (4) of the Act means the following matters:

1. Matters related to a detailed implementation of tasks by sector; and
2. Matters having no serious effect on the contents of the comprehensive plan, which meet the standards determined by the Commission.

[This Article Newly Inserted by Presidential Decree No. 14797, Oct. 19, 1995]

Article 20-3 (Conclusion of Research Agreement)

(1) In the event that the head of managing research institution (hereinafter referred to as the "managing research institution") referred to in Article 9-2 (5) of the Act intends to appropriate contributions or technical development expenses (including payment in kind) by the persons other than the Government to a part of expenses necessary for nuclear power research and development projects (hereinafter referred to as the "research and development projects") referred to in Article 9-2 (1) of the Act, he/she shall, in advance, enter into a contribution contract or research contract with the person who contributes such expenses.

<Amended by Presidential Decree No. 19582, Jun. 30, 2006>

(2) The agreement on the research tasks for the promotion of research and development projects pursuant to Article 9-2 (1) of the Act (hereinafter referred to as "research agreement") shall include the following matters: *<Amended by Presidential Decree No. 19582, Jun. 30, 2006>*

1. Titles of tasks, scope, methods of performance of the research and the person in charge thereof;
2. Methods of bearing and payment of the research and development expenses;
3. Report on the results of the research and development;
4. Ownership and practical application of the results of the research and development;
5. Collection of technical fees following the practical application of the results of the research and development;
6. Measures to be taken following the appraisal of the results of the research and development;
7. Use and management of the research and development expenses;
8. Modification and termination of research agreements;
9. Measures to be taken following the violation of research agreements; and

10. Other matters ensuing from the research and development.

(3) The head of the managing research institution may implement a part of the research tasks in cooperation or jointly with any institution or organization falling under any subparagraph of Article 7 (1) of the Technology Development Promotion Act or specialists in the relevant fields, or may entrust such institution or organization to implement a part of the research tasks as determined by the Minister. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 19044, Sep. 14, 2005; Presidential Decree No. 20740, Feb. 29, 2008>*

(4) *<Deleted by Presidential Decree No. 17304, Jul. 16, 2001>*

[This Article Wholly Amended by Presidential Decree No. 15371, May 9, 1997]

Article 20-4 *<Deleted by Presidential Decree No. 15371, May 9, 1997>*

Article 20-5 (Payment and Management of Contributions)

(1) The Minister may disburse the contributions to any institutions or organizations which carry out the projects falling under any of subparagraphs of Article 10-5 (1) of the Act (hereinafter referred to as "project implementing institution") with the financial resources as prescribed in each subparagraph of Article 9-2 (2) of the Act. *<Amended by Presidential Decree No. 15371, May 9, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) The contributions shall be paid in installments: *Provided*, That the Minister may pay the contributions in a lump sum upon taking into account the scale and the time of launching the research and development tasks. *<Amended by Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 20740, Feb. 29, 2008>*

(3) The head of the project implementing institution which has received the contributions shall establish an account for the contributions separately from funds for other purposes and manage such contributions in a manner that details of their receipts and expenditures can be verified. *<Amended by Presidential Decree No. 17304, Jul. 16, 2001>*

[This Article Newly Inserted by Presidential Decree No. 14797, Oct. 19, 1995]

Article 20-6 <Deleted by Presidential Decree No. 12371, May 9, 1997>

Article 20-7 (Use and Report on Actual Results of Contributions)

(1) The head of the project implementing institution shall use the contributions limited for the expenses required for the relevant project, under the conditions as determined by the Minister. <Amended by Presidential Decree No. 15371, May 9, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

(2) The head of the project implementing institution shall submit to the Minister the results of use of the annual contributions, accompanied by the following documents by March 31 of the next year: <Amended by Presidential Decree No. 15371, May 9, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

1. Comparison table between the plans for research and development projects and the actual results of their execution;
2. Detailed statement of collection and use of technical fees; and
3. CPA's audit report (limited to the case of annual contributions of not less than 500 million won): *Provided*, That a supervisory office's written opinion in the case of national or public research institutions and a president's or dean's written opinion in the case of universities and colleges may substitute for such audit report.

[This Article Newly Inserted by Presidential Decree No. 14797, Oct. 19, 1995]

Article 20-8 (Collection and Use of Technical Fees)

(1) The head of managing research institution shall make efforts to ensure that the results of the research and development projects are actively utilized in the industry, unless there exists any special situation.

(2) <Deleted by Presidential Decree No. 19582, Jun. 30, 2006>

(3) In the event that the head of managing research institution has collected or given exempted technical fees pursuant to Article 9-2 (5) of the Act, he/she shall make a report on the result of the collection or exemption to the Minister within fifteen days from the date of

such collection or exemption, and where he/she uses the collected technical fees, he/she shall use them for the purposes falling under each of the following subparagraphs as provided by the Minister, and make a report to the Minister on the results of use in the relevant year by March 31 of the next year: <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20740, Feb. 29, 2008>

1. To enhance the research efficiency of researchers;
2. To reward excellent researchers and for the results of the excellent research and development;
3. To perform the research and development in the field of nuclear energy;
4. To reinvest in basic research in the field of nuclear energy;
5. To manage and utilize the results of research and development; and
6. Other purposes deemed necessary by the Minister.

[This Article Wholly Amended by Presidential Decree No. 15371, May 9, 1997]

Article 20-9 (Possession of Industrial Property Rights, etc.)

The term "person prescribed by Presidential Decree" in the *proviso* of Article 9-2 (7) of the Act means a person who falls under any of the following subparagraphs:

1. The operator of nuclear reactor for power generation pursuant to Article 23-2 (1) of the Act (hereinafter referred to as the "operator of a nuclear power reactor"); or
2. The person, other than the Government, who bears a part of the expenses necessary for the research and development projects pursuant to Article 20-3 (1).

[This Article Wholly Amended by Presidential Decree No. 19582, Jun. 30, 2006]

Article 20-10 (Cost Bearing for Nuclear Energy Research and Development Project)

The amount to be borne by the operator of a nuclear power reactor as prescribed in Article 9-3 (2) of the Act shall be the amount derived by multiplying 1.20 won per kilowatt-hour by the electricity volume generated by operating the relevant reactor for the preceding year.

[This Article Wholly Amended by Presidential Decree No. 17304, Jul. 16, 2001]

Article 20-11 (Payment of Charges)

(1) If the Minister intends to impose charges on any operator of a nuclear power reactor pursuant to Article 9-3 (4) of the Act, he/she shall specify in writing the amount, time limit and place of payment on the basis of the electricity volume generated by operating the reactor during the competent quarter in the previous year on a quarterly basis, and order the relevant operator to pay such charges. *<Amended by Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) The time limit for payment as prescribed in paragraph (1) shall be within twenty days from the date of its notice.

(3) If the operator of a nuclear power reactor intends to pay the charges pursuant to the provisions of paragraph (1), he/she shall pay such charges within the time limit for payment to any receiving agency determined by the Minister. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(4) The agency which has received the charges pursuant to the provisions of paragraph (3) shall deliver a receipt to the payer of the charges, and notify such fact to the Minister. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Newly Inserted by Presidential Decree No. 15371, May 9, 1997]

Article 20-12 *<Deleted by Presidential Decree No. 19582, Jun. 30, 2006>*

Article 20-13 (Detailed Provisions)

Except as provided by this Decree, the matters necessary for the execution of the research and development projects and charges shall be determined by the Minister. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Newly Inserted by Presidential Decree No. 15371, May 9, 1997]

Article 20-14 (Entrusted Execution of Investigation into Actual Situations)

(1) The term "institutions or organizations prescribed by the Presidential Decree " in the latter part of Article 10-2 (1) of the Act means institutions or organizations referred to in each subparagraph of Article 7 (1) of the Technology Development Promotion Act, and institutions or organizations whose establishment is permitted by the Minister under Article 32 of the Civil Act and Article 4 of the Act on the Establishment and Operation of Public-Service Corporations. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 19044, Sep. 14, 2005; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) The Minister may disburse in the form of contributions or subsidies the required expenses to the institutions or organizations which investigate the actual situations of the nuclear energy industry. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Newly Inserted by Presidential Decree No. 14797, Oct. 19, 1995]

CHAPTER II-3 MANAGEMENT AND OPERATION OF NUCLEAR ENERGY RESEARCH AND DEVELOPMENT FUND *<Newly Inserted by Presidential Decree No. 15371, May 9, 1997>*

Articles 20-15 and 20-16 *<Deleted by Presidential Decree No. 19582, Jun. 30, 2006>*

Article 20-17 (Establishment of Fund Operation Plan)

(1) The Minister shall establish the operation plan for the Nuclear Energy Research and Development Fund (hereinafter referred to as the "Fund") referred to in Article 10-3 of the Act, in accordance with Article 66 of the State Finance Act. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 19044, Sep. 14, 2005; Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 19806, Dec. 29, 2006; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) The Fund operation plan referred to in paragraph (1) shall include the following matters: *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

1. Matters concerning revenues and disbursements of the Fund;
2. Matters concerning the plan for use of the Fund; and
3. Other matters deemed necessary for the operation of the Fund by the Minister.

[This Article Newly Inserted by Presidential Decree No. 15371, May 9, 1997]

Article 20-18 (Use of Fund)

Projects related to nuclear energy research and development projects as prescribed in Article 10-5 (1) 4 of the Act shall be as follows: *<Amended by Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20740, Feb. 29, 2008>*

1. Planning, management and appraisal projects to efficiently promote nuclear energy research and development projects; and
2. Other projects that the Minister deems necessary for the promotion of nuclear energy research and development projects.

[This Article Newly Inserted by Presidential Decree No. 15371, May 9, 1997]

Article 20-19 (Accounting Agency of Fund)

(1) The Minister shall appoint the Fund revenue collection officer, the Fund financial officer, the Fund disbursing officer, and the Fund accounting official from among public officials under his/her control to take charge of the affairs related to the revenues and disbursements of the Fund. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17824, Dec. 30, 2002; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) through (4) *<Deleted by Presidential Decree No. 17824, Dec. 30, 2002>*

[This Article Newly Inserted by Presidential Decree No. 15371, May 9, 1997]

Article 20-20 (Establishment of Fund Account)

The Minister shall establish an account of the nuclear energy research and development fund in the Bank of Korea to clarify the revenues and disbursements of the Fund. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Newly Inserted by Presidential Decree No. 15371, May 9, 1997]

Article 20-21 (Fiscal Year of Fund)

The fiscal year of the Fund shall be in accordance with that of the Government.

[This Article Newly Inserted by Presidential Decree No. 15371, May 9, 1997]

Article 20-22 (Methods of Operation of Surplus in Fund)

If there is surplus in the Fund, the Minister may operate it in the following methods: *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 19044, Sep. 14, 2005; Presidential Decree No. 20740, Feb. 29, 2008; Presidential Decree No. 20947, Jul. 29, 2008>*

1. Purchase of securities referred to in Article 4 of the Capital Market and Financial Investment Business Act; and
2. Deposit in financial institutions.

[This Article Newly Inserted by Presidential Decree No. 15371, May 9, 1997]

Article 20-23 (Rules for Management and Operation of Fund)

Matters necessary for the management and operation of the Fund other than those prescribed by this Decree shall be determined by the Minister. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Newly Inserted by Presidential Decree No. 15371, May 9, 1997]

CHAPTER III MANAGEMENT AND OPERATION OF NUCLEAR REACTOR

SECTION 1 Construction and Operation of Nuclear Reactor and Related Facilities

Sub-Section 1 Nuclear Power Reactors and Related Facilities

Article 21 (Application for Construction Permit)

A person who intends to obtain a construction permit for a nuclear power reactor and related facilities (hereinafter referred to as "nuclear reactor facilities") pursuant to the provisions of the former part of the main text of Article 11 (1) of the Act shall prepare a written application for permission for each nuclear reactor facilities under the conditions as prescribed by the Ordinance of the Ministry of Education, Science and Technology and submit it to the Minister: *Provided*, That if two or more nuclear reactors of the same type, same thermal power and same structure are to be constructed in the same site, one application form may cover the entire applications. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

Article 21-2 (Notification of Examination Plan)

If the Minister has received an application form as prescribed in Article 21, he/she shall notify the applicant of whether the application documents are appropriate and of the examination plan within sixty days from the date on which such application form was

submitted. <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

[This Article Newly Inserted by Presidential Decree No. 14797, Oct. 19, 1995]

Article 21-3 (Processing Period of Permission)

(1) If the Minister has received an application for permission for the construction of nuclear reactor facilities as prescribed in Article 21, he/she shall decide on whether to grant such permission within 24 months: *Provided*, That in the case falling under any of the following subparagraphs, the Minister shall decide on whether to grant the permission within 15 months: <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 20740, Feb. 29, 2008>

1. Where the capacity, nuclear reactor type and design specification of the major equipment prescribed by the Minister are identical to the nuclear power reactor of the nuclear reactor facilities whose construction work has already been granted; and
2. Where the nuclear reactor and related facilities are identical to the standard designs for which authorization has been granted in accordance with the provisions of the former part of the main text of Article 12-2 (1) of the Act.

(2) Any period falling under any of the following subparagraphs shall not be included in the processing period of permission as prescribed in paragraph (1):

1. The period required to supplement or correct the application documents;
2. <Deleted by Presidential Decree No. 17304, Jul. 16, 2001>; and
3. Other period additionally required due to unavoidable reasons such as experiments for confirming safety.

[This Article Newly Inserted by Presidential Decree No. 15371, May 9, 1997]

Article 22 (Deliberation by Safety Commission)

Where the Minister intends to grant a construction permit for nuclear reactor facilities pursuant to the provisions of the main text of Article 11 (1) of the Act, he/she shall submit the examination report prepared by the entrusted agency as prescribed in Article 303 to the Safety Commission and pass the deliberation thereof before the relevant permit is granted. *<Amended by Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

Article 23 (Application for Permission of Alteration)

(1) When a person (hereinafter referred to as "the installer of a nuclear power reactor"), who has obtained permission for the construction of nuclear reactor facilities under the former part of the main text of Article 11 (1) of the Act intends to obtain permission for altering the permitted matters pursuant to the provisions of the latter part of the main text of Article 11 (1) of the Act, he/she shall file a written application for permission for alteration thereof with the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) *<Deleted by Presidential Decree No. 12729, Jun. 16, 1989>*

Article 24 (Application for Authorization of Standard Designs)

(1) A person who intends to obtain authorization for standard designs as prescribed in the former part of the main text of Article 12-2 (1) of the Act shall prepare a written application for authorization as prescribed by the Ordinance of the Ministry of Education, Science and Technology and file such application for authorization with the Minister. *<Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

(2) The provisions of Article 21-2 shall apply *mutatis mutandis* to the notice of examination plan in respect to the application for authorization as prescribed in paragraph (1), and the provisions of Article 22 shall apply *mutatis mutandis* to the deliberation by the Safety Commission of any application for authorization filed as prescribed in paragraph (1).

[This Article Newly Inserted by Presidential Decree No. 17304, Jul. 16, 2001]

Article 25 (Application for Authorization on Alteration of Standard Designs)

In the event that any person who has obtained authorization for the standard designs in accordance with the former part of the main text of Article 12-2 (1) of the Act intends to alter the authorized matters in accordance with the provisions of the latter part of the main text of the same paragraph, he/she shall file a written application for alteration of the authorization with the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Newly Inserted by Presidential Decree No. 17304, Jul. 16, 2001]

Article 26 (Object of Exclusion from Authorization of Standard Designs)

Matters that can be excluded from granting authorization for the standard designs in accordance with Article 12-2 (6) of the Act shall be as follows: *<Amended by Presidential Decree No. 19582, Jun. 30, 2006>*

1. Matters that need sustained reflection of new technology to enhance safety; and
2. Matters for which the confirmation of safety is impossible before purchase, installation and completion of work are finished.

[This Article Newly Inserted by Presidential Decree No. 17304, Jul. 16, 2001]

Article 26-2 (Regulations for Measurement Control *<Amended by Presidential Decree No. 18341, Mar. 29, 2004>*)

The installer of a nuclear power reactor shall determine the regulations for measurement control for each business establishment after obtaining the approval of the Minister pursuant to the provisions of Article 15-2 (1) of the Act. The same shall also apply in a case where he/she intends to modify them. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 18341, Mar. 29, 2004; Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

**Article 26-3 (Inspection of Measurement Control of Specific Nuclear Materials
<Amended by Presidential Decree No. 18341, Mar. 29, 2004>)**

(1) The installer of a nuclear power reactor shall undergo an inspection concerning the measurement control of the facilities containing specific nuclear materials pursuant to the provisions of Article 16 (1) of the Act. *<Amended by Presidential Decree No. 18341, Mar. 29, 2004>*

(2) If the Minister intends to conduct an inspection referred to in paragraph (1), he/she shall notify the installer of a nuclear power reactor of an inspection plan including a list of inspectors, inspection schedule, contents of inspection, etc. not later than two hours prior to the commencement of the inspection. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 19044, Sep. 14, 2005; Presidential Decree No. 20740, Feb. 29, 2008; Presidential Decree No. 21116, Nov. 17, 2008>*

(3) *<Deleted by Presidential Decree No. 18341, Mar. 29, 2004>*

(4) The detailed matters for inspection period, inspection method, etc. regarding the inspection of measurement control shall be determined by the Minister. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 18341, Mar. 29, 2004; Presidential Decree No. 20740, Feb. 29, 2008>*

(5) If any installer of a nuclear power reactor has undergone an inspection by the International Atomic Energy Agency under the Convention for the Application of Safety Measures Related to the Treaty on the Nonproliferation of Nuclear Weapons between the Government of the Republic of Korea and the International Atomic Energy Agency in respect of the inspection of measurement control and if such inspection is recognized by the Minister, the said Minister may omit the inspection referred to in paragraph (1). *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 18341, Mar. 29, 2004; Presidential Decree No. 19044, Sep. 14, 2005; Presidential Decree No. 20740, Feb. 29, 2008; Presidential Decree No. 21214, Dec. 31, 2008>*

(6) If the result of an inspection referred to in paragraph (1) meets the regulations for measurement control, it shall be deemed to pass such inspection. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 18341, Mar. 29, 2004>*

[This Article Newly Inserted by Presidential Decree No. 14797, Oct. 19, 1995]

Article 27 (Inspection Prior to Use)

(1) The installer of a nuclear power reactor shall not use nuclear reactor facilities without passing the inspection by the Minister, for each process as prescribed in Article 29, concerning the construction work and performance of the nuclear reactor facilities pursuant to the provisions of Article 16 (1) of the Act. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) In the case of conducting the inspection referred to in paragraph (1), if the construction work and performance of the nuclear reactor facilities conform to the technical standards as prescribed in subparagraph 2 of Article 12 and subparagraph 2 of Article 22 of the Act, such nuclear reactor facilities shall be deemed to pass the inspection. *<Amended by Presidential Decree No. 12729, Jun. 16, 1989; Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999>*

1. and 2. *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 27-2 *<Deleted by Presidential Decree No. 14797, Oct. 19, 1995>*

Article 28 (Application for Inspection Prior to Use)

A person who intends to undergo an inspection prior to use as prescribed in Article 27 shall submit an application form for the inspection to the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 29 (Time, etc. of Inspection Prior to Use)

(1) The stage of work and time to undergo the inspection prior to use as prescribed in Article 27 shall be as follows: *<Amended by Presidential Decree No. 17304, Jul. 16, 2001>*

1. When the construction works on the important structures of nuclear reactor facilities have started and the strength test for each main stage of work may be conducted;
2. When the works of nuclear reactor facilities have been completed and a performance test for each system may be conducted;
3. When a test of water pressure at ordinary temperature and a test of function at high temperature may be conducted; and
4. When nuclear fuel charging and a test for trial operation may be conducted.

(2) The Minister may, when he/she deems it necessary for the inspection of the intensity, internal pressure and performance of key apparatus, parts, equipment and systems in nuclear reactor facilities, may conduct the inspection thereof according to what is prescribed and published by the Minister before the completion of the work of installing the nuclear reactor facilities. *<Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999; Amended by Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 29-2 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 30 (Provisional Pass)

The Minister may grant a provisional pass by establishing the time and method of use in a case where he/she deems that there are unavoidable situations at the time of the inspection prior to use as prescribed in Article 27. *<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

Article 31 (Quality Assurance Inspection)

The Minister may conduct an inspection, pursuant to the provisions of Article 16 (1) of the Act, to check whether or not the installer of a nuclear power reactor carries out the affairs for the relevant quality assurance according to the quality assurance program submitted

pursuant to the provisions of Article 11 (2) of the Act. <Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

Article 32 (Period for Commencement of Work)

The term "period prescribed by the Presidential Decree" in Article 17 (1) 2 of the Act refers to two years from the date on which the permit has been obtained. <Amended by Presidential Decree No. 16542, Aug. 31, 1999>

Article 32-2 <Deleted by Presidential Decree No. 16542, Aug. 31, 1999>

Article 33 (Application for Permission for Operation)

(1) Any person who intends to obtain the permission for operation of nuclear reactor facilities pursuant to the provisions of the former part of the main text of Article 21 (1) of the Act shall prepare a written application for permission for respective reactor facilities and submit it to the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology: *Provided*, That in a case where two or more nuclear reactors of the same type, same thermal power and same structure are to be operated in the same site, one application form may cover the entire applications. <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

(2) The provisions of Article 21-3 (1) shall apply *mutatis mutandis* to the processing period for an application for permission as prescribed in paragraph (1) and the period falling under any one of the following subparagraphs shall not be counted in the processing period for permission: <Newly Inserted by Presidential Decree No. 17304, Jul. 16, 2001>

1. Period required for supplementation or correction of the application documents;
2. Period during which an inspection prior to use is impossible as the reactor facilities are not installed; and
3. Period that is additionally required for unavoidable reasons, including a test for confirmation of the safety, etc.

(3) The provisions of Article 22 shall apply *mutatis mutandis* to the deliberation by the Safety Commission on the application for permission as prescribed in paragraph (1). *<Amended by Presidential Decree No. 15371, May 9, 1997; Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 17304, Jul. 16, 2001>*

Article 34 (Application for Approval on Modification)

(1) Where the operator of a nuclear power reactor intends to obtain an approval on the modification of approved matters pursuant to the provisions of the latter part of the main text of Article 21 (1) of the Act, he/she shall submit to the Minister a written application for the approval on modification as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) *<Deleted by Presidential Decree No. 12729, Jun. 16, 1989>*

Article 35 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 36 *<Deleted by Presidential Decree No. 12729, Jun. 16, 1989>*

Article 37 (Period for Commencement of Business)

The term "period as prescribed by the Presidential Decree" in Article 24 (1) 2 of the Act refers to five years from the date on which the permission is obtained. *<Amended by Presidential Decree No. 16542, Aug, 31, 1999>*

Article 38 *<Deleted by Presidential Decree No. 14797, Oct. 19, 1995>*

Articles *<39 through 41 Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 42 (Regular Inspection)

(1) The operator of a nuclear power reactor shall periodically undergo an inspection according to the objects to be inspected and methods of inspection determined by the Ordinance of the Ministry of Education, Science and Technology in respect to the performance of nuclear reactor facilities pursuant to the provisions of Article 23-2 (1) of

the Act. *<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) In a case where the inspection is conducted pursuant to the provisions of paragraph (1), if the operation and performance of the nuclear reactor facilities meet the following standards, the nuclear reactor facilities shall be deemed to pass the inspection: *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17304, Jul. 16, 2001>*

1. When the nuclear reactor facilities are properly operated in conformity with the technical standards referred to in subparagraphs 1 through 3 of Article 22 of the Act; and
2. When the internal pressure, internal radiation and other performance of the nuclear reactor facilities are maintained in a state in which the reactor facilities have passed the inspection as prescribed in Article 27.

Article 42-2 (Time, etc. for Regular Safety Assessment)

(1) The operator of a nuclear power reactor shall comprehensively assess the safety of the nuclear reactor facilities every ten years from the date on which the permission for operation of the relevant nuclear reactor facilities is granted pursuant to the provisions of Article 23-3 (1) of the Act (where the construction permission and the operation permission are simultaneously granted, the date on which the reactor reaches its criticality for the first time shall be deemed as the date on which the operation permission is granted) and prepare an assessment report and submit it to the Minister. *<Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

(2) The assessment report under paragraph (1) shall be prepared for each nuclear reactor facilities and the day corresponding to every ten years from the date on which the permission for operating the relevant reactor facilities is granted shall be the assessment reference date, and the assessment report shall be submitted within one year and six months from such assessment reference date.

(3) With respect to any nuclear reactor facilities that share the final safety analysis report as prescribed in Article 21 (2) of the Act, the assessment may be simultaneously conducted on such nuclear reactor facilities according to the assessment schedule for the nuclear reactor facilities that were installed earlier and a single regular safety assessment report may be submitted: *Provided*, That the degree of facility deterioration and the difference of operating conditions, etc. shall be separately taken into consideration when such assessment is conducted.

(4) When the operator of a nuclear power reactor intends to operate the nuclear reactor facilities continuously (hereinafter referred to as "continuous operation") after expiration of the designed life period of the nuclear reactor facilities, he/she shall submit an assessment report five through two years prior to the assessment reference date (including the date ten years after every ten years thereafter) by making the expiration date of the designed life period as the assessment reference date, notwithstanding the provisions of paragraph (2).
<Newly Inserted by Presidential Decree No. 19044, Sep. 14, 2005>

(5) If the operator of a nuclear power reactor intends not to operate the nuclear reactor facilities continuously, he/she shall apply for a modified permission pursuant to the provisions of Article 34 (1) for the permanent suspension of the relevant nuclear reactor facilities. <Newly Inserted by Presidential Decree No. 19044, Sep. 14, 2005>

[This Article Newly Inserted by Presidential Decree No. 17304, Jul. 16, 2001]

Article 42-3 (Contents of Regular Safety Assessment)

(1) The contents of the regular safety assessment pursuant to the provisions of Article 23-3 (3) of the Act shall contain the following matters:

1. Matters concerning physical conditions at the time of assessing the nuclear reactor facilities;
2. Matters concerning the safety analysis;
3. Matters concerning the verification of machinery and apparatus;

4. Matters concerning the aged deterioration (referring to the physical or chemical process that causes damages to the systems, structures, machinery and apparatus of nuclear power plant in the course of passage of time or use);
5. Matters concerning the safety performances;
6. Matters concerning the utilization of experiences of operating a nuclear power plant and the results of researches thereon;
7. Matters concerning the written procedures on operation, repairs, etc.;
8. Matters concerning the organization and administration;
9. Matters concerning the personnel factors (including matters concerning the status of constituent personnel, etc. necessary for operating a nuclear reactor);
10. Matters concerning the emergency plans for radiation pursuant to the provisions of Article 20 of the Protection of Nuclear Facilities, etc. and Prevention of Radiation Disasters Act; and
11. Matters concerning the impact of radiation on environment.

(2) When intending to make a continuous operation pursuant to the provisions of Article 42-2 (4), the matters falling under each of the following subparagraphs shall be additionally included in the matters falling under each subparagraph of paragraph (1):

1. Assessment of life span of principal machinery and apparatus upon consideration of continuous operation period; and
2. Assessment of impact of radiation on environment which has been altered after the permission for operation.

(3) Detailed matters on each subparagraph of paragraphs (1) and (2) shall be provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Wholly Amended by Presidential Decree No. 19044, Sep. 14, 2005]

Article 42-4 (Methods and Standards for Regular Safety Assessment)

(1) Methods and standards for the regular safety assessment pursuant to the provisions of Article 23-3 (3) of the Act shall be as follows:

1. The individual assessment on the matters of each subparagraph of Article 42-3 (1) and each subparagraph of paragraph (2) of the same Article, and the combined assessment on the matters having mutual relations shall be performed;
2. The regular safety assessment shall be performed in the manner that the matters concerning quality assurance and protection of radiation are included (limited to a case where there are applicable matters) in the assessment of matters under each subparagraph of Article 42-3 (1) and (2);
3. The comprehensive safety of the nuclear reactor facilities shall be assessed by taking into account the assessment of matters of each subparagraph of Article 42-3 (1) and (2), and the results of safety measures taken under such assessment; and
4. The assessment shall be made by utilizing the effective technical levels to the relevant nuclear reactor facilities at the time of the safety assessment.

(2) The provisions of each of the following subparagraphs shall apply, notwithstanding the provisions of paragraph (1) 4, to the nuclear reactor facilities intended to continuously operate pursuant to the provisions of Article 42-2 (4):

1. The assessment shall be conducted on the systems, structures and machinery and apparatus by utilizing the technical levels reflecting the latest operation experiences, the results of researches, etc.; and
2. The assessment shall be conducted on the impact of radiation on environment by utilizing the latest technical levels.

[This Article Wholly Amended by Presidential Decree No. 19044, Sep. 14, 2005]

Article 42-5 (Deliberation Handling Period of Regular Safety Assessment Report)

(1) In the event that the Minister has received the assessment report pursuant to the provisions of Article 42-2 (2), he/she shall examine it within 12 months, and where he/she has received the assessment report pursuant to the provisions of Article 42-2 (4), he/she examine it within 18 months, and notify the results thereof to the applicant. <Amended by Presidential Decree No. 20740, Feb. 29, 2008>

(2) The periods falling under any of the following subparagraphs shall not be counted in the deliberation handling period pursuant to the provisions of paragraph (1):

1. Period required for the supplementation or revision of the assessment report; and
2. Other period additionally required due to inevitable reasons, such as experiments for confirmation of safety.

[This Article Newly Inserted by Presidential Decree No. 19044, Sep. 14, 2005]

Article 43 (Provisions to be applied *Mutatis Mutandis*)

The provisions of Articles 21-2, 26-2, 26-3 and 31 shall apply *mutatis mutandis* to the operator of a nuclear power reactor. In this case, the term "installer of a nuclear power reactor" shall be regarded as the term "operator of a nuclear power reactor", and the term "Article 21" in Article 21-2 shall be regarded as the term "Article 33", and the term "Article 11 (2) of the Act" in Article 31 shall be regarded as the term "Article 21 (2) of the Act", respectively.

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Sub-Section 2 Nuclear Reactor Facilities for Research, etc.

Article 44 (Application for Permission for Construction and Operation)

(1) A person who intends to obtain permission for construction and operation of research or educational nuclear reactor and related facilities (hereinafter referred to as "research nuclear reactor facilities, etc.") pursuant to the provisions of the former part of the main text of Article 33 (1) of the Act shall prepare a written application for permission for each research

nuclear reactor facilities, etc. and submit such written application to the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology: *Provided*, That in a case where two or more nuclear reactors of the same type, same thermal power, and same structure are to be built in the same site, one application may cover the entire applications. <Amended by Presidential Decree No. 12729, Jun. 16, 1989; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

(2) The provisions of Article 22 shall apply *mutatis mutandis* to the deliberation by the Safety Commission on the application for permission as prescribed in paragraph (1). <Amended by Presidential Decree No. 15434, Jul. 10, 1997>

Article 45 <Deleted by Presidential Decree No. 16542, Aug. 31, 1999>

Article 46 (Application for Alteration of Permit)

(1) In the event that a person who has obtained permission for the construction and operation of the nuclear reactor facilities for research, etc. as prescribed in Article 44 (hereinafter referred to as the "installer of the research reactor facilities, etc.") intends to alter the permitted matters, he/she shall submit a written application for permission for alteration of the permitted matters to the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008, Presidential Decree No. 21214, Dec. 31, 2008>

(2) <Deleted by Presidential Decree No. 12729, Jun. 16, 1989>

Article 47 (Entry Report on Foreign Nuclear-Powered Ship)

(1) A person who wishes to have a foreign atomic-powered ship enter or depart from a port of the Republic of Korea pursuant to the provisions of Article 34 of the Act shall submit an entry or departure report to the Minister twenty days prior to the date such ship is scheduled to enter or depart from the port as provided by the Ordinance of the Ministry of Education, Science and Technology. <Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

(2) In the event that the person who has made a report pursuant to the provisions of paragraph (1) intends to modify the matters entered in the report, he/she shall make a report on the matters to be modified to the Minister. <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

Article 48 (Period for Commencement of Business)

The term "period prescribed by the Presidential Decree" in subparagraph 2 of Article 35 of the Act refers to three years from the date on which the permit is granted.

Article 49 (Provisions to be applied *Mutatis mutandis*)

The provisions of Articles 26-2 through 31, 37 and 42 shall apply *mutatis mutandis* to the case of research reactor facilities, etc. In this case, the "installer of a nuclear power reactor" or the "operator of a nuclear power reactor" shall be deemed as the "installer of research nuclear reactor facilities, etc.". <Amended by Presidential Decree No. 12729, Jun. 16, 1989; Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999>

Articles 50 through 101 <Deleted by Presidential Decree No. 16542, Aug. 31, 1999>

Sub-Section 3 Safety Measures, etc. for Operation

Article 102 (Safety Measures for Operation of Nuclear Power Reactor)

(1) The operator of a nuclear power reactor shall take the following safety measures as provided by the Ordinance of the Ministry of Education, Science and Technology pursuant to the provisions of Article 29 (1) of the Act (including the cases where the provisions are applied *mutatis mutandis* in Article 36 of the Act):

1. Measures for the radiation control area, etc.;
2. Measures for the exposed radiation quantity, etc.;
3. Measures for patrol and check of reactor facilities;

4. Measures for safe operation of nuclear reactor;
5. Measures for the self-check of nuclear reactor facilities;
6. Measures for the check and test of nuclear reactor facilities while they are in operation;
7. Measures for monitoring of the container of nuclear reactor;
8. Measures for safe transportation within the boundary of the business place;
9. Measures for safe storage of radioactive materials within the boundary of the business place; and
10. Measures the treatment, discharge and storage of radioactive waste.

(2) Notwithstanding the provisions of paragraph (1), in respect to the matters to which it is difficult to fully apply the provisions of paragraph (1) due to the differences in the purposes for using nuclear reactor or the principles of designs, or in respect to the matters which the Minister recognizes that even if the provisions of paragraph (1) are not applied to such matters, there wouldn't be any impediment in safety in light of technical aspects, the provisions of paragraph (1) may not be applied. *<Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Wholly Amended by Presidential Decree No. 17304, Jul. 16, 2001]

Articles 103 through 106 *<Deleted by Presidential Decree No. 17304, Jul. 16, 2001>*

Article 106-2 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Articles 107 through 110 *<Deleted by Presidential Decree No. 17304, Jul. 16, 2001>*

Article 111 *< Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 112 *<Deleted by Presidential Decree No. 17304, Jul. 16, 2001>*

Articles 113 through 119 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

CHAPTER IV NUCLEAR FUEL CYCLING FACILITIES AND USE OF NUCLEAR FUEL MATERIALS

SECTION 1 Nuclear Fuel Cycling Facilities

Sub-Section 1 Refining Business

Article 120 (Application for Permission)

A person who intends to obtain permission for a refining business pursuant to the provisions of the former part of the main text of Article 43 (1) of the Act shall prepare a written application for each business place (including factories; hereinafter the same shall apply) as provided by the Ordinance of the Ministry of Education, Science and Technology and submit it to the Minister. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

Article 121 (Application for Permission for Alteration)

In the event that the person who has obtained permission for refining business pursuant to the provisions of the former part of the main text of Article 43 (1) of the Act (hereinafter referred to as a "refining business operator") intends to modify any permitted matters pursuant to the provisions of the latter part of the main text of the paragraph (1) of the same Article, he/she shall prepare a written application for permission for alteration and submit it to the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

Article 122 (Regular Inspection)

A refining business operator shall periodically undergo inspections by the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology pursuant to the provisions of Article 45 (1) of the Act. *<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

Article 123 (Period for Commencement of Business)

The term "period prescribed by the Presidential Decree" in Article 46 (1) 2 of the Act refers to a period of two years from the date the permit is obtained. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 124 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 124-2 (Provisions to be applied *Mutatis mutandis*)

The provisions of Articles 26-2 and 26-3 shall apply *mutatis mutandis* to refining business operators. In this case, the term "installer of a nuclear power reactor" shall be regarded as "refining business operator".

[This Article Newly Inserted by Presidential Decree No. 14797, Oct. 19, 1995]

Sub-Section 2 Conversion and Processing Business *<Amended by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 125 (Application for Permission)

(1) A person who intends to obtain a permit for processing business (including conversion business; hereinafter the same shall apply) pursuant to the provisions of the former part of the main text of Article 43 (1) of the Act shall prepare a written application for the permit for each business place and submit it to the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) Where the Minister intends to grant a permit as prescribed in the former part of the main text of Article 43 (1) of the Act, he/she shall undergo the deliberation by the Safety Commission by attaching the examination report of the entrusted agency as prescribed in Article 303 before he/she grants such permit. *<Amended by Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

Article 126 (Application for Alteration of Permit)

(1) In the event that a person who has obtained a permit for the processing business (hereinafter referred to as the "processing business operator") pursuant to the provisions of the former part of the main text of Article 43 (1) of the Act intends to obtain a permit for altering the permitted matters pursuant to the provisions of the latter part of the main text of the same Article, he/she shall submit a written application to the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) *<Deleted by Presidential Decree No. 12729, Jun. 16, 1989>*

Article 127 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 128 (Inspection of Facilities)

(1) The processing business operators shall undergo an inspection for the construction works and performance of his/her processing facilities (including the conversion facilities: hereinafter the same shall apply) by the Minister pursuant to the provisions of Article 45 (1) of the Act. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 19044, Sep. 14, 2005; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) A person who is under obligation to undergo an inspection pursuant to the provisions of paragraph (1) shall submit a written application for the inspection to the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(3) In the event that the processing business operator modifies any matters stated in the application referred to in paragraph (1), he/she shall report it to the Minister without delay. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(4) Where the inspection referred to in paragraph (1) is carried out, if the construction works are performed according to the documents submitted pursuant to the provisions of Article 43

(3) of the Act and the facilities are recognized as installed in conformity with the technical levels as prescribed in subparagraph 3 of Article 44 of the Act as a result of the inspection, such facilities are deemed to pass the inspection. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 129 (Implementation of Facility Inspection)

In conducting the inspection of facilities as prescribed in Article 128 (1), the inspection time for each object of inspection shall be as follows:

1. When the work for the relevant facilities has commenced and when the structure and hardness thereof can be confirmed or the leakage tests can be conducted for the structures of civil works and building structures;
2. When the distance between the facilities can be measured with respect to the facilities that require control and management thereof in order to prevent the nuclear fuel materials from reaching the criticality;
3. When the nondestructive testing, air-tightness or water-tightness tests can be conducted for the facilities that require air-tightness or water-tightness; and
4. When the distance between main parts can be measured for the disposal facilities of radioactive wastes.

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Articles 130 through 134 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 135 *<Deleted by Presidential Decree No. 14797, Oct. 19, 1995>*

Articles 136 through 138 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 139 *<Deleted by Presidential Decree No. 14797, Oct. 19, 1995>*

Article 140 (Inspection for Quality Assurance)

The Minister may conduct an inspection to check whether or not the processing business operator is performing the affairs of the quality assurance in accordance with the quality assurance program submitted pursuant to the provisions of Article 43 (3) of the Act according to the provisions of Article 45 (1) of the Act. *<Amended by Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

Article 141 *<Deleted by Presidential Decree No. 14797, Oct. 19, 1995>*

Article 142 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 142-2 (Regular Inspection)

(1) Pursuant to the provisions of Article 45 (1) of the Act, the processing business operators shall undergo an inspection by the Minister periodically as provided by the Ordinance of the Ministry of Education, Science and Technology: *Provided*, That where it overlaps the contents of the inspection conducted by an institution designated as a specialized inspection institution by other laws and regulations, such inspection may be omitted. *<Amended by Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) In the event that the performance of the processing facilities is found to be maintained in such a state of having passed the inspection of facilities as prescribed in Article 128 as a result of an inspection referred to in paragraph (1), such facilities are deemed to pass the inspection. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999>*

[This Article Newly Inserted by Presidential Decree No. 14797, Oct. 19, 1995]

Article 143 (Period for Commencement of Business)

The term "period prescribed by the Presidential Decree" in Article 46 (1) 2 of the Act refers to a period of two years from the date the permit is obtained. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 144 (Provisions to be applied *Mutatis mutandis*)

The provisions of Articles 26-2 and 26-3 shall apply *mutatis mutandis* to the processing business operators, respectively. In this case, the "installer of a nuclear power reactor" shall be deemed as the "processing business operator".

[This Article Wholly Amended by Presidential Decree No. 16542, Aug. 31, 1999]

Sub-Section 3 <Deleted by Presidential Decree No. 17542, Aug. 31, 1999>

Sub-Section 4 Spent Nuclear Fuel Processing Business

Article 145 (Application for Designation)

(1) A person who intends to be designated for a spent nuclear fuel processing business pursuant to the provisions of the former part of the main text of Article 43 (2) of the Act shall prepare a written application for the designation as provided by the Ordinance of the Ministry of Education, Science and Technology for each business establishment, and submit it to the competent Minister. <Amended by Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

(2) The provisions of Article 125 (2) shall apply *mutatis mutandis* to the deliberation by the Safety Commission on matters concerning the application for designation as prescribed in paragraph (1). <Amended by Presidential Decree No. 15434, Jul. 10, 1997>

Article 146 (Application for Approval on Alteration)

(1) In the event that a person who has been designated pursuant to the provisions of the former part of the main text of Article 43 (2) of the Act (hereinafter referred to as "spent nuclear fuel processing business operator") intends to obtain approval on modification of the designated matters pursuant to the provisions of the latter part of paragraph (2) of the same Article, he/she shall submit a written application for approval on modification to the competent Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. <Amended by Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

(2) *<Deleted by Presidential Decree No. 12729, Jun. 16, 1989>*

Articles 147 and 148 *<Deleted by Presidential Decree No. 14797, Oct. 19, 1995>*

Article 149 (Inspection Prior to Use)

(1) A spent nuclear fuel processing business operator shall undergo an inspection by the Minister on the construction works and performance of spent nuclear fuel processing facilities pursuant to the provisions of Article 45 (1) of the Act. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) A person who shall undergo an inspection pursuant to the provisions of paragraph (1) shall submit to the Minister a written application for inspection as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(3) In the event that a spent nuclear fuel processing business operator modifies the matters stated in the application referred to in paragraph (1), he/she shall report it to the Minister without delay. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(4) In the case of an inspection as prescribed in paragraph (1), the nuclear fuel processing facilities shall be deemed to pass the inspection when the facilities conform to each of the following subparagraphs: *<Amended by Presidential Decree No. 16542, Aug. 31, 1999>*

1. The construction works have been implemented according to documents furnished pursuant to the provisions of Article 43 (3) of the Act; and
2. The performance of the facilities meets the technical standards as prescribed in Article 44 (3) of the Act.

Article 150 (Execution of Inspection Prior to Use)

The timing of the construction process which has to undergo an inspection prior to use pursuant to the provisions of Article 45 (1) of the Act shall be as follows: *<Amended by*

Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

1. When an air-tightness test, water-tightness test, strength test, non-destructive test or chemical analysis test is conducted for the radiation shielding materials, or other materials or components that require air-tightness, water-tightness or corrosion-resistance;
2. When the dimension of main components of each facility can be measured or the strength test, nondestructive test, air-tightness or water-tightness test is conducted for the assembly of receiving facilities or storing facilities for spent nuclear fuels, the main body of spent nuclear fuel processing facilities, the storage facilities for products or the radioactive wastes disposal facilities;
3. When each facility has been completed for the assembly of the buildings, instrumentation control system, radiation control facilities or other spent nuclear fuel processing facilities;
4. When the test for trial operation is carried out at the maximum capacity of the spent nuclear fuel processing facilities for the performance of the spent nuclear fuel processing facilities; and
5. Other times as deemed necessary by the Minister.

Article 151 (Regular Inspection)

(1) Pursuant to the provisions of Article 45 (1), a spent nuclear fuel processing business operator shall undergo a regular inspection for the performance of the spent nuclear fuel processing facilities as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) In a case where the inspection is conducted pursuant to the provisions of paragraph (1), a spent nuclear fuel processing business operator shall be deemed to pass the inspection, if the performance of the spent nuclear fuel processing facilities meets the following standards: *<Amended by Presidential Decree No. 16542, Aug. 31, 1999>*

1. Where the spent nuclear fuel processing facilities are operated in conformity with the technical standards as prescribed in Article 44 of the Act; and
2. Where the capability to prevent fire and explosion in the spent nuclear fuel processing facilities and other performance are maintained in such a state of having passed the inspection as prescribed in Article 149.

Article 152 (Period for Commencement of Business)

The term "period prescribed by the Presidential Decree" in Article 46 (1) 2 of the Act refers to a period of ten years from the date the designation is granted. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 153 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 154 (Provisions to be Applied *Mutatis Mutandis*)

The provisions of Articles 26-2, 26-3 and 140 shall apply *mutatis mutandis* to spent nuclear fuel processing business operators, respectively. In this case, the "installer of a nuclear power reactor" and the "processing business operator" shall be deemed as the "spent nuclear fuel processing business operator", respectively.

[This Article Wholly Amended by Presidential Decree No. 16542, Aug. 31, 1999]

Articles 155 through 164 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Sub-Section 5 Safety Measures for Operation *<Amended by Presidential Decree No. 17304, Jul. 16, 2001>*

Article 165 (Safety Measures for Operation of Nuclear Fuel Cycling Facilities)

(1) The person who has been granted permission or designation as prescribed in Article 43 (1) or (2) of the Act (hereinafter referred to as "nuclear fuel cycling business operator") shall take the following safety measures as provided by the Ordinance of the Ministry of

Education, Science and Technology pursuant to the provisions of Article 53 (1) of the Act:
<Amended by Presidential Decree No. 20740, Feb. 28, 2008>

1. Measures for radiation control area, etc;
2. Measures for the exposed radiation quantity, etc.;
3. Measures for the patrol and check of nuclear fuel cycling facilities;
4. Measures for safe operation of nuclear fuel cycling facilities;
5. Measures for the self-check of nuclear fuel cycling facilities;
6. Measures for safe transportation within the boundary of the place of business;
7. Measures for storage of radioactive materials within the boundary of the place of business; and
8. Steps for the treatment, discharge and storage of radioactive waste within the boundary of the place of business.

(2) Notwithstanding the provisions of paragraph (1), in the event of the case deemed falling under any of the following subparagraphs by the Minister, the provisions of paragraph (1) shall not be applied: <Amended by the Presidential Decree No. 20740, Feb. 29, 2008>

1. Where the purpose of the use of nuclear fuel cycling facilities is for research and experiment;
2. Where it is difficult to fully apply the provisions of paragraph (1) due to the features of facilities and the technical difference; and
3. Where there wouldn't be any impediment in safety in light of technical aspects even if the safety measures of paragraph (1) are not taken.

[This Article Wholly Amended by Presidential Decree No. 17304, Jul. 16, 2001]

Articles 166 through 169 <Deleted by Presidential Decree No. 17304, Jul. 16, 2001>

Article 170 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

SECTION 2 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

SECTION 3 Use, etc. of Nuclear Materials

Sub-Section 1 Use of Nuclear Fuel Materials

Article 171 (Application for Use Permit)

A person who intends to obtain a permit for use or possession of nuclear fuel materials pursuant to the provisions of the former part of the main text of Article 57 (1) of the Act shall submit to the Minister a written application for each business establishment as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

Article 172 (Nuclear Fuel Materials not Subject to Use Permit)

The term "nuclear fuel materials of the kinds and quantity prescribed by the Presidential Decree" in Article 57 (1) 3 of the Act refers to the nuclear fuel materials falling under any of the following subparagraphs: *<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

1. Uranium for which the ratio of uranium 235 to uranium 238 is the same as the natural mixture and its compounds, the quantity of which is not more than 300 grams;
2. Uranium for which the ratio of uranium 235 to uranium 238 is less than the ratio in the natural mixture and its compounds, the quantity of which is not more than 300 grams;

3. Material which contains one or more of the material as referred to in subparagraphs 1 or 2, which is used as fuel in nuclear reactor, for which the quantity of uranium is not more than 300 grams;
4. Thorium and its compounds, the quantity of which is not more than 900 grams;
5. Material which contains one or more of the materials referred to in subparagraph 4, which is used as the fuel in nuclear reactor, for which the quantity of thorium is not more than 900 grams; and
6. Others which are prescribed and publicly announced by the Minister that they are not feared to cause any occurrence of radiation damages.

Article 173 (Application for Alteration of Permitted Matters)

In the event that the person who has obtained a permit as prescribed in Article 57 (1) of the Act (hereinafter referred to as the "nuclear fuel material user") intends to obtain a permit for alteration of the permitted matters pursuant to the provisions of the latter part of the main text of Article 57 (1) of the Act, he/she shall submit a written application for permission for the alteration of the permitted matters to the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

Article 173-2 (Standards for Permission)

The equipment and manpower to be secured pursuant to the provisions of Article 58 of the Act shall be as follows:

1. Equipment:

- (a) Not less than one radiation measuring apparatus in the event that the sealed nuclear fuel materials are used or possessed; and
- (b) Not less than one radiation measuring apparatus and radioactivity measuring apparatus for the respective utilization facilities in the event that the unsealed nuclear substances are used or possessed; and

2. Manpower:

- (a) Not less than one person from among the holders of licenses for supervisors for handling of nuclear fuel materials, licenses for supervisors for handling of radiation or qualifications for radiation control technician in the event that nuclear fuel materials as prescribed in each subparagraph of Article 174 (1) are used or possessed; and
- (b) Not less than one person from among the holders of license for handling nuclear fuel materials or general license for handling radioisotope for the cases other than the cases under item (a).

[This Article Newly Inserted by Presidential Decree No. 17304, Jul. 16, 2001]

Article 174 (Inspection of Facilities)

(1) A nuclear fuel material user shall undergo an inspection by the Minister for the utilization facilities, etc. using the following nuclear fuel materials pursuant to the provisions of Article 59 (1) of the Act. The same shall also apply if he/she intends to change the utilization facilities, etc.: *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

1. Plutonium, its compounds and materials which contain one or more of them and which contain not less than one gram of plutonium (excluding the sealed materials);
2. Spent nuclear fuel of not less than 100 curies;
3. Hexafluoride uranium which contains not less than 1 metric ton of uranium; and
4. Uranium, its compounds and materials which contain one or more of them and which contain not less than 3 metric tons of uranium (limited to liquid materials).

(2) A person subject to an inspection for the construction of the utilization facilities, etc. pursuant to the provisions of paragraph (1) shall submit to the Minister a written application for inspection as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(3) A person who shall undergo an inspection for the construction of the utilization facilities in the event that he/she intends to change the utilization facilities, etc. pursuant to the provisions of the latter part of the main text of paragraph (1) shall submit to the Minister a application for inspection for change as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(4) In the case where the inspection is conducted pursuant to the provisions of paragraphs (1) and (3), the construction works of the utilization facilities shall be deemed to pass the inspection if they meet the technical standards as prescribed in subparagraph 3 of Article 58 of the Act. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 175 (Conducting Inspection of Facilities)

The timing of a construction process at which facilities are required to be inspected pursuant to the provisions of Article 174 (1) shall be as follows:

1. When the nondestructive test, air-tightness or water-tightness test is performed for the equipment used for research of spent nuclear fuel processing (hereinafter referred to as "research equipment for spent nuclear fuel"), which requires air-tightness or water-tightness;
2. When it is possible to measure the thickness for the shielding walls and other shielding materials;
3. When it is possible to measure the dimension of the parts or the distance between the parts for the equipment which requires the monitoring of dimension and arrangement in order to prevent the nuclear fuel materials from reaching the criticality; and
4. When the utilization facilities other than those referred to in subparagraphs 1 through 3 are completed.

Article 176 (Regular Inspection)

A nuclear fuel material user shall undergo an inspection by the Minister pursuant to the provisions of Article 59 (1) of the Act as provided by the Ordinance of the Ministry of

Education, Science and Technology. <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

Article 177 (Provisions to be applied *Mutatis Mutandis*)

The provisions of Articles 26-2 and 26-3 shall apply *mutatis mutandis* to the nuclear fuel material user, respectively. In this case, the "installer of nuclear power reactor" shall be deemed as the "nuclear fuel material user".

[This Article Wholly Amended by Presidential Decree No. 16542, Aug. 31, 1999]

Article 178 <Deleted by Presidential Decree No. 16542, Aug. 31, 1999>

Sub-Section 2 Use of Nuclear Raw Materials

Article 179 (Report on Use)

A person who intends to use nuclear raw materials pursuant to the provisions of the former part of the main text of Article 64 (1) of the Act shall prepare a written report for each business establishment and submit it to the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. <Amended by Presidential Decree No. 12729, Jun. 16, 1989; Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

Article 180 (Report on Alteration)

In the event that a person, who has made a report pursuant to the provisions of the former part of the main text of Article 64 (1), intends to make a report on altering the reported matters pursuant to the provisions of the latter part of the main text of the same paragraph of the same Article shall submit a written report on altering the reported matters for each business establishment to the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. <Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

Article 180-2 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

SECTION 4 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Sub-section 1 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Articles 181 and 182 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Subsection 2 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Articles 183 through 186 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Subsection 3 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Articles 187 through 191 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

**CHAPTER V CONTROL OF RADIOACTIVE ISOTOPES, ETC.,
RADIOACTIVE WASTES AND RADIOACTIVE MATERIALS** *<Amended
by Presidential Decree No. 16542, Aug. 31, 1999>*

SECTION 1 Use, Mobile Use and Sale of Radioisotopes, etc. *<Amended by
Presidential Decree No. 16542, Aug. 31, 1999>*

Article 192 (Application for Permission for Use)

(1) A person, who intends to obtain permission for the production, sale, use (including possession and handling; hereinafter the same shall apply) or mobile use of radioactive isotopes or radiation generating devices (hereinafter referred to as the "radioactive isotopes, etc.") pursuant to the provisions of the former part of the main text of Article 65 (1) of the Act, shall submit a written application for permission for each for each business establishment (including factories; hereinafter the same shall apply) to the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology.

<Amended by Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 20740, Feb. 29, 2008>

(2) In the case of paragraph (1), a person who intends to obtain permission for production of radioactive isotopes, etc. shall submit a written application for permission for each business establishment by nuclide and quantity in the event of radioactive isotopes and by capacity in the event of radiation generating devices, to the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Newly Inserted by Presidential Decree No. 17304, Jul. 16, 2001; Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Wholly Amended by Presidential Decree No. 16542, Aug. 31, 1999]

Article 192-2 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 193 (Application for Alteration of Permitted Matters)

In the event that the person, who has obtained permission pursuant to the provisions of the former part of the main text of Article 65 (1) of the Act (hereinafter referred to as a "permitted user"), intends to obtain permission for alteration of the permitted matters pursuant to the provisions of the latter part of the main text of Article 65 (1) of the Act, he/she shall file an application for permission for the alteration of the permitted matters with the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

Article 194 (Report on Use)

A person, who intends to make a report on the use or mobile use of the sealed radioactive isotopes or the radiation generating devices pursuant to the provisions of Article 65 (2) of the Act, shall prepare the report on the use or mobile use of them for each business establishment and submit to the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Wholly Amended by Presidential Decree No. 12729, Jun. 16, 1989]

Article 195 (Report on Alteration of Reported Matters)

If a person, who has made a report pursuant to the provisions of the former part of the main text of Article 65 (2) of the Act (hereinafter referred to as a "reported user"), intends to alter the reported matters pursuant to the provisions of the latter part of the main text of Article 65 (2) of the Act, he/she shall file a report on alteration of the reported matters with the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

Article 196 (Standards for Permission)

(1) The term "dose limit prescribed by Presidential Decree" in Article 66 (1) 2 of the Act means the dose limit pursuant to Article 2 (1) 5. *<Newly Inserted by Presidential Decree No. 19582, Jun. 30, 2006>*

(2) The equipment and manpower to be secured pursuant to the provisions of Article 66 (1) 4 of the Act shall be as follows: *<Amended by Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 19582, Jun. 30, 2006>*

1. Equipment:

- (a) In the case of using sealed radioactive isotopes or radiation generating devices, not less than one radiation measuring apparatus;
- (b) In the case of using unsealed radioactive isotopes, not less than one radiation measuring apparatus and not less than one radioactivity measuring apparatus;
- (c) In the case of making a mobile use of radioactive isotopes, not less than one radiation measuring apparatus: *Provided*, That in the case of making a mobile use of radioactive isotopes for the purpose of nondestructive test, equipment as prescribed in the attached Table 2;

(d) In the case of selling sealed radioactive isotopes or radiation generating devices, not less than two radiation measuring apparatuses and not less than one radiation source transport vehicle;

(e) In the case of selling unsealed radioactive isotopes, not less than two radiation measuring apparatuses, not less than two radioactivity measuring apparatuses and not less than one radiation source transport vehicle;

(f) In the case of producing radioactive isotopes, not less than one radiation measuring apparatus and not less than one radioactivity measuring apparatus; and

(g) In the case of producing radiation generating devices, not less than one radiation measuring apparatus; and

2. Manpower: the manpower as prescribed in the attached Table 3: *Provided*, That in the case of making a mobile use for the purpose of nondestructive test, the manpower as prescribed in the attached Table 2.

(3) In the event that a person, who intends to use or sell radioactive isotopes, etc., has his/her business agent as prescribed in Article 65-2 (2) of the Act (hereinafter referred to as the "business agent") act on behalf of him/her, he/she may substitute the manpower of the business agent for the manpower referred to in paragraph (2) 2 as provided by the Ordinance of the Ministry of Education, Science and Technology. <Amended by Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20740, Feb. 29, 2008>

[This Article Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999]

Article 196-2 (Standards for Registration < Amended by Presidential Decree No. 17304, Jul. 16, 2001>)

(1) The standards for registration of business agents as prescribed in Article 66 (2) 2 of the Act shall be as follows: <Amended by Presidential Decree No. 17304, Jul. 16, 2001>

1. Equipment: The business agent shall secure equipment falling under each of the following items to take exclusive charge of the registered service:

- (a) Not less than five radiation measuring apparatuses;
- (b) Not less than two radioactivity measuring apparatuses;
- (c) Not less than one radiation alarm and not less than one pocket dosimeter for each person in charge; and
- (d) Not less than one vehicle for the exclusive use of transporting radioactive materials (limited to the case where the business referred to in Article 65-2 (1) 2 of the Act is carried out by proxy); and

2. Manpower: The business agent shall secure manpower to take exclusive charge of the registered service as shown in the attached Table 4.

(2) <Deleted by Presidential Decree No. 17304, Jul. 16, 2001>

[This Article Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999]

Article 197 (Facilities Inspection)

(1) Where a permitted user has installed or altered the facilities for production, use, distribution, storage, custody, processing and discharge of radioactive isotopes, etc. (hereinafter referred to as "use facilities, etc.") pursuant to the provisions of the main text of Article 67 (1) of the Act, he/she shall undergo the inspection by the Minister for the relevant facilities. <Amended by Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 20740, Feb. 29, 2008>

1. through 4. <Deleted by Presidential Decree No. 16542, Aug. 31, 1999>

(2) Where a permitted user has self-inspected the use facilities, etc. falling under any of the following subparagraphs as provided by the Ordinance of the Ministry of Education, Science and Technology, and has passed the documentary examination of the result of self-inspection by the Minister, the relevant self-inspection shall substitute for the facilities inspection pursuant to paragraph (1): *Provided*, That this shall not apply to the case where the relevant facilities, etc. are inspected for the first time: <Amended by Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20740, Feb. 29, 2008>

1. Use facilities, etc. that have radiation apparatuses (limited to those that can be handled without having separate radiation shielding materials installed), which have been approved pursuant to the main text of Article 72 (1) of the Act, installed therein;
2. Use facilities, etc. that have radiation generating devices, which have been approved pursuant to the main text of Article 72 (1) of the Act and prescribed by the Ordinance of the Ministry of Education, Science and Technology, installed therein; or
3. Use facilities, etc. of sealed radioactive isotopes with less than 370 giga becquerel.

(3) Where a business agent has performed supervision on the use facilities, etc. falling under any of the subparagraphs of paragraph (2) and has passed the documentary examination of the result of supervision by the Minister, the relevant supervision shall substitute for the facilities inspection pursuant to paragraph (1): *Provided*, That this shall not apply to the case where the relevant use facilities, etc. are inspected for the first time. <Newly Inserted by Presidential Decree No. 19582, Jun. 30, 2006; Amended by Presidential Decree No. 20740, Feb. 29, 2008>

(4) When the installation or the alteration of the use facilities, etc. is found to be in conformity with the contents of the permit as prescribed in Article 65 (1) of the Act (including conditions as prescribed in Article 104 of the Act) as the results of inspection pursuant to paragraph (1), of self-inspection pursuant to paragraph (2), or of supervision pursuant to paragraph (3), such facilities are deemed to pass the inspection. <Amended by Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 19582, Jun. 30, 2006>

(5) The Minister shall conduct inspection pursuant to paragraph (1) for the use facilities, etc., which have failed to pass the documentary examination as the result of self-inspection or of supervision submitted pursuant to paragraph (2) or (3). <Newly Inserted by Presidential Decree No. 19582, Jun. 30, 2006; Amended by Presidential Decree No. 20740, Feb. 29, 2008>

[This Article Wholly Amended by Presidential Decree No. 13992, Oct. 18, 1993]

Article 197-2 (Exemption from Facilities Inspection)

The cases for which the inspections of facilities are exempted pursuant to the provisions of the *proviso* of Article 67 (1) of the Act shall be as follows: <Amended by Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 20740, Feb. 29, 2008>

1. Where storage facilities for unsealed radioactive isotopes are altered;
2. Where storage facilities for radioactive wastes (excluding waste radiation sources) are altered;
3. Where use facilities, etc. are installed in temporal places;
4. Where use facilities, etc. are additionally installed or altered to use radioactive isotopes subject to the report as prescribed in Article 65 (2) of the Act;
5. Where radiation equipment, which have passed the manufacturing inspections as prescribed in Article 200-5 (1), are installed without altering existing facilities;
6. Where the synchrotron beam line is additionally installed in the synchrotron light accelerator or the structure is altered and where the Minister deems it unnecessary to inspect the facilities; and
7. Where custody facilities for radiation generating devices are installed or altered.

[This Article Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999]

Article 198 (Application for Facilities Inspection)

A person who shall undergo an inspection for the use facilities, etc. pursuant to the provisions of Article 197 (1) shall submit to the Minister a written application for the inspection, attached with documents prescribed by the Ordinance of the Ministry of Education, Science and Technology. <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

Article 199 (Regular Inspections)

(1) The permitted user shall undergo a regular inspection for facilities and operation of the use facilities, etc. by the Minister as provided by the Ordinance of the Ministry of Education,

Science and Technology pursuant to the provisions of Article 67 (1) of the Act. *<Amended by Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) Any business agent shall undergo a regular inspection for operation and contents of his/her agency business by the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology pursuant to the provisions of the main text of Article 67 (1) of the Act. *<Newly Inserted by Presidential Decree No. 17304, Jul. 16, 2001; Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

(3) Where the permitted user who satisfies all the requirements under the following subparagraphs executes self-inspection for the facilities and operation of the use facilities, etc. as provided by the Ordinance of the Ministry of Education, Science and Technology, and has passed the documentary examination of the result of self-inspection by the Minister, the relevant self-inspection shall substitute for the regular inspection referred to in paragraph (1): *Provided*, That this shall not apply to the case where the relevant facilities, etc. are inspected for the first time: *<Amended by Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20740, Feb. 29, 2008>*

1. That he/she shall be the person who installs and operates the use facilities, etc. for which the cycle of regular inspection prescribed by the Ordinance of the Ministry of Education, Science and Technology is three or five years;
2. That he/she has not been ordered to correct or to supplement in the immediately preceding regular inspection;
3. That the report (limited to the report on the facilities and operation of the use facilities, etc.) referred to in Article 103 (1) of the Act has not been omitted during the last three years counting from January 1 of the year of the regular inspection;
4. That no person with peculiar reading has existed during the last three years counting from January 1 of the year of regular inspection; and

5. That there has not occurred any theft, loss, fire or other accident relating to the radiation generating device or radioactive materials, etc. referred to in Article 102 of the Act during the last five years counting from January 1 of the year of regular inspection.

(4) When the facilities are found to have been maintained in conformity with the standards as prescribed in Articles 66 and 71 (1) of the Act as the results of the inspections referred to in paragraphs (1) and (2), or of the result of documentary examination of the result of self-inspection pursuant to paragraph (3), such facilities shall be deemed to pass the inspection. *<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 19582, Jun. 30, 2006>*

(5) The Minister shall execute inspection referred to in paragraph (1) for the facilities and operation of the use facilities that have failed to pass the documentary examination of the result of self-inspection submitted pursuant to paragraph (3). *<Newly Inserted by Presidential Decree No. 19582, Jun. 30, 2006; Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

Article 199-2 (Exemption from Regular Inspection)

(1) The permitted user or the business agent, who has been recognized by the Minister as an excellent safety control record holder as a result of the inspection or the inspection of self safety control level of the permitted user or business agent conducted pursuant to the provisions of Article 199 of this Decree and Article 103 (2) of the Act, shall be exempted from the regular inspection pursuant to the provisions of the *proviso* of Article 67 (1) of the Act. *<Amended by Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 19044, Sep. 14, 2005; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) Matters necessary for exempting from the inspection including the standards for exempting from the inspection under paragraph (1) shall be prescribed and publicly announced by the Minister. *<Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999]

Article 200 (Application for Regular Inspection)

A person subject to regular inspection pursuant to the provisions of Article 199 (1) and (2) shall submit a written application for the inspection to the Minister: *Provided*, That this shall not apply where the Minister has established an inspection plan for agencies subject to the regular inspection of the relevant year and notified the permitted users or the business agents thereof. <Amended by Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 20740, Feb. 29, 2008>

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 200-2 (Production Inspection)

(1) A person who has been granted permission for the production of radioactive isotopes shall undergo the inspection for the production of radioactive isotopes, falling under each of the following subparagraphs, by nuclide and by nuclear quantity as provided by the Minister pursuant to the provisions of Article 67 (1) of the Act:

1. Sealed radioactive isotopes;
2. Unsealed radioactive isotopes; and
3. Special-type radioactive materials.

(2) In the event that the performance of radioactive isotopes and the contents of the quality assurance program are in conformity with the permission standards as prescribed in Article 66 (1) 3 of the Act as a result of the inspection, they shall be deemed to pass such inspection.

[This Article Newly Inserted by Presidential Decree No. 17304, Jul. 16, 2001]

Article 200-3 (Period for Commencement of Business)

The term "period as prescribed by the Presidential Decree" in Article 68 (1) 2 of the Act refers to a period of one year after a permit is obtained. <Amended by Presidential Decree No. 16542, Aug. 31, 1999>

[This Article Newly Inserted by Presidential Decree No. 12729, Jun. 16, 1989]

Article 200-4 (Approval on Design for Radiation Equipment)

(1) A person, who intends to manufacture or import radiation generating devices or apparatuses containing radioactive isotopes (hereinafter referred to as the "radiation equipment") pursuant to the provisions of the main text of Article 72 (1) of the Act, shall obtain approval on design by the model of radiation equipment (hereinafter referred to as the "design approval" in this Section) as provided by the Ordinance of the Ministry of Education, Science and Technology: *Provided*, That the same shall not apply to the case where a person intends to repeatedly manufacture or import the radiation equipment for which he/she has obtained the design approval. <Amended by Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 20740, Feb. 29, 2008>

(2) The standards for the design approval shall be as follows: <Amended by Presidential Decree No. 20740, Feb. 29, 2008>

1. The radiation equipment shall not be feared that the radiation source is easily released or the radiation damages occurs due to breakage or wear; and
2. The design and structure of the radiation equipment shall conform to the standards prescribed and publicly announced by the Minister.

(3) When the design of the radiation equipment is in conformity with the standards as prescribed in paragraph (2), the Minister shall issue a written design approval to the applicant for the approval as provided by the Ordinance of the Ministry of Education, Science and Technology. <Amended by Presidential Decree No. 20740, Feb. 29, 2008>

[This Article Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999]

[This Article has been moved from Article 200-3, and the previous Article 200-4 has moved to Article 200-5 <Presidential Decree No. 17304, Jul. 16, 2001>]

Article 200-5 (Inspection of Radiation Equipment)

(1) A person who intends to undergo an inspection pursuant to the provisions of the main text of Article 73 (1) shall submit a written application for inspection to the Minister. <Amended by Presidential Decree No. 20740, Feb. 29, 2008>

(2) Matters necessary for the standards for inspection as prescribed in paragraph (1) shall be prescribed and publicly announced by the Minister. <Amended by Presidential Decree No. 20740, Feb. 29, 2008>

(3) When the radiation equipment is found to be in conformity with the standards for the inspection as prescribed in paragraph (2) as a result of the inspection as prescribed in paragraph (1), such equipment shall be deemed to pass the inspection.

[This Article Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999]

[This Article has been moved from Article 200-4, and the previous Article 200-5 has moved to Article 200-6 <Presidential Decree No. 17304, Jul. 16, 2001>]

Article 200-6 (Exemption from Inspection of Radiation Equipment)

The cases where the inspection of the radiation equipment are exempted pursuant to the provisions of the *proviso* of Article 73 (1) of the Act shall be as follows: <Amended by Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 20740, Feb. 29, 2008>

1. Where the radiation equipment, which have passed the inspection as prescribed in Article 200-5, are repeatedly manufactured in accordance with the written design approval as prescribed in Article 200-4 (3); and
2. Where the radiation equipment imported from the nations designated by the Minister has passed the manufacturing inspections and other inspections for quality assurance conducted by the manufacturing country.

[This Article Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999]

[This Article has been moved from Article 200-5 <Presidential Decree No. 17304, Jul. 16, 2001>]

Articles 201 through 219 <Deleted by Presidential Decree No. 16542, Aug. 31, 1999>

SECTION 2 Construction and Operation, etc. of Disposal Facilities, etc.
<Amended by Presidential Decree No. 15371, May 9, 1007; Presidential Decree No. 16542, Aug. 31, 1999>

Article 220 (Application for Permission for Construction and Operation of Disposal Facilities, etc.)

A person, who intends to obtain permission for construction and operation of facilities for storage, treatment and disposal of radioactive wastes and their accessory facilities (hereinafter referred to as the "disposal facilities, etc.") pursuant to the provisions of the former part of the main text of Article 76 (1) of the Act, shall prepare a written application for permission and submit it to the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Newly Inserted by Presidential Decree No. 15371, May 9, 1997]

Article 220-2 (Accessory Facilities)

The term "accessory facilities" in the main text of Article 76 (1) of the Act means facilities which are related to radiation safety, such as receiving facilities and inspection facilities of radioactive wastes.

[This Article Newly Inserted by Presidential Decree No. 15434, Jul. 10, 1997]

Article 220-3 (Application for Alteration of Permitted Matters)

In the event that a person, who has obtained permission for construction and operation of the disposal facilities, etc. (hereinafter referred to as the "constructor and operator of disposal facilities, etc.") pursuant to the provisions of the former part of the main text of Article 76 (1) of the Act, intends to obtain permission for alteration of the permitted matters pursuant to the latter part of the main text of the same paragraph, he/she shall file a written application for permission for alteration the permitted matters with the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999]

Article 220-4 (Permission Standards)

The equipment and manpower required to be secured pursuant to the provisions of subparagraph 4 of Article 77 of the Act shall be as follows:

1. Equipment:

- (a) Not less than three radiation measuring apparatuses;
- (b) Not less than three radioactivity measuring apparatuses; and
- (c) Not less than one equipment used for handling and transporting radioactive wastes;
and

2. Manpower: Not less than one person having the license for supervising for handling radiation or having qualification for radiation controlling technician.

[This Article Newly Inserted by Presidential Decree No. 17304, Jul. 16, 2001]

Article 221 (Notification of Examination Plan)

If the Minister has received the application for permission as prescribed in Article 220, he/she shall notify the applicant of whether or not the application documents are appropriate and of the plan to examine such application for permission within 45 days from the date such application for permission has been submitted. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 19044, Sep. 14, 2005; Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Newly Inserted by Presidential Decree No. 15371, May 9, 1997]

Article 221-2 (Inspection Prior to Use)

(1) The constructor and operator of disposal facilities, etc. shall undergo an inspection by the Minister on the construction and performance of disposal facilities, etc. pursuant to the provisions of Article 78 (1) of the Act. *<Amended by Presidential Decree No. 14797, Oct.*

19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

(2) In the case of an inspection as prescribed in paragraph (1), the disposal facilities, etc. shall be deemed to pass the inspection when they conform to the following subparagraphs: *<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

1. Where the construction works have been implemented according to the contents of permission as prescribed in Article 76 of the Act; and
2. Where the structure, equipment and performance of the disposal facilities, etc. are in conformity with the technical standards prescribed by the Ordinance of the Ministry of Education, Science and Technology.

(3) A person who intends to undergo an inspection pursuant to the provisions of paragraph (1) shall submit to the Minister a written application for inspection as provided by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(4) *<Deleted by Presidential Decree No. 14797, Oct. 19, 1995>*

[This Article Newly Inserted by Presidential Decree No. 12729, Jun. 16, 1989]

Article 221-3 (Time of Inspection Prior to Use)

In conducting the inspection prior to use as prescribed in Article 221-2 (1), the time of inspection for each object to be inspected shall be as follows:

1. For the civil works or building structure, when the work has commenced and when it is possible to confirm the strength by process or to conduct the test related to the leakage;
2. For the materials or parts requiring radiation shielding, air-tightness, water-tightness or anticorrosion, when the air-tightness test, water-tightness test, strength test, chemical test or nondestructive test can be conducted;

3. For the radiation control equipment, ventilation equipment, wastes disposal equipment or instrumentation control equipment, when the performance test can be conducted; and
4. When the whole construction work has been completed according to the work plan.

[This Article Newly Inserted by Presidential Decree No. 14797, Oct. 19, 1995]

Article 222 <Deleted by Presidential Decree No. 14797, Oct. 19, 1995>

Article 223 (Regular Inspection)

(1) The constructor and operator of disposal facilities, etc. shall undergo a regular inspection by the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology for the installation and operation of the disposal facilities, etc., and the storage, treatment and disposal of radioactive wastes pursuant to the provisions of Article 78 (1) of the Act. <Amended by Presidential Decree No. 15371, May 9, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

(2) A person who intends to undergo a regular inspection as prescribed in paragraph (1) shall submit a written application to the Minister, attached with the documents prescribed by the Ordinance of the Ministry of Education, Science and Technology. <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

(3) In the event of conducting the inspection pursuant to the provisions of paragraph (1), if the disposal facilities, etc. meet the standards falling under any of the following subparagraphs, they shall be deemed to pass the inspection: <Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 15371, May 9, 1997; Presidential Decree No. 16542, Aug. 31, 1999>

1. Where the structure, equipment and performance are in conformity with the technical standards as prescribed in subparagraph 2 of Article 77 and Article 82 (1) 1 of the Act; and
2. Where the storage, treatment and disposal of radioactive wastes are in conformity with the technical standards as prescribed in Article 82 (1) 2 of the Act.

Article 224 (Period for Commencement of Business)

The term "period prescribed by the Presidential Decree" in Article 79 (1) 2 of the Act refers to a period of two years from the date the permit is obtained. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 225 (Provisions to be Applied *Mutatis Mutandis*)

The provisions of Articles 26-2, 26-3 and 31 shall apply *mutatis mutandis* to the constructor and operator of disposal facilities, etc. In this case, the "installer of a nuclear power reactor" shall be deemed as the "constructor and operator of disposal facilities, etc.".

[This Article Wholly Amended by Presidential Decree No. 16542, Aug. 31, 1999]

Article 226 *<Deleted by Presidential Decree No. 12729, Jun. 16, 1989>*

Article 227 (Disposal Inspection *<Amended by Presidential Decree No. 16542, Aug. 31, 1999>*)

(1) Where the constructor and operator of the disposal facilities, etc. intend to dispose of radioactive wastes pursuant to the provisions of Article 78 of the Act, he/she shall undergo a disposal inspection as provided by the Minister. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) A person, who intends to undergo a disposal inspection pursuant to the provisions of paragraph (1), shall file a written application for the disposal inspection, attached with the documents prescribed by the Ordinance of the Ministry of Education, Science and Technology, with the Minister. *<Amended by Presidential Decree No. 12729, Jun. 16, 1989; Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(3) When the disposal of radioactive wastes is found to be in conformity with the technical standards under Article 82 (1) 2 of the Act as a result of the inspection as prescribed in paragraph (1), such disposal of radioactive wastes shall be deemed to pass the inspection. *<Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 228 <Deleted by Presidential Decree No. 16542, Aug. 31, 1999>

Article 228-2 (Procedures for and Methods of Self-Disposal of Radioactive Wastes)

(1) Pursuant to Article 84 (3) of the Act, the nuclear power-related business operator referred to in Article 86 of the Act (hereinafter referred to as the "nuclear power-related business operator") may dispose of radioactive wastes by means of incineration, landfill, recycling, etc. (hereinafter referred to as "self-disposal"), which are radioactive wastes falling under any of the following subparagraphs and whose density by nuclide has become below the value prescribed by the Minister: *<Newly Inserted by Presidential Decree No. 19582, Jun. 30, 2006; Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

1. Radioactive wastes generated by nuclear power-related business operators; or
2. Radioactive wastes under control upon the entrustment with disposal by nuclear power-related business operators (excluding the constructor and operator of disposal facilities, etc. pursuant to Article 76 of the Act).

(2) A nuclear power-related business operator, who intends to perform the self-disposal of radioactive wastes pursuant to paragraph (1), shall file a self-disposal plan, attached with related documents, with the Minister as provided by the Ordinance of the Ministry of Education, Science and Technology. The same shall apply to the case where he/she intends to alter the self-disposal plan. *<Amended by Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20740, Feb. 29, 2008>*

(3) The radioactive wastes for which a self-disposal plan is filed pursuant to paragraph (2) may be disposed of after the elapse of two months from the date the self-disposal plan is filed. *<Amended by Presidential Decree No. 19582, Jun. 30, 2006>*

(4) A person who has performed the self-disposal of radioactive wastes pursuant to paragraphs (1) through (3) shall keep the records pertaining to the self-disposal of the radioactive wastes for five years from the date the radioactive wastes are disposed of. *<Amended by Presidential Decree No. 19582, Jun. 30, 2006>*

[This Article Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999]

Articles 229 through 234 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

SECTION 2-2 Deleted. *<Deleted by Presidential Decree No. 15371, May 9, 1997>*

Articles 234-2 through 234-23 *<Deleted by Presidential Decree No. 15371, May 9, 1997>*

SECTION 3 Packing and Transportation of Radioactive Materials, etc.
<Amended by Presidential Decree No. 16542, Aug. 31, 1999>

Sub-Section 1 Transportation

Article 235 (Report on Transportation)

(1) A nuclear power-related business operator, who intends to report on the transport of radioactive materials, etc. pursuant to the provisions of Article 86 (1) of the Act, shall file a written report on their transportation, attached with documents prescribed by the Ordinance of the Ministry of Education, Science and Technology, with the Minister each time he/she transports them: *Provided*, That a person, who has obtained permission for production, mobile use or sale of radioactive isotopes, etc. pursuant to the provisions of the former part of Article 65 (1) of the Act, may file the report by the unit of a fixed period prescribed by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) When the Minister, upon receiving the report pursuant to the provisions of paragraph (1), recognizes that there are deficiencies in the contents of the reported matters or the transportation of radioactive materials is feared to be harmful to human bodies, material objects and public safety, he/she may have the reporter take corrective or supplementary measures. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(3) Where a person who has made a report pursuant to the provisions of paragraph (1) intends to modify any reported matters, he/she shall submit a written application for alteration to the Minister without delay. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(4) The report as prescribed in paragraph (1) shall be submitted not later than five days prior to the date the transportation is scheduled to commence. *<Amended by Presidential Decree No. 12729, Jun. 16, 1989>*

Article 235-2 *<Deleted by Presidential Decree No. 14797, Oct. 19, 1995>*

Article 236 (Report on Transportation by Foreign Vessels, etc.)

(1) Any person who intends to get any vessel or aircraft laden with radioactive materials, etc. to enter into any port or airport of the Republic of Korea or to sail or fly through territorial waters of the Republic of Korea shall file a report thereon, accompanied by documents prescribed by the Ordinance of the Ministry of Education, Science and Technology, with the Minister not later than seven days prior to the date he/she intends to commence the sailing of the vessel or flight of the aircraft laden with the radioactive materials, etc. *<Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

(2) When the Minister recognizes that there are deficiencies in the contents of the reported matters or the transportation of radioactive materials is feared to be harmful to human bodies, material objects and public safety, he/she may have the reporter take corrective or supplementary measures. *<Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

(3) In the event the person who has filed the report pursuant to the provisions of paragraph (1) intends to alter reported matters, he/she shall report the matters to be altered in advance to the Minister. *<Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Newly Inserted by Presidential Decree No. 17304, Jul. 16, 2001]

Article 237 (Inspection of Packing and Transportation)

(1) The persons prescribed by the Ordinance of the Ministry of Education, Science and Technology from among nuclear power-related business operators or those entrusted with

packing or transportation of radioactive materials, etc. by them shall periodically undergo an inspection pursuant to Article 90 (1) of the Act under the conditions as prescribed by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) A nuclear power-related business operator and the person entrusted with packing or transportation of radioactive materials, etc. by the nuclear power-related business operator shall undergo an inspection pursuant to Article 90 (1) of the Act for the packing or transportation each time he/she packs or transports radioactive materials, etc. prescribed by the Ordinance of the Ministry of Education, Science and Technology. *<Newly Inserted by Presidential Decree No. 19582, Jun. 30, 2006; Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

(3) Matters necessary for methods of and procedures for packing or transportation referred to in paragraph (1) or (2) shall be determined and publicly announced by the Minister. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20740, Feb. 29, 2008>*

(4) A person, who intends to undergo an inspection for packing or transportation referred to in paragraph (1) or (2), shall file a written application for inspection with the Minister: *Provided*, That the same shall not apply to the case where the Minister formulated the regular inspection plan for the relevant year and has notified the relevant business operator of the plan. *<Newly Inserted by Presidential Decree No. 15434, Jul. 10, 1997; Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20740, Feb. 29, 2008>*

(5) Where a nuclear power-related business operator who satisfies all the requirements listed in the following subparagraphs executes self-inspection of the objects of inspection prescribed by the Ordinance of the Ministry of Education, Science and Technology, and has passed the documentary examination for the result of self-inspection by the Minister, the relevant self-inspection shall substitute for the regular inspection referred to in paragraph (1): *Provided*, That this shall not apply to the first regular inspection: *<Newly Inserted by Presidential Decree No. 19582, Jun. 30, 2006; Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

1. That the volume of radioactive isotopes manufactured or sold shall be less than the standard volume prescribed by the Ordinance of the Ministry of Education, Science and Technology;
 2. That he/she has not been ordered to correct or to supplement in the immediately preceding regular inspection;
 3. That the report (limited to the report related to the inspection referred to in Article 90 (1) of the Act) referred to in Article 103 (1) of the Act has not been omitted during the last three years counting from January 1 of the year of the regular inspection; and
 4. That there has not occurred any theft, loss, fire or other accident relating to the radiation generating device or radioactive materials, etc. referred to in Article 102 of the Act during the last five years counting from January 1 of the year of regular inspection.
- (6) If the packing and transportation are found to be in conformity with contents of the transportation report as prescribed in Article 86 of the Act and the technical standards as prescribed in Article 87 of the Act as a result of inspection referred to in paragraphs (1) and (2), or of the result of documentary examination of the result of self-inspection referred to in paragraph (5), the packing and transportation shall be deemed to pass the inspection. *<Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999; Amended by Presidential Decree No. 19582, Jun. 30, 2006>*
- (7) The Minister shall inspect the objects of inspection referred to in paragraph (1), that have failed to pass the documentary examination on the result of self-inspection submitted pursuant to paragraph (5). *<Newly Inserted by Presidential Decree No. 19582, Jun. 30, 2006; Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 238 *<Deleted by Presidential Decree No. 14797, Oct. 19, 1995>*

Sub-Section 2 Container and Packing

Article 239 <Deleted by Presidential Decree No. 16542, Aug. 31, 1999>

Article 239-2 (Approval for Design of Transport Containers <Amended by Presidential Decree No. 17304, Jul. 16, 2001>)

(1) A nuclear power-related business operator, who intends to manufacture or import containers for packing and transportation of radioactive materials, etc. pursuant to the provisions of the main text of Article 90-2 (1) of the Act (hereinafter referred to as the "transport containers"), shall obtain approval for the design of the transport containers by type (hereafter referred to as the "design approval" in this Section) as prescribed by the Ordinance of the Ministry of Education, Science and Technology: *Provided*, That the same shall not apply to a case where a person intends to repeatedly manufacture the transport containers for which he/she has obtained the design approval. <Amended by Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 20740, Feb. 29, 2008>

(2) The standards for design pursuant to the main text of Article 90-2 (1) of the Act shall be as follows: <Amended by Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20740, Feb. 29, 2008>

1. The radiation source or contaminated material thereby shall not be easily leaked due to any breakage or wear, etc. of the transport containers or any radiation damages shall not be feared to occur; and
2. The design, materials and structure of the transport containers shall conform to the standards prescribed and publicly announced by the Minister.

(3) The Minister shall, in the event that the design of the transport containers conforms to the standards as prescribed in paragraph (2), shall issue a written design approval to the applicant for approval as prescribed by the Ordinance of the Ministry of Education, Science and Technology. <Amended by Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 20740, Feb. 29, 2008>

[This Article Wholly Amended by Presidential Decree No. 16542, Aug. 31, 1999]

Article 239-3 (Inspection of Transport Containers <Amended by Presidential Decree No. 17304, Jul. 16, 2001>)

(1) Where a nuclear power-related business operator manufactures the transport containers with the design approval pursuant to the provisions of the main text of Article 90-3 (1) of the Act or imports the transport containers manufactured abroad, he/she shall undergo the inspection of manufacture (hereinafter referred to as "manufacture inspection"). *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17304, Jul. 16, 2001>*

(2) A nuclear power-related business operator who intends to continue to use the transport containers pursuant to the provisions of the main text of Article 90-3 (1) of the Act shall undergo the inspection of use (hereinafter referred to as "use inspection") periodically. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17304, Jul. 16, 2001>*

(3) Where a person, who intends to undergo the use inspection, has filed a self-checkup report as prescribed by the Ordinance of the Ministry of Education, Science and Technology and he/she has passed the documentary examination by Minister on the self-checkup report, the submission of the self-checkup report shall substitute for the use inspection as prescribed in paragraph (2). *<Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999; Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

(4) Matters necessary for the inspection standards for the manufacture inspection and the use inspection as prescribed in paragraphs (1) and (2), and the examination standards for the documentary examination of the self-checkup report shall be prescribed by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(5) In the event that the transport containers are found to be in conformity with the inspection and examination standards as prescribed in paragraph (4) as a result of the manufacture inspection, use inspection and the documentary examination of the self-checkup report as prescribed in paragraphs (1) through (3), such transportation containers shall be deemed to pass the inspections and the examination. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17304, Jul. 16, 2001>*

[This Article Newly Inserted by Presidential Decree No. 14797, Oct. 19, 1995]

Article 239-4 (Exemption from Inspection of Transport Containers <Amended by Presidential Decree No. 17304, Jul. 16, 2001>)

(1) The cases where the manufacture inspection or the use inspection is exempted pursuant to the provisions of the *proviso* of Article 90-3 (1) of the Act shall be as follows: <Amended by Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 20740, Feb. 29, 2008>

1. Where documents relating to the design approval and passing of the manufacture inspection prescribed by the Ordinance of the Ministry of Education, Science and Technology for the foreign-made transport containers have been submitted to the Minister for examination and the foreign-made transport containers have passed the documentary examination by the Minister; and
2. Where documents relating to the passing of the use inspection prescribed by the Ordinance of the Ministry of Education, Science and Technology for foreign-made transport containers, which have already undergone the use inspection abroad, have been furnished to the Minister for examination and the foreign-made transport containers have passed the documentary examination by the Minister.

(2) Matters necessary for exempting the manufacture inspection or use inspection as prescribed in paragraph (1) shall be prescribed by the Ordinance of the Ministry of Education, Science and Technology. <Amended by Presidential Decree No. 20740, Feb. 29, 2008>

[This Article Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999]

Articles 240 and 240-2 <Deleted by Presidential Decree No. 16542, Aug. 31, 1999>

Sub-Sections 3 <Deleted by Presidential Decree No. 16542, Aug. 31, 1999>

Articles 241 through 255-2 <Deleted by Presidential Decree No. 16542, Aug. 31, 1999>

Sub-Sections 4 <Deleted by Presidential Decree No. 16542, Aug. 31, 1999>

Articles 256 through 266 <Deleted by Presidential Decree No. 16542, Aug. 31, 1999>

Sub-Sections 5 <Deleted by Presidential Decree No. 16542, Aug. 31, 1999>

Articles 267 through 281-2 <Deleted by Presidential Decree No. 16542, Aug. 31, 1999>

CHAPTER VI LICENSE AND EDUCATION FOR NUCLEAR POWER-RELATED EMPLOYEES

SECTION 1 License Examination and License

Article 282 (Effect of License)

From among the persons who have obtained licenses referred to in each subparagraph of Article 91 (2) of the Act, persons who have obtained licenses referred to in subparagraphs 1 and 2 of the same paragraph may be engaged in the operation of nuclear reactor, persons who have obtained licenses referred to in subparagraphs 3 and 4 of the same paragraph, may be engaged in the handling of nuclear materials, and persons who have obtained licenses referred to in subparagraphs 5 through 7 of the same paragraph and radiation control technicians under the National Technical Qualifications Act (hereinafter referred to as the "radiation control technicians") may be engaged in the handling of radioactive isotopes, etc., respectively. <Amended by Presidential Decree No. 19044, Sep. 14, 2005>

[This Article Wholly Amended by Presidential Decree No. 16542, Aug. 31, 1999]

Article 283 (Qualification for Taking Examination)

(1) Qualifications for taking examination for license as prescribed in Article 91 (2) of the Act shall be divided into academic career and work experiences (including the education and training of employees).

(2) Academic career and work experiences as prescribed in paragraph (1) are as shown in the attached Table 5. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999>*

(3) The contents and the computation method of work experiences as prescribed in paragraphs (1) and (2) shall be determined and publicly announced by the Minister. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 284 (Method of Examination)

(1) Pursuant to the provisions of Article 94 (1) and (4) of the Act, the examination for licenses referred to in Article 91 (2) 1 and 2 of the Act shall be conducted according to the type of nuclear reactor and the classification of its capacity, and divided into written examination and practical examination, but no person may apply for the practical examination unless he/she has passed the written examination or is exempted from the written examination. *<Amended by Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) The examination for licenses referred to in Article 91 (2) 3 through 7 of the Act shall be conducted by written examination.

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 285 (Subjects of Examination)

Subjects of licensing examination by type of license as prescribed in Article 91 (2) of the Act are as shown in attached Table 6. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999>*

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 286 (Exemption from Examination, etc.)

(1) Pursuant to the provisions of Article 94 (2), any person falling under any of the following subparagraphs shall be exempted from the written examination for the examination for licenses referred to in Article 91 (2) 1 and 2 of the Act,: <Amended by Presidential Decree No. 16542, Aug. 31, 1999>

1. Any person who possesses license referred to in Article 91 (2) 1 of the Act applies for the examination concerning the license for the supervisor of nuclear reactor operation for a nuclear reactor of the same type but of different capacity or different supplier of nuclear steam supply system (hereinafter referred to as "supplier");
2. Any person who possesses license referred to in Article 91 (2) 2 of the Act applies for the examination concerning the license for the operator of nuclear reactor of the same type but of different capacity or different supplier; and
3. Any person who has passed the written examination, but failed in the practical examination for the examination for licenses referred to in Article 91 (2) 1 and 2 of the Act, and applies for the examination for the license for the operator of nuclear reactor or the supervisor of nuclear reactor operation of the same type, capacity and supplier (limited to the same license examination to be conducted next time).

(2) In the event that any person who holds a medical doctor or dentist license and a license referred to in Article 91 (2) 7 of the Act applies for the examination for the license referred to in Article 91 (2) 6 the Act, he/she shall be exempted from examination for the subjects referred to in subparagraphs 1, 2, and 4 among the subjects of examination for the special license for handling of radioisotopes as shown in the attached Table 6.
<Amended by Presidential Decree No. 16542, Aug. 31, 1999>

(3) In the event that an applicant has obtained a license abroad equivalent to or higher than a license as prescribed in this Decree, which is recognized by the Minister, he/she shall be exempted from the examination for the subjects except for the laws and regulations related to atomic energy among the subjects of examination as shown in the attached Table 6, pursuant to the provisions of Article 94 (2) of the Act. <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 287 (Conducting Examination)

(1) Unless there exists any special situation, the Minister shall conduct the license examination not less than once a year. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) When the license examination is conducted pursuant to the provisions of paragraph (1), the date and time and place of the examination shall be publicly announced at least thirty days prior to the date of the examination.

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 288 (Criteria for Pass)

(1) Criteria for passing the written examination shall be at least 40 points for each subject and at least 60 points for the average of the entire subjects based on the full score of 100 points per each subject.

(2) Criteria for passing the practical examination shall be at least 60 points based on the full score of 100 points. *<Amended by Presidential Decree No. 17304, Jul. 16, 2001>*

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 289 (Application for License Examination)

A person who intends to apply for the license examination pursuant to the provisions of Article 94 (1) of the Act shall submit to the Minister an application form stating the following matters, attached with the documents prescribed by the Ordinance of the Ministry of Education, Science and Technology: *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

1. Name, resident registration number and address;
2. Type of license to apply for;
3. Matters concerning qualifications for application;

4. Matters concerning the exemption from examination; and

5. *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 290 (Notification, etc. of Pass)

The Minister shall, pursuant to the provisions of Article 94 (4), publicly announce the list of successful applicants in the bulletin board of the agency which has conducted the examination and notify each of the successful applicants individually to the effect that he/she has passed the examination. *<Amended by Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 291 (Reissuance of Certificate of License)

(1) Any person who desires to have a new certificate of license issued from among those who have certificates of license issued pursuant to Article 95 (1) of the Act but have damaged or lost the certificate of license, or who desires to have a new certificate of license issued due to any change in entries shall submit an application for reissuance which contains the following matters: *<Amended by Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

1. Name and address;

2. Date of issuance of the certificate of license and its number; and

3. Reasons for requesting the reissuance.

(2) and (3) *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 292 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 293 (Members of Examination Committee)

(1) The Minister shall appoint or commission members of the examination committee each time of the examination, so that they may take charge of preparing and editing of examination questions, giving marks to answers, conducting and evaluation of the practical examination: *Provided*, That if the examination is based on an item pool system, he/she shall appoint or commission evaluation members for the selection of examination questions and evaluation of the degree of difficulty of examination questions. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) Members of the examination committee referred to in paragraph (1) shall be two persons or more for each subject of the written examination and two persons or more for the practical examination who shall be selected from among persons with profound academic knowledge and experiences in the relevant subjects. *<Amended by Presidential Decree No. 17304, Jul. 16, 2001>*

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 294 (Allowances)

Allowances shall be paid to members of the examination committee and evaluation members referred to in Article 293 (1) within the limit of the budget.

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 294-2 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

SECTION 2 Education and Training *<Newly Inserted by Presidential Decree No. 14797, Oct. 19, 1995>*

Article 295 (Education and Training for Radiation Work Employees)

(1) In conducting education and training as prescribed in Article 105 (1) of the Act, the nuclear power-related business operator shall conduct such education and training by classifying prior-to-work education and training and regular education and training for radiation work employees, and conduct prior-to-access education and training and regular education and training as prescribed by the Ordinance of the Ministry of Education, Science and Technology for persons having access to radiation control area. *<Amended by Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) Matters necessary for methods and contents of the education and training as prescribed in paragraph (1) shall be prescribed by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Wholly Amended by Presidential Decree No. 16542, Aug. 31, 1999]

Article 295-2 (Persons Subject to Education of Nuclear Power Control)

The term "persons prescribed by the Presidential Decree among the nuclear power-related enterprisers and the persons who are engaged in the nuclear power-related research" in Article 105 (3) of the Act refers to persons falling under any of the following subparagraphs: *<Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

1. A person who performs the measurement control of specific nuclear materials as an employee of the nuclear power-related business operator falling under any of the following items:
 - (a) The installer of a nuclear power reactor;
 - (b) The operator of a nuclear power reactor;
 - (c) The installer of a research nuclear reactor, etc. ;
 - (d) The operator of nuclear fuel cycling business; or
 - (e) The user of nuclear fuel materials; or

2. The chief researcher of a research and development task related with nuclear fuel cycle-related process or system development prescribed by the Minister.

[This Article Newly Inserted by Presidential Decree No. 19582, Jun. 30, 2006]

Article 296 (Supplementary Education)

(1) Any person, who has obtained a license to operate nuclear power reactors or research nuclear reactors with not less than 10 megawatt thermal output from among licenses as prescribed in Article 91 (2) 1 and 2 of the Act and other persons who are engaged in the handling of nuclear fuel materials or radioactive isotopes, etc. after obtaining licenses as prescribed in Article 91 (2) 3 through 7 of the Act shall receive a supplementary education as prescribed in Article 105 (2) of the Act every three years as provided by the Minister.

<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20740, Feb. 29, 2008>

(2) The supplementary education for persons holding licenses referred to in Article 91 (2) 1 and 2 of the Act from among the supplementary educations as prescribed in paragraph (1) shall be conducted by the competent agency: *Provided*, That if the supplementary education course is not established in the competent agency or the supplementary education is conducted for individual person, the supplementary education may be conducted by entrusting it to another agency in related fields designated by the Minister. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20740, Feb. 29, 2008>*

(3) The heads of the agencies conducting supplementary education as prescribed in paragraphs (1) and (2) shall formulate the annual plan for conducting the supplementary education for persons engaged in the operation of nuclear reactor or in the handling of nuclear fuel materials or radioactive isotopes, etc. and submit it to the Minister by the end of January each year. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(4) A nuclear power-related business operator shall provide the persons who obtained the licenses as prescribed in Article 91 (2) of the Act among his/her employees with any conveniences necessary for taking supplementary education as prescribed in paragraph (1),

and shall not lower their wages or take measures unfavorable to them for this reason.
<Amended by Presidential Decree No. 16542, Aug. 31, 1999>

(5) The Minister or the head of the competent agency for the supplementary education shall confirm in the license pocketbook for any person who has completed the supplementary education course as prescribed in paragraph (1) to the effect that he/she has duly completed the supplementary education. <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

CHAPTER VII RADIATION SAFETY CONTROL <Newly Inserted by Presidential Decree No. 14797, Oct. 19, 1995>

Article 297 <Deleted by Presidential Decree No. 16542, Aug. 31, 1999>

Article 297-2 (Inspection of Reading <Amended by Presidential Decree No. 16542, Aug. 31, 1999>)

(1) A person, who has registered his/her dosimeter reading business service (hereinafter referred to as the "dosimeter reading service provider"), shall undergo the inspection of the installation, operation and performance of his/her reading facilities by the Minister as prescribed by the Ordinance of the Ministry of Education, Science and Technology pursuant to the provisions of Article 90-6 (1). <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

(2) The inspection referred to in paragraph (1) shall be classified into the inspection conducted before commencement of the reading service and the inspection conducted regularly every year. <Amended by Presidential Decree No. 16542, Aug. 31, 1999>

(3) Any person, who intends to undergo the inspection as prescribed in paragraph (1), shall file a written application, attached with documents prescribed by the Ordinance of the Ministry of Education, Science and Technology, to the Minister: *Provided*, That the application for the inspection conducted regularly every year may not be filed when the Minister has formulated the inspection plan for the relevant year and notified the dosimeter

reading service provider of the plan. *<Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999; Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

(4) Matters necessary for the standards, methods and procedures for the inspection as prescribed in paragraph (1) shall be determined and publicly announced by the Minister. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(5) When the reading facilities are found to be in conformity with the standards as prescribed in paragraph (4) as a result of the inspection as prescribed in paragraph (1), the reading facilities shall be deemed to pass the inspection. *<Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999; Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Newly Inserted by Presidential Decree No. 14797, Oct. 19, 1995]

Article 297-3 (Period for Commencement of Business)

The term "period prescribed by the Presidential Decree" in Article 90-7 (1) 2 of the Act refers to a period of one year from the date the registration is made. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999>*

[This Article Newly Inserted by Presidential Decree No. 14797, Oct. 19, 1995]

Articles 297-4 through 297-6 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 297-7 (Scope, etc. of Establishment of Restricted Zone)

(1) The scope of a restricted zone as prescribed in Article 96 (3) of the Act shall be established through the deliberation of the Safety Commission after the Minister consults with the heads of the agencies concerned, upon taking into account the topographical and other natural conditions: *Provided*, That for the research nuclear reactor facilities, etc. with thermal output of not more than 10 megawatt, the restricted zone may not be established. *<Amended by Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) Securing of sites as prescribed in Article 96 (5) of the Act shall be by the means of acquisition of ownership or creation of surface rights: *Provided*, That with respect to national and public roads, railroads, ditches, rivers, seas, forests and parks, the sites shall be deemed to have been secured where any person who wishes to install and operate nuclear reactors and related facilities, nuclear fuel cycling facilities or disposal facilities, etc. may exercise the control over access and traffic of the general public to them and where the Minister deems that there are no hazards to safety in the operation of the relevant facilities. *<Amended by Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Newly Inserted by Presidential Decree No. 14797, Oct. 19, 1995]

Article 297-8 (Range of Restricting Installation of Harmful Facilities and Facilities Subject to Restrictions)

(1) The term "range prescribed by the Presidential Decree" in Article 96-2 (1) of the Act refers to the range of up to eight-kilometer radius from the center of nuclear reactor and related facilities, nuclear fuel cycling facilities or disposal facilities, etc.: *Provided*, That in the case of facilities referred to in paragraph (2) 1, it refers to the scope of up to 16-kilometer radius.

(2) In the event that the head of an administrative agency concerned intends to permit, authorize or approve the installation of the facilities pursuant to the provisions of Article 96-2 (2) of the Act, the facilities subject to the consultation with the Minister shall be as follows: *<Amended by Presidential Decree No. 19044, Sep. 14, 2005; Presidential Decree No. 20740, Feb. 29, 2008; Presidential Decree No. 20763, Apr. 3, 2008; Presidential Decree No. 20740, Feb. 29, 2008>*

1. Airports as prescribed in subparagraph 5 of Article 2 of the Aviation Act;
2. Artillery firing ranges and missile bases among the military installations as prescribed in the Protection of Military Installations Act (limited to those installed as the projects subject to approval of implementation plan as prescribed in Article 4 of the Act on National Defense and Military Installations Projects);

3. Dams and estuary dykes among facilities attached to rivers referred to in Article 2 (3) of the River Act; and
4. Other facilities which are deemed to be feared to cause a serious trouble to the safety of nuclear reactor and related facilities, nuclear fuel cycling facilities or disposal facilities, etc. caused by explosion, vibration and the discharge of poisonous materials, which are publicly announced by the Minister after consultation with the heads of the administrative agencies concerned.

[This Article Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999]

Article 298 (Measurement)

(1) A nuclear power-related business operator (excluding reported users; hereafter the same shall apply in this Article and Article 299) shall conduct the measurement of radiation dose and status of contamination by radioactive materials, etc. pursuant to the provisions of Article 97 (1) of the Act for the places in which radiation damages prescribed by the Ordinance of the Ministry of Education, Science and Technology are likely to occur. *<Amended by Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) Pursuant to the provisions of Article 97 (1) of the Act, a nuclear power-related business operator shall conduct the measurement of exposed radiation dose and the status of contamination by radioactive materials for the people who have access to nuclear power utilization facilities as prescribed by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 20740, Feb. 29, 2008>*

(3) A nuclear power-related business operator shall prepare and keep the records in respect of the results of the measurement referred to in paragraphs (1) and (2), and take other measures prescribed by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 299 (Medical Examination)

(1) A nuclear power-related enterpriser shall conduct medical examination for radiation work employees in nuclear power utilization facilities as prescribed by the Ordinance of the Ministry of Education, Science and Technology pursuant to the provisions of Article 97 of the Act. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) A nuclear power-related business operator shall prepare and keep the records in respect of the results of the measurement referred to in paragraphs (1) and (2), and take other measures prescribed by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 299-2 (Exposure Control)

(1) Any nuclear power-related business operator shall assess the exposed radiation dose and control the exposure for radiation work employees and other persons having frequent access as prescribed by the Ordinance of the Ministry of Education, Science and Technology, in order to keep the personal exposed radiation dose from exceeding the dose limit pursuant to the provisions of Article 97 (1) 3 and (2) of the Act. *<Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

(2) The term "persons having frequent access prescribed by Presidential Decree" in Article 97 (2) of the Act means the persons having frequent access as prescribed in Article 2 (1) 15 and the term "dose limit prescribed by the Presidential Decree" in Article 97 (2) of the Act means the dose limit as prescribed in Article 2 (1) 5, respectively. *<Amended by Presidential Decree No. 19582, Jun. 30, 2006>*

[This Article Wholly Amended by Presidential Decree No. 16542, Aug. 31, 1999]

Article 299-3 (Measures for Reduction of Exposure)

A nuclear power-related business operator shall take the following measures as prescribed by the Minister in order to minimize the radiation exposure to be suffered by radiation work employees in and persons having frequent access to nuclear power utilization facilities, and residents in the vicinity of the facilities under the normal state as well as the abnormal state (excluding any accidents) of the operation of nuclear power utilization facilities pursuant to the provisions of Article 97 (1) 4 of the Act: *<Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

1. Protective measures in conformity with the characteristics of radiation work;
2. Shielding of radiation and proper installation of facilities;
3. Use of materials and apparatuses which are effective in reducing the radiation dose; and
4. Securing sufficient work space.

[This Article Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999]

Article 300 (Measures for Victims of Radiation Damage)

Measures to be taken by a nuclear power-related business operator pursuant to the provisions of Article 97 (3) of the Act shall be as follows: *<Amended by Presidential Decree No. 16542, Aug. 31, 1999>*

1. Where a radiation work employee or other person having frequent access has suffered or is deemed to have suffered radiation damage, the relevant nuclear power-related business operator shall promptly take necessary measures for health purpose for them, including having him/her diagnosed by a medical doctor, and he/she shall also take measures necessary to reduce the access hours or declare off-limits to the radiation control area, or transfer him/her to another work which is less feared to have him/her exposed to the radiation according to the degree of the radiation damage; and
2. Where a person, who has temporary access to radiation control area, has suffered or is deemed to have suffered radiation damage, the relevant nuclear power-related business operator shall promptly take necessary measures for health including having him/her diagnosed by a medical doctor.

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 301 (Protective Measures against Radiation Damage and Report)

(1) Safety measures to be taken by a nuclear power-related business operator pursuant to the provisions of Article 98 (1) of the Act shall be as follows: <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

1. Where the safety of nuclear power utilization facilities is threatened due to disasters such as earthquake, fire, flood, typhoon and leakage of poisonous gas or where radiation work employees are exposed to danger when they carry out their duties related to the safety of operation, the causes shall be removed and measures to prevent the expansion of damage shall be taken;
2. Where the safety of nuclear power utilization facilities is threatened by the breakdown, etc. of the nuclear power utilization facilities, the cause of the breakdown shall be removed to restore the normal operation of the facilities: *Provided*, That in the case where it is impossible to restore the normal operation of the facilities, measures to prevent the expansion of the breakdown shall be taken; and
3. Where radioactive materials are abnormally leaked, and the concentration in air and water in the facility boundary (referring to the restricted zone boundary if the boundary of the restricted zone is established) exceeds the limit value of the discharge control standards prescribed by the Minister or radiation work employees or persons having frequent access are exposed to the radiation in excess of the dose limit, the following measures shall be taken:
 - (a) Evacuation warning for the persons inside or near the nuclear power utilization facilities and the restricted zones;
 - (b) Emergency measures such as rescue and evacuation, etc. for any person who has sustained or is likely to sustain any radiation damage;
 - (c) Prevention of expansion of contamination and removal of contamination in the event that contamination due to radioactive materials, etc. has occurred;

(d) Moving radioactive materials, etc. to a safe area, posting marks prescribed by the Ordinance of the Ministry of Education, Science and Technology, and prohibition of visiting or access thereto by the persons other than the authorized persons in the event that there is sufficient time to move the radioactive materials to other places; and

(e) Using proper protective gears and prevention of radiation exposure of the persons working for the emergency works due to reduction, etc. of radiation exposure time beyond the standard level prescribed by the Minister in the case of the emergency radiation work.

(2) Where a nuclear power business operator has taken the safety measures as referred to in paragraph (1), he/she shall report the following matters to the Minister as provided by the Minister: *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

1. Date and time and location and cause of the occurrence of the situation referred to in Article 98 (1) of the Act;
2. Situation of radiation damage which has occurred or is likely to occur; and
3. Contents of and plan for the safety measures.

(3) The Minister may conduct a professional training in radiation emergency rescue for persons concerned with such radiation emergency rescue who perform emergency measures as prescribed in paragraph (1) 3 (b) according to what is prescribed and published by the Minister. *<Newly Inserted by Presidential Decree No. 17304, Jul. 16, 2001; Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 302 (Measures, etc. at the Time of Accident)

(1) The term "When any leakage or fire of radioactive materials or any other accident occurs" in Article 89 (2) of the Act means the time falling under any of the following subparagraphs: *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 19582, Jun. 30, 2006>*

1. When the environment is likely to be contaminated or the safety of radiation work employees is threatened due to a leakage or diversion of radioactive materials;
2. When radioactive materials are likely to be leaked due to fire of vehicles or radioactive materials, etc.;
3. When radiation work employees and persons having frequent access are exposed to radiation beyond the radiation dose limit;
4. When the packing materials brought from a foreign country fail to meet the standards for transport prescribed by the Act and this Decree;
5. When radioactive materials, etc. are stolen or lost; and
6. When the emergency evacuation of neighboring residents are needed due to the leakage of radioactive materials.

(2) The provisions of Article 301 shall apply *mutatis mutandis* in respect to the safety measures to be taken by a nuclear power-related business operator or any person who has been entrusted with the transport of radioactive materials, etc. in the event of an accident as prescribed in paragraph (1),.

(3) In the event that an accident as referred to in paragraph (1) 5 or 6 occurs, it shall be reported without delay to the police agency having jurisdiction over the area.

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 302-2 (Monitoring Nationwide Environmental Radioactivity)

The Minister shall perform the affairs falling under each of the following subparagraphs to monitor and assess the nationwide environmental radiation and radioactivity pursuant to the provisions of Article 104-7 (1) of the Act: < Amended by Presidential Decree No. 20740, Feb. 29, 2008>

1. Survey and assessment of nationwide environmental radioactivity;
2. Survey and assessment of marine environmental radioactivity; and

3. Operation of a nationwide automatic monitoring network for environmental radiation.

[This Article Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999]

Article 302-3 (Procedures for Export and Import)

(1) Any person who intends to export and import internationally controlled materials or technologies related thereto referred to in subparagraph 17 of Article 2 among the persons who intend to export and import nuclear reactor and related facilities, nuclear materials, and radioactive isotopes, etc. shall observe the procedures and mandatory matters provided for in international conventions, agreements, treaties and protocols, etc. relating to nuclear energy pursuant to the provisions of Article 106 of the Act.

(2) Matters necessary for implementation of the procedures and mandatory matters referred to in paragraph (1) may be prescribed separately by the Minister. *<Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

[This Article Newly Inserted by Presidential Decree No. 17304, Jul. 16, 2001]

Article 302-4 *<Deleted by Presidential Decree No. 19582, Jun. 30, 2006>*

CHAPTER VIII DELEGATION OF AUTHORITY

Article 303 (Classification of Entrusted Institutions *<Amended by Presidential Decree No. 16542, Aug. 31, 1999>*)

(1) The institutions to which the Minister may delegate his/her authority pursuant to Article 111 (1) of the Act shall be as follows: *<Amended by Presidential Decree No. 12963, Mar. 31, 1990; Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 15371, May 9, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 19044, Sep. 14, 2005; Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 19929, Mar. 16, 2007; Presidential Decree No. 20740, Feb. 29, 2008>*

1. The Korea Institute of Nuclear Safety established under the Korea Institute of Nuclear Safety Act;
2. The Korea Atomic Energy Research Institute established under the Act on the Establishment, Operation and Fosterage of Government-Invested Research Institutions of Science and Technology;
- 2-2. The Korea Institute of Nuclear Nonproliferation and Control established pursuant to Article 9-5 of the Act;
- 2-3. Human Resources Development Service of Korea established pursuant to the Human Resources Development Service of Korea Act;
3. Administrative agencies, national and public research institutes designated by the Minister, specific research institutes under Article 2 of the Support of Specific Research Institutes Act, the Korea Association of Non-Destructive Testing established pursuant to Article 18 of the Act on the Promotion and Management of Non-Destructive Testing Technology, associations established pursuant to Article 14 of the Radioactive Rays and Radioisotope Use Promotion Act, or relevant specialized institutions established under Article 32 of the Civil Act; and
4. Other specialized institutions designated by the Minister for performing the function of planning, managing and assessing research and development projects.

(2) The provisions of Articles 306 through 310, 314 and 315 shall not apply to administrative agencies designated by the Minister under paragraph (1) 3. *<Newly Inserted by Presidential Decree No. 16542, Aug. 31, 1999; Amended by Presidential Decree No. 20740, Feb. 29, 2008>*

Article 303-2 (Standards for Calculation of Expense, Methods of Collection, etc.)

(1) The standards for calculation of expenses that the nuclear power-related business operators, etc. bear pursuant to Article 111 (6) of the Act shall be determined by the head of the institution that has been entrusted with the authority pursuant to Article 111 (1) of the Act (hereinafter referred to as the "entrusted institution") in consideration of the matters listed in the following subparagraphs. In this case, the head of the entrusted institution shall,

where necessary, hear the opinion of nuclear power-related business operators, etc. in consideration of the characteristics of the nuclear power utilizing facilities: <Amended by Presidential Decree No. 20740, Feb. 29, 2008>

1. Direct labor cost: The amount calculated by multiplying the standard unit price of labor cost determined by the Minister by the number of persons directly engaged in the relevant business;
2. Direct expense; Expenses required directly for the relevant business that apply to the standards determined by the Minister;
3. Overhead expense: Expenses needed for the relevant business other than the direct expense, which has been calculated in accordance with the method determined by the Minister; and
4. Technical fee: The amount of the remuneration for the use of technology that has been developed and possessed by the entrusted institution and for the accumulation of technology, which has been calculated in accordance with the method determined by the Minister.

(2) In the event that the head of the entrusted institution has determined the standards for calculation pursuant to paragraph (1), he/she shall obtain the approval from the Minister pursuant to Article 111 (3) of the Act. <Amended by Presidential Decree No. 20740, Feb. 29, 2008>

(3) In the event that the Minister has approved the standards for calculation pursuant to paragraph (2), he/she shall publicly announce it. <Amended by Presidential Decree No. 20740, Feb. 29, 2008>

(4) Where the head of the entrusted institution intends to collect expenses from the nuclear power-related business operators, etc., he/she shall notify them of the details of calculation, time limit of payment, and place of payment by describing clearly together with the amount.

[This Article Newly Inserted by Presidential Decree No. 19582, Jun. 30, 2006]

Article 304 (Designation, etc. of Entrusted Institutions)

(1) The entrustment of authority to the entrusted institutions as referred to in Article 303 (1) 1, 2 and 2-2 shall become effective at the time it is publicly notified in the Official Gazette pursuant to Article 319. *<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) The institutions which may be entrusted with authority pursuant to the provisions of subparagraphs 3 and 4 of Article 303 (hereinafter referred to as the "designated entrusted institution") shall be designated by the Minister upon request. *<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 15371, May 9, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(3) A person who intends to be designated as the entrusted institution pursuant to the provisions of subparagraph 2 shall submit to the Minister a written application containing the following matters, attached with documents prescribed by the Ordinance of the Ministry of Education, Science and Technology: *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

1. Title, address and name of representative;
2. Title of the office where entrusted affairs are performed and location of the office;
3. Title of affairs to be entrusted and location of the office;
4. Expected date of the commencement of entrusted affairs;
5. Business plan and budget of revenues and disbursements for the year of commencement of the project and the following year in connection with the entrusted affairs;
6. Name and brief personal records of executive officers;
7. List of names of persons performing entrusted duties (name, brief personal records and license, or qualifications shall be clearly stated);

8. Types and quantity of machines, tools and other equipment used for the performance of entrusted affairs; and
9. Where affairs other than those entrusted affairs are performed, kinds and outline of such affairs.

Article 305 (Criteria for Designation)

The designated entrusted institutions shall be equipped with technical capabilities and other conditions prescribed by the following subparagraphs: *<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

1. The organization of executive officers and key personnel shall be such that there is no trouble for a fair and accurate performance of the entrusted affairs and their operation;
2. Persons dealing with the entrusted affairs shall satisfy the qualification standards determined and publicly notified by the Minister;
3. The number of persons dealing with the entrusted affairs shall be not less than the number necessary to perform such affairs;
4. Types and quantity of machines, tools and other equipment necessary for the performance of entrusted affairs under request shall be available;
5. They shall have fundamental financial capability necessary for an accurate and smooth performance of entrusted affairs; and
6. When the affairs other than the entrusted affairs are operated, it shall not be feared that the entrusted affairs are performed unfairly due to the operation of such affairs.

Article 306 (Changing Title, etc. of Entrusted Institutions)

(1) Where an entrusted institution intends to change its title or address or the title or address of the office which handles the entrusted affairs, it shall submit a written application stating the following matters to the Minister and obtain his/her approval thereon: *<Amended by*

Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

1. Title or address of the entrusted institution or title or address of the office which handles the entrusted affairs after change;
2. Date on which the change is to be made; and
3. Reasons for change.

(2) Where an entrusted institution intends to newly establish an office or close down an existing office which handles entrusted affairs (including regional branch), it shall submit a written application stating the following matters to the Minister and obtain his/her approval thereon: *<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

1. Title and address of the office to be newly established or closed down;
2. Expected date of commencement or closure of handling affairs of the office to be newly established or to be closed down; and
3. Reasons for new establishment or closure of the office.

Article 307 (Restriction on Designation of Entrusted Institutions)

The Minister shall not entrust his/her authority to the institution in the event that any person falling under any of the following subparagraphs is one of the officers of the institution to which he/she intended to entrust his/her authority: *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

1. A person who has been declared incompetent or quasi-incompetent;
2. A person who has been declared bankrupt and is not yet been reinstated;
3. A person who has been sentenced to punishment of imprisonment without labor or heavier one and for whom two years have not passed since the execution of such sentence was terminated or non-execution thereof was finally decided, or who is now

under the period of such suspended execution after he was sentenced to suspended execution of punishment;

4. Any person who was a member of the entrusted institution at the time of cancellation of designation as the entrusted institution in accordance with this Decree and for whom two years have not passed since the date of such cancellation; and
5. A person who held the license referred to in Article 91 (2) of the Act and for whom two years have not passed since the date of revocation of the license.

[This Article Wholly Amended by Presidential Decree No. 14797, Oct. 19, 1995]

Article 308 (Application for Approval of Suspension or Discontinuation of Entrusted Affairs)

In the event that an entrusted institution intends to suspend or discontinue all or part of the entrusted affairs as prescribed in the regulations for handling of entrusted affairs approved pursuant to the provisions of Article 311, it shall submit a written application thereof stating the following matters to the Minister and obtain approval from him/her: *<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

1. Type and scope of the entrusted affairs to be suspended or discontinued;
2. Date of intended suspension or discontinuation;
3. In the case of suspension, the period of suspension; and
4. Reasons for suspension or discontinuation.

Article 309 (Report on Persons Handling Entrusted Affairs)

(1) In the event that the entrusted institution has appointed the persons handling the entrusted affairs, it shall notify the Minister thereof within thirty days from the date of such appointment. The same shall also apply in the case of dismissal. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) Names, brief personal records, and license or qualification of the appointed persons handling entrusted affairs, the types of affairs to be performed and the departments, etc. in the office to which such persons are assigned shall be stated in the written report referred to in paragraph (1).

Article 310 (Request for Dismissal of Persons Handling Entrusted Affairs)

Where a person handling the entrusted affairs has violated the laws and regulations or the regulations for handling of entrusted affairs, or where he/she is deemed not appropriate to take charge of such duties, the Minister may request the entrusted institution to dismiss the person handling the entrusted affairs. <Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

Article 311 (Approval, etc. of Regulations on Handling Entrusted Duties)

(1) The entrusted institutions shall determine the regulations for handling of entrusted affairs containing the matters falling under each of the following subparagraphs, and obtain the approval thereof from the Minister. The same shall also apply to the case where they intend to modify such regulations: <Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

1. Types of entrusted affairs to be handled;
2. Matters concerning time when entrusted affairs are handled and holidays;
3. Matters concerning places in which entrusted affairs are handled;
4. Matters concerning appointment, dismissal and assignment of persons handling entrusted affairs;
5. Matters concerning the method of handling entrusted affairs;
6. Matters concerning indication of results of handling entrusted affairs and the method thereof;

7. Matters concerning the amount and the method of receipt of the expenses in the event that the expenses for the entrusted affairs are collected;
8. Matters concerning preservation of records in connection with the entrusted affairs; and
9. Other necessary matters concerning the handling of the entrusted affairs.

(2) In the event that the entrusted institution intends to modify the regulations for handling of entrusted duties pursuant to the provisions of the latter part of paragraph (1), it shall submit to the Minister a written application for the modification which states the following matters: *<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

1. Matters to be modified;
2. Intended date of modification; and
3. Reasons for modification.

Article 312 (Report)

In the event that the entrusted institution has completed the entrusted affairs, it shall report the result thereof to the Minister within 30 days from the date on which the entrusted affairs have been completed as prescribed by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

Article 313 *<Deleted by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 314 (Obligations of Entrusted Institution)

- (1) The entrusted institution shall handle the entrusted affairs fairly and swiftly. *<Amended by Presidential Decree No. 14797, Oct. 19, 1995>*
- (2) The entrusted institution shall not suspend or discontinue all or part of the entrusted affairs without the permission of the Minister. *<Amended by Presidential Decree No. 14797,*

Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>

(3) Executive officers, persons handling entrusted affairs, or employees of the entrusted institution shall not divulge or make a fraudulent use of any secrets concerning the entrusted affairs that they happened to know in the course of performing their duties.

Article 315 (Approval, etc. on Business Plan)

(1) The designated entrusted institution shall prepare the business plan and the budget of revenues and disbursements for each business year and obtain the approval of the Minister before commencing the business year (immediately after the designation for the business year in which date of the designation is included). The same shall also apply in the case of any modification. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) The designated entrusted institution shall prepare the business report and the settlement statement of accounts of revenues and disbursements and submit them to the Minister within three months after the end of each business year. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

Article 316 (Revocation, etc. of Designation)

The Minister may revoke the designation of an entrusted institution or may order suspension of all or part of the entrusted affairs by specifying a period of in the event that the entrusted institution falls under any of the following subparagraphs. In this case, if it is necessary for the national economy or for securing the safety of nuclear energy, the Minister may entrust the entrusted affairs suspended thereby to other institution deemed capable of performing such affairs for the period of suspension: *<Amended by Presidential Decree No. 12729, Jun. 16, 1989; Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

1. Where it is deemed that the entrusted institution does not satisfy the criteria for designation prescribed in Article 305;
2. Where the provisions of Articles 311, 314 and 315 are violated;

3. Where the conditions for designation referred to in Article 320 are violated; and
4. Where it is deemed that the entrusted institution cannot perform the entrusted affairs normally.

Article 317 (Supervision Order, etc.)

The Minister may, if it is deemed necessary for the supervision of the entrusted institution, place orders necessary for the operation of the entrusted institution and handling of the entrusted affairs, and have the public officials under his/her control inspect the relevant ledgers, documents, and facilities, etc. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

Article 318 (Transfer of Entrusted Affairs)

In the event that the designation is revoked or part of the designated affairs are discontinued pursuant to the provisions of Article 316, the entrusted institution shall transfer records concerning the entrusted affairs and other matters deemed necessary by the Minister to the Minister or the person designated by the Minister. *<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

Article 319 (Public Notice, etc.)

The Minister shall publicly notify the matters concerning the entrusted institution in the Official Gazette under the conditions prescribed in the following subparagraphs: *<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

1. At the time of designation of the entrusted institution pursuant to the provisions of Article 304:
 - (a) Title and address of the entrusted institution or title and address of the office;
 - (b) Date of designation; and

- (c) Types and scope of entrusted affairs;
2. At the time of revocation of designation of entrusted institution pursuant to the provisions of Article 316:
- (a) Title and address of the entrusted institution or title and address of the office; and
 - (b) Date of revocation;
3. When the suspension of all or part of the entrusted affairs is ordered under Article 316:
- (a) Title and address of the entrusted institution;
 - (b) Title and address of the office for which the entrusted affairs are suspended;
 - (c) Date of suspension; and
 - (d) Types and scope of the entrusted affairs ordered to be suspended, and the period of suspension; and
4. When the suspension or discontinuation of all or part of the entrusted affairs is approved pursuant to the provisions of Article 308:
- (a) Title and address of the entrusted institution for which all or part of the entrusted affairs are suspended or discontinued;
 - (b) Title and address of the office for which the entrusted affairs are suspended or discontinued;
 - (c) Date of suspension or discontinuation;
 - (d) Types and scope of the entrusted affairs to be suspended or discontinued; and
 - (e) In the case of suspension, the period of suspension.

Article 320 (Conditions for Designation, etc.)

- (1) The Minister may attach conditions or order changes in matters if it is deemed necessary in the cases of granting the designation as prescribed in Article 304 (2), the approval as

prescribed in Article 306, and the approval as prescribed in Articles 308, 311 and 315. *<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

(2) The conditions attached and the changes in matters as prescribed in paragraph (1) shall be limited to the minimum necessary for a fair operation of the matters concerning the designation or approval, and they shall not be used to impose unfair obligations on persons who have obtained the designation or the approval. *<Amended by Presidential Decree No. 14797, Oct. 19, 1995>*

Article 321 (Request, etc. for Submission of Data)

The entrusted institution may, if it is deemed necessary for handling of the entrusted affairs, request a nuclear energy-related business operator who has applied for such affairs to submit supplementary documents necessary for handling of the entrusted duties or other data, request its employees to investigate the matters concerning the entrusted affairs of the business establishments, or ask necessary questions to the persons concerned, and collect the minimum amount of samples necessary for the test and assessment.

Article 322 (Identification Card, etc.)

When the entrusted institution has its employees conduct an investigation at the relevant business establishment pursuant to the provisions of Article 321, it shall have its employees carry documents issued by the Minister proving that they are duly visiting or investigating and produce such documents to the persons concerned. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 29, 2008>*

Article 323 (Affairs that may be Entrusted)

(1) The term "other affairs prescribed by the Presidential Decree" in Article 111 (1) 16 of the Act refers to the following affairs: *<Amended by Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20740, Feb. 29, 2008>*

1. The survey and analysis of technological trend and forecasting of demand for technology, which are related to the formulation of plans for research and development projects referred to in Article 9-2 (1) of the Act;
- 1-2. Matters regarding the receipt, examination and assessment of research tasks related to the selection of research tasks by year referred to in Article 9-2 (1) of the Act;
- 1-3. Matters regarding the conclusion of agreement, management of progress, assessment of result and post management of research tasks related to the execution of research and development projects referred to in Article 9-2 (1) of the Act;
- 1-4. Affairs concerning management and operation of the Fund referred to in Article 10-4 (1) of the Act;
- 1-5. Affairs of safety control in respect to the disposal of radioactive wastes except for the kinds and quantity prescribed by the Ordinance of the Ministry of Education, Science and Technology pursuant to the provisions of Article 84 (3) of the Act;
2. Affairs concerning countermeasures for accidents occurring in the course of transportation as prescribed in Article 89 of the Act;
3. Affairs of checking safety concerning installation of harmful facilities as prescribed in Article 96-2 of the Act;
4. Affairs concerning report on the status of the materials under transport of radioactive materials, etc. by any nuclear power-related business operator (excluding any reported user) or by any other person entrusted by him/her pursuant to Article 103 (1) of the Act;
5. Affairs concerning inspection and collecting samples as prescribed in Article 103 (2) and (4) of the Act;
- 5-2. Installation of devices for monitoring the movement of internationally controlled materials pursuant to Article 103 (6) of the Act;
- 5-3. Affairs relating to export and import pursuant to Article 106 of the Act; and

6. Research and development of the standards necessary for performing affairs under this Act except for the standards pursuant to the provisions of Article 111 (1) 3 of the Act.

(2) The affairs which may be entrusted to the Korea Institute of Nuclear Safety as prescribed in Article 303 (1) 1 pursuant to the provisions of Article 111 (1) of the Act are as listed in the attached Table 8. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17304, Jul. 16, 2001>*

(3) The affairs which may be entrusted to the Korea Atomic Energy Research Institute as prescribed in Article 303 (1) 2 pursuant to the provisions of Article 111 (1) of the Act are as listed in the attached Table 9. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 19929, Mar. 16, 2007>*

(4) The affairs which may be entrusted to the Korea Institute of Nuclear Nonproliferation and Control referred to in Article 303 (1) 2-2 in accordance with Article 111 (1) of the Act are as listed in the attached Table 10. *<Newly Inserted by Presidential Decree No. 19582, Jun. 30, 2006>*

(5) The affairs falling under each of the following subparagraphs among the affairs concerning the licensing examination under Article 94 of the Act (referring to the examination for licenses under Article 91 (2) 5 through 7 of the Act) to the Human Resources Development Service of Korea referred to in Article 303 (1) 2-3 pursuant to Article 111 (1) of the Act: *<Newly Inserted by Presidential Decree No. 20606, Feb. 11, 2008>*

1. Delivery and receipt of application forms for licensing examinations; and

2. Execution of the licensing examinations and the affairs incidental thereto.

(6) The affairs which may be entrusted to the administrative agencies, national and public research institutes, specific institutions, the Korea Association of Non-Destructive Testing, associations or relevant specialized institutions, etc. designated by the Minister pursuant to Article 303 (1) 3 and 4 pursuant to Article 111 (1) of the Act shall be as listed in the

attached Table 11. <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 17304, Jul. 16, 2001; Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20606, Feb. 11, 2008; Presidential Decree No. 20740, Feb. 28, 2008>

[This Article Wholly Amended by Presidential Decree No. 15434, Jul. 10, 1997]

CHAPTER IX SUPPLEMENTARY PROVISIONS

Article 323-2 (Prevention of Hazards to Environment)

The standards for prevention of any hazards to national health and the environment as prescribed in subparagraph 3 of Article 12 of the Act, Article 12-2 (5) 2 of the Act, subparagraph 3 of Article 22 of the Act, subparagraph 4 of Article 44 of the Act, subparagraph 4 of Article 58 of the Act, and subparagraph 3 of Article 77 of the Act shall be as follows: <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20740, Feb. 28, 2008>

1. The concentration of radioactive materials in the state of liquid or gas discharged from the facilities shall meet the standards determined by the Minister; and
2. Other standards determined by the Minister for prevention of any radioactive hazards shall be met.

[This Article Newly Inserted by Presidential Decree No. 14797, Oct. 19, 1995]

Article 323-3 (Imposition and Payment of Penalties)

(1) In the event that the Minister intends to impose any penalty surcharge pursuant to the provisions of Article 17 (2) of the Act (including the cases applied *mutatis mutandis* in Articles 24 (2), 46 (2) and 79 (2) of the Act) and Article 68 (2) of the Act (including the cases applied *mutatis mutandis* in Article 90-7 (2) of the Act), he/she shall specify the category of the offense, the amount of the relevant penalty surcharge and the receiving agency and notify the offender in writing to the effect that he/she shall pay it. <Amended by

Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 28, 2008>

(2) The amount of penalty surcharge as prescribed in paragraph (1) is as shown in the attached Table 7: *Provided*, That the surcharge may be raised or reduced within the limit of 50 percent of the amount of any penalty surcharge, taking into consideration the size of business and the degree of offense. In this case, the amount of penalty surcharge, if raised, shall not exceed 50 million won. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999>*

(3) The person who has been notified to pay the penalty surcharge pursuant to the provisions of paragraph (1) shall pay it to the receiving agency within twenty days: *Provided*, That if he/she is unable to pay it within the time limit due to natural calamity, disaster or other unavoidable reasons, he/she shall pay it within seven days from the date on which such reasons cease to exist.

(4) The receiving agency which has received the penalty surcharge pursuant to the provisions of paragraph (1) shall deliver a receipt to the payer and notify the fact of receiving such penalty surcharge to the Minister without delay. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 28, 2008>*

(5) No penalty surcharge may be paid in installments.

[This Article Newly Inserted by Presidential Decree No. 14797, Oct. 19, 1995]

Article 324 (Persons Subject to Report and Submission of Documents)

The term "persons prescribed by the Presidential Decree, who deals with internationally controlled materials or is engaged in the related research" in Article 103 (1) of the Act refers to the following persons: *<Amended by Presidential Decree No. 20740, Feb. 28, 2008>*

1. Persons who deal with materials designated by the Minister among the internationally controlled materials as prescribed in subparagraph 17 of Article 2 of the Act; and
2. Persons who perform the research and development activities related to the process or system development relating to nuclear fuel cycling prescribed by the Minister.

[This Article Wholly Amended by Presidential Decree No. 17304, Jul. 16, 2001]

Article 324-2 (Installation, etc. of Monitoring Devices)

Pursuant to the provisions of Article 103 (6), the Minister may install devices necessary to monitor any movement of internationally controlled materials inside the related facilities of any nuclear power reactor operator or request the latter to submit other necessary materials: *Provided*, That in a case where the International Atomic Energy Agency has installed monitoring devices to monitor any movement of internationally controlled materials, they may not be installed. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 28, 2008>*

[This Article Newly Inserted by Presidential Decree No. 14797, Oct. 19, 1995]

Article 325 (Qualifications of Inspector)

A public official who performs the inspection pursuant to the provisions of Article 103 of the Act shall have competent knowledge and experience in the structure, performance and security of nuclear utilization facilities, etc. and prevention of radiation damages. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999>*

Article 326 (Certificate of Collection)

In the event that a public official who performs the inspection pursuant to the provisions of Article 103 (2) of the Act has collected samples, he/she shall deliver the certificate of collection to a nuclear power-related enterpriser.

Article 327 (Voucher of Inspector)

A public official who performs the inspection pursuant to the provisions of Article 103 (7) of the Act shall produce a voucher indicating his/her authority to the persons concerned as prescribed by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 28, 2008>*

Articles 328 and 329 *<Deleted by Presidential Decree No. 12729, Jun. 16, 1989>*

Articles 330 and 331 <Deleted by Presidential Decree No. 14797, Oct. 19, 1995>

Article 332 (Actions after Revocation of Permit, etc. or Discontinuation of Business)

(1) Actions that a nuclear power-related business operator shall take in the case of revocation of the permit, etc. as prescribed in Article 100 (1) of the Act shall be as follows:

<Amended by Presidential Decree No. 14797, Oct. 19, 1995; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 28, 2008>

1. Radioactive materials or radiation generating devices held by a nuclear power-related business operator shall be transferred to another nuclear power-related business operator;
2. Contamination caused by radioactive materials shall be removed;
3. Materials contaminated by radioactive materials shall be transferred to the constructor and operator of disposal facilities, etc.; and
4. Records prescribed by the Ordinance of the Ministry of Education, Science and Technology shall be delivered to the agency designated by the Minister.

(2) A nuclear power-related business operator whose permit or designation has been revoked or who has discontinued the business or the use (including discontinuation due to death or dissolution) pursuant to the provisions of Article 100 (1) of the Act shall submit a written report to the Minister as prescribed by the Ordinance of the Ministry of Education, Science and Technology. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 28, 2008>*

Article 332-2 <Deleted by Presidential Decree No. 16542, Aug. 31, 1999>

Article 332-3 (Submission, Public Announcement and Public Perusal, etc. of Draft Assessment Statement of Radiation Impact on Environment <Amended by Presidential Decree No. 16542, Aug. 31, 1999>)

(1) Where a business operator intends to collect residents' opinions pursuant to the provisions of Article 104-5 (1) and (3) of the Act, he/she shall submit a draft assessment statement of radiation impact on environment as prescribed in Article 104-5 (2) of the Act

(hereinafter referred to as the "draft assessment statement") to the heads of the administrative agencies falling under each of the following subparagraphs: <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 28, 2008>

1. The Minister;
2. The head of the city/*Gun/Gu* (referring to the head of autonomous *Gu*; hereinafter the same shall apply) who has jurisdiction over the area (hereinafter referred to as the "area subject to collection of opinions") which is located within the boundary prescribed by the Minister: *Provided*, That where the area subject to collection of opinions extends over the administrative areas of not less than two cities/*Guns/Gus* (referring to *Gu* which is a local autonomous government), the head of the city/*Gun/Gu* who has jurisdiction over an area which covers the largest area subject to the collection of opinions;
3. The head of the city/*Gun/Gu* who has jurisdiction over the area subject to the collection of opinions other than the head of the city/*Gun/Gu* as prescribed in subparagraph 2; and
4. Other heads of the administrative agencies related to the execution of the target business.

(2) The head of the city/*Gun/Gu* as prescribed in paragraph (1) 2 (hereinafter referred to as the "head of competent city/*Gun/Gu*") shall publicly notify the outline of project, perusal period and place, etc. in not less than one national daily newspaper and one local daily newspaper at least once, respectively, within ten days from the date of receipt of a draft assessment statement pursuant to the provisions of paragraph (1), and shall make the draft assessment statement available to the public perusal of the residents within the area subject to the collection of opinions for not less than 20 days within the extent not exceeding 60 days, unless there exists any special situation. <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 19582, Jun. 30, 2006>

(3) Where the head of the competent city/*Gun/Gu* desires to make a public notification as prescribed in paragraph (2), he/she shall determine the contents after listening to the opinions of the head of the city/*Gun/Gu* referred to in paragraph (1) 3 (hereinafter referred to as the "head of the related city/*Gun/Gu*"), and shall ensure that the perusal place to be

publicly notified covers not less than one place in the jurisdictional area of the head of related city/*Gun* /*Gu*.

(4) Where the head of competent city/*Gun*/*Gu* makes a public notification prescribed in paragraph (2), he/she shall publicly notify the time limit and methods of presenting opinions by residents on whether or not holding a public hearing.

[This Article Newly Inserted by Presidential Decree No. 15434, Jul. 10, 1997]

Article 332-4 (Presentation, etc. of Opinions on Draft Assessment Statement)

(1) The head of the administrative agency as prescribed in Article 332-3 (1) 1, 3 and 4, to the head of competent city/*Gun*/*Gu* within 30 days from the date of receipt of a draft assessment statement, and any inhabitant, to the head of competent city/*Gun*/*Gu* or the related city/*Gun*/*Gu* within seven days from the expiration date of the perusal period, may notify or present opinions such as radiation environmental impact to be foreseen due to the execution of the relevant project and its method of reduction thereof (including opinions about whether or not holding a public hearing in the case of residents). In this case, the head of the related city/*Gun*/*Gu* who has received the residents' opinions shall notify such opinions to the head of competent city/*Gun*/*Gu* within ten days after the expiry of public perusal.

(2) The head of competent city/*Gun*/*Gu* shall notify the business operator of the opinions notified or submitted and whether or not a public hearing will be held pursuant to the provisions of paragraph (1) within 14 days after the expiry of public perusal. In this case, the head of competent city/*Gun*/*Gu* may notify them together with the opinions of the residents on the draft assessment statement, if any.

[This Article Newly Inserted by Presidential Decree No. 15434, Jul. 10, 1997]

Article 332-5 (Holding, etc. of Public Hearings)

(1) The term "if there is a demand from the residents within the scope prescribed by the Presidential Decree" the latter part of Article 104-5 (1) of the Act refers to the following cases:

1. Where there are not less than 30 residents who have presented opinions that a public hearing needs to be held pursuant to the provisions of Article 332-4 (1); and
2. Where the number of residents who have presented opinions that a public hearing needs to be held pursuant to Article 332-4 (1) is not less than five and less than thirty, and where such number is not less than 50/100 of the number of total residents who have presented opinions to a draft assessment statement.

(2) A business operator falling under any of the requirements under paragraph (1) and has received the notification of holding a public hearing from the head of competent city/*Gun/Gu* pursuant to the provisions of Article 332-4 (2) shall publicly notify the outline of the project, the date and place, etc. of public hearing, in not less than one national daily newspaper and one local daily newspaper at least once, respectively, not later than 14 days prior to the scheduled date of holding a public hearing. In this case, he/she shall consult in advance with the head of competent the city/*Gun/Gu* on the date and place of the public hearing to be held.

(3) Any resident who desires to attend a public hearing and state his/her opinion shall submit a written application for public statement to the business operator or the head of competent the city/*Gun/Gu* not later than five days prior to the scheduled date of holding a public hearing. In this case, the head of competent the city/*Gun/Gu* who has received the written application for public statement shall notify thereof to the business operator, without delay.

(4) The business operator may, upon consultation with the head of competent city/*Gun/Gu*, select a representative and have him make a statement *en bloc* at a public hearing about the similar matters from among the contents stated in the application presented pursuant to the provisions of paragraph (3), or shall have any expert recommended by residents state his/her opinion.

(5) Where the public hearing which has been publicly notified pursuant to paragraph (2) could not be held for two times due to the reasons for which the enterpriser is not responsible, or has not progressed normally even though it was held, the business operator may omit the public hearing. In this case, the business operator shall publicly notify by *mutatis mutandis* application of the provisions of paragraph (2) the reason why the public hearing has been omitted, time limit, method, etc. of submission of opinion by the person

who was to submit his/her opinion at the public hearing, and shall make efforts to hear the opinions of residents in a different method. <Newly Inserted by Presidential Decree No. 19582, Jun. 30, 2006>

(6) The business operator shall notify the result of holding a public hearing to the head of competent city/*Gun/Gu* or the related head of city/*Gun/Gu* within seven days after the completion of a public hearing as provided by the Ordinance of the Ministry of Education, Science and Technology. <Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 19582, Jun. 30, 2006; Presidential Decree No. 20740, Feb. 28, 2008>

(7) Where it is necessary to collect experts' and residents' opinions about radiation environmental impact due to the execution of the project in the case where he/she does not fall under the requirements for holding a public hearing listed in each of paragraph (1), he/she may hold a public hearing as prescribed in the former part of Article 104-5 (1) upon consultation with the head of competent city/*Gun/Gu* after the expiry of perusal period as prescribed in Article 332-3 (2). In this case, the public hearing shall be deemed as a public hearing held pursuant to the provisions of the latter part of Article 104-5 (1) of the Act, and the provisions of paragraphs (2) through (4) and (6) shall apply *mutatis mutandis* to the methods and procedures of holding it, respectively. <Amended by Presidential Decree No. 19582, Jun. 30, 2006>

[This Article Newly Inserted by Presidential Decree No. 15434, Jul. 10, 1997]

Article 332-6 (Bearing of Expenses)

(1) The term "expenses prescribed by the Presidential Decree" in Article 104-5 (4) of the Act means any of the following expenses:

1. Expenses required for public notification in newspapers as prescribed in Articles 332-3 (2) and 332-5 (2); and
2. Expenses required for holding public hearings, etc. to collect residents' opinions.

(2) The head of competent city/*Gun/Gu* shall consult in advance with the business operator on the details of required expenses referred to in paragraph (1).

[This Article Newly Inserted by Presidential Decree No. 15434, Jul. 10, 1997]

Article 333 <Deleted by Presidential Decree No. 12729, Jun. 16, 1989>

Article 334 (Compensation)

Pursuant to the provisions of Article 109 of the Act, the persons who have suffered personal injury or damage to the properties caused by the radiation during utilization of nuclear energy or safety control shall be compensated in accordance with the following classification: <Amended by Presidential Decree No. 15434, Jul. 10, 1997; Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 19044, Sep. 14, 2005; Presidential Decree No. 20740, Feb. 28, 2008>

1. Compensation for the damage to a nuclear power-related business operator and his/her employees in line of their duties shall be based upon the compensation standards established by each nuclear power-related business operator and approved by the Minister;
2. Compensation for the damage public officials have sustained during the performance of their duties related to nuclear energy shall be based upon the provisions of the Public Officials Pension Act; and
3. Compensation for the persons other than those referred to in subparagraphs 1 and 2 shall be based on the provisions of the Nuclear Damage Compensation Act.

Article 335 (Fees)

The terms "institutions prescribed by the Presidential Decree to which the Government pays contributions" in the *proviso* of Article 112 of the Act means the Korea Atomic Energy Research Institute and the Korea Institute of Nuclear Safety. <Amended by Presidential Decree No. 19929, Mar. 16, 2007>

[This Article Wholly Amended by Presidential Decree No. 17304, Jul. 16, 2001]

Article 336 <Deleted by Presidential Decree No. 15598, Dec. 31, 1997>

Article 337 (Procedures for Imposition and Collection of Fine for Negligence)

(1) When the fine for negligence is imposed pursuant to the provisions of Article 120-2 (3) of the Act, the person subject to the disposition of the fine for negligence shall be notified of the fact of offence and the amount of the fine for negligence, etc. by clearly stating thereof in writing and to pay for such fine for negligence. *<Amended by Presidential Decree No. 15434, Jul. 10, 1997>*

(2) Where the Minister intends to impose the fine for negligence pursuant to the provisions of paragraph (1), he/she shall give the person subject to the disposition of the fine for negligence an opportunity to state orally or in writing (including electronic documents) his/her opinion by specifying a period of not less than ten days. In this case, if no opinion is stated by the designated date, it shall be deemed that the person has no opinion. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 18312, Mar. 17, 2004; Presidential Decree No. 20740, Feb. 28, 2008>*

(3) In determining the amount of the fine for negligence, the Minister shall take into consideration the motive of the offence and the consequence thereof. *<Amended by Presidential Decree No. 16542, Aug. 31, 1999; Presidential Decree No. 20740, Feb. 28, 2008>*

[This Article Newly Inserted by Presidential Decree No. 12729, Jun. 16, 1989]

ADDENDA (Organization of the Ministry of Public Administration and Security and Its Subsidiary Agencies) <Presidential Decree No. 21214, Dec. 31, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation. *<Proviso Omitted>*

Articles 2 through 4 Omitted.

Article 5 (Amendment of Other Acts)

(1) through <20> Omitted.

<21> Part of the Enforcement Decree of the Atomic Energy Act shall be amended as follows:

The term “Minister of Science and Technology” in Article 26-3 (5) shall be changed to “Minister of Education, Science and Technology”.

The term “Ministry of Science and Technology” in Articles 46 (1) and 237 (2) shall be changed to “Ministry of Education, Science and Technology”.

<22> through <175> Omitted.