

# ENFORCEMENT DECREE OF THE FRAMEWORK ACT ON ENVIRONMENTAL POLICY

Presidential Decree No. 13303, Feb. 2, 1991  
Amended by Presidential Decree No. 13462, Sep. 7, 1991  
Presidential Decree No. 13699, Jul. 21, 1992  
Presidential Decree No. 13715, Aug. 22, 1992  
Presidential Decree No. 13724, Aug. 31, 1992  
Presidential Decree No. 13889, May 26, 1993  
Presidential Decree No. 13914, jun. 24, 1993  
Presidential Decree No. 14018, Dec. 11, 1993  
Presidential Decree No. 14069, Dec. 31, 1993  
Presidential Decree No. 14255, May 4, 1994  
Presidential Decree No. 14450, Dec. 23, 1994  
Presidential Decree No. 14637, Apr. 28, 1995  
Presidential Decree No. 14657, jun. 1, 1995  
Presidential Decree No. 15082, jun. 29, 1996  
Presidential Decree No. 16954, Aug. 17, 2000  
Presidential Decree No. 17516, Feb. 9, 2002  
Presidential Decree No. 17698, Aug. 8, 2002  
Presidential Decree No. 17816, Dec. 26, 2002  
Presidential Decree No. 18041, jun. 30, 2003  
Presidential Decree No. 18108, Sep. 29, 2003  
Presidential Decree No. 18428, jun. 11, 2004  
Presidential Decree No. 18457, jun. 29, 2004  
Presidential Decree No. 18605, Dec. 18, 2004  
Presidential Decree No. 18693, Jan. 31, 2005  
Presidential Decree No. 18818, Apr. 30, 2005  
Presidential Decree No. 18953, Jul. 22, 2005  
Presidential Decree No. 19038, Sep. 8, 2005  
Presidential Decree No. 19073, Sep. 30, 2005  
Presidential Decree No. 19162, Dec. 1, 2005  
Presidential Decree No. 19373, Mar. 8, 2006

Presidential Decree No. 19497, May 30, 2006  
Presidential Decree No. 19563, jun. 29, 2006  
Presidential Decree No. 19639, Aug. 4, 2006  
Presidential Decree No. 19713, Oct. 26, 2006  
Presidential Decree No. 19745, Dec. 4, 2006  
Presidential Decree No. 19883, Feb. 12, 2007  
Presidential Decree No. 20077, jun. 1, 2007  
Presidential Decree No. 20680, Feb. 29, 2008  
Presidential Decree No. 20975, Aug. 26, 2008  
Presidential Decree No. 21037, Sep. 25, 2008  
Presidential Decree No. 21185, Dec. 24, 2008  
Presidential Decree No. 21445, Apr. 21, 2009  
Presidential Decree No. 21621, Jul. 7, 2009  
Presidential Decree No. 21835, Nov. 20, 2009  
Presidential Decree No. 21882, Dec. 14, 2009  
Presidential Decree No. 21887, Dec. 15, 2009  
Presidential Decree No. 21904, Dec. 24, 2009  
Presidential Decree No. 22103, Mar. 26, 2010  
Presidential Decree No. 22138, Apr. 29, 2010  
Presidential Decree No. 22448, Oct. 14, 2010  
Presidential Decree No. 22525, Dec. 13, 2010  
Presidential Decree No. 24203, Nov. 27, 2012

#### **Article 1 (Purpose)**

The purpose of this Decree is to prescribe the matters delegated by the Framework Act on Environmental Policy and other matters necessary for the enforcement thereof.

#### **Article 2 (Environmental Standards)**

The environmental standards under Article 12 (2) of the Framework Act on Environmental Policy (hereinafter referred to as the “Act”) are as set forth in the attached Table.

#### **Article 3 (Minor Modifications to Comprehensive National Environmental Plans)**

“If it is intended to modify any minor matter prescribed by Presidential Decree” in Article 14 (3) of the Act means any of the following:

1. If it is intended to modify any detail of a comprehensive national environmental plan to the extent not having any substantial effect on that plan in compliance with the standards determined by the Central Environmental Policy Committee under Article 58 (1) of the Act;

2. If it is intended to modify the cost to be incurred in performing a project under the comprehensive national environmental plan within the limits of 30/100 thereof.

#### **Article 4 (Details, etc. of Mid-Term Plans)**

(1) Any mid-term comprehensive plan for environmental preservation provided for in Article 17 (1) of the Act (hereinafter referred to as “mid-term plan”) shall include each of the following:

1. Matters described in each subparagraph of Article 15 of the Act;
2. Other matters necessary for environmental improvement projects.

(2) Where deemed necessary to develop a mid-term plan, the Minister of Environment may request the head of a relevant central administrative agency, or a Special Metropolitan City Mayor, Metropolitan City Mayor, Do Governor, or Special Self-Governing Province Governor (hereinafter referred to as “Mayor/Do Governor”), or the head of a relevant institution or organization, to furnish data required for developing the mid-term plan.

(3) A mid-term plan shall specify the project area, project size, etc. year on year and be prepared by Special Metropolitan City, Metropolitan City, Do, or Special Self-Governing Province (hereinafter referred to as “City/Do”) and by management area under Article 14 for the efficient management of the mid-term plan.

#### **Article 5 (Minor Modifications to Mid-Term Plans)**

“If it is intended to modify any minor matter prescribed by Presidential Decree” in Article 17 (3) of the Act means any of the following:

1. If it is intended to modify any detail of the mid-term plan to the extent not having any substantial effect on that plan in compliance with the standards determined by the Central Environmental Policy Committee under Article 58 (1) of the Act;
2. If it is intended to modify the cost to be incurred in performing a project under the mid-term plan within the limits of 30/100 thereof.

#### **Article 6 (Submission of Annual Implementation Plans)**

(1) Pursuant to Article 17 (5) of the Act, the head of a relevant central administrative agency and a Mayor/Do Governor shall each formulate a plan for implementing a mid-term plan for each relevant year and submit it to the Minister of Environment by January 31 of each year.

(2) Any annual implementation plan under paragraph (1) shall provide for a new project for environmental improvement and major on-going projects.

#### **Article 7 (Submission of Results of Implementation Plans)**

(1) Pursuant to Article 17 (5) of the Act, the head of a relevant central administrative agency and a Mayor/Do Governor shall each submit the results of an implementation plan in the previous year to the Minister of Environment by January 31 of each year.

(2) If any project fails to satisfy the requirements of an annual implementation plan, the head of the relevant central administrative agency and the competent Mayor/Do Governor shall include the reasons and measures therefor in the results to be submitted pursuant to paragraph (1).

(3) The Minister of Environment shall make a comprehensive analysis of the results of an implementation plan in the previous year, submitted under paragraph (1), and notify the head of the relevant central administrative agency and the competent Mayor/Do Governor of the findings thereof by March 31 of each year.

#### **Article 8 (Minor Modifications to City/Do Environmental Preservation Plans)**

“When he/she intends to modify any minor matter prescribed by Presidential Decree” in the proviso to Article 18 (2) of the Act means any of the following:

1. When he/she intends to modify any detail of the City/Do environmental preservation plan to the extent not having any substantial effect on that plan;
2. When he/she intends to modify the cost to be incurred in performing a project under the City/Do environmental preservation plan within the limits of 30/100 thereof.

#### **Article 9 (Minor Modifications to Si/Gun/Gu Environmental Preservation Plans)**

“When he/she intends to modify any minor matter prescribed by Presidential Decree” in the proviso to Article 19 (2) of the Act means any of the following:

1. When he/she intends to modify any detail of the Si/Gun/Gu environmental preservation plan to the extent not having any substantial effect on that plan;
2. When he/she intends to modify the cost to be incurred in performing a project under the Si/Gun/Gu environmental preservation plan within the limits of 30/100 thereof.

#### **Article 10 (Survey, Evaluation, etc. of Environmental Conditions)**

(1) The head of a State organ or the head of a local government, who performs the survey and evaluation under Article 22 (1) of the Act, may request the head of a relevant central administrative agency, the head of a local government, etc. to furnish materials necessary to perform such survey and evaluation. In such cases, the head of the relevant central administrative agency, the head of the local government, etc. shall furnish the materials requested, except in extenuating circumstances.

(2) The Minister of Environment may offer technical support, etc. for local governments to efficiently maintain and manage systems for research, monitoring, measuring, testing, and analysis needed to appropriately perform the survey and evaluation under Article 22 (1) of the Act.

#### **Article 11 (Methods of Development and Details of Environment-Friendly Planning Techniques, etc.)**

The environment-friendly planning techniques, etc. provided in Article 23 (1) of the Act (hereinafter referred to as “environment-friendly planning techniques, etc.”) shall be developed by the head of a central administrative agency in charge of Acts and subordinate statutes governing relevant administrative plans and development projects, taking into consideration the types of those plans and projects, the characteristics of location, etc., including each of the following matters. In such cases, the head of the central administrative agency in charge of those Acts and subordinate statutes shall consult in advance with the Minister of Environment thereabout and may publish matters concerning the environment-friendly planning techniques, etc. in collaboration with the Minister of Environment:

1. Matters concerning environment-friendly indicators;
2. Matters concerning environment-friendly planning standards and techniques;
3. Matters concerning standards for environment-friendly land use and management;
4. Other matters necessary to enable the sustainable planning, development, and implementation of the administrative plans and development projects.

#### **Article 12 (Creation, Operation, etc. of Environmental Information Networks)**

(1) The environmental information for which an environmental information network is to be created and operated under Article 24 (2) of the Act is as follows:

1. Results of a survey and evaluation under Article 22 (1) of the Act;
2. Results of survey of the current status of the environment by a specialized institution under Article 24 (4) of the Act;
3. Environmental information necessary for the formulation and implementation of environmental policies;
4. Geographic information on the environment, including maps that show the current state of the natural environment and ecosystems;
5. Environmental information useful for the general public;
6. Environmental information necessary for green management suitable for financial support under subparagraph 4 of Article 28 of the Framework Act on Low Carbon, Green Growth;
7. Other environmental information necessary for environmental preservation and management.

(2) Pursuant to Article 24 (4) of the Act, the Minister of Environment may commission the performance of surveys of the current status of the environment or entrust the creation and operation of an environmental information network to any of the following specialized institutions::

1. The National Institute of Environmental Research;
2. City/Do Public Health and Environment Research Institutes established under the Public Health and Environment Research Institute Act;
3. Government-funded research institutes established under the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes or the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes;
4. The Korea Environment Corporation established under the Korea Environment Corporation Act;
5. The Korea Water Resources Corporation established under the Korea Water Resources Corporation Act;
6. Specific research institutes established under the Support of Specific Research Institutes Act;
7. The Korea Environmental Industry and Technology Institute established under the Environmental Technology and Industry Support Act;
8. Other institutions and organizations designated and published by the Minister of Environment.

(3) Other than those provided for in paragraphs (1) and (2), the detailed matters concerning the creation and operation of an environmental information network and other matters necessary for charges, etc. for

environmental information provided through the environmental information network shall be prescribed by the Minister of Environment.

#### **Article 13 (Restrictions on Utilization, etc. of Land in Special-Measures Areas)**

(1) The Minister of Environment may impose restrictions on the utilization of land and the installation of facilities within a special-measures area under Article 38 (2) of the Act, in any of the following cases:

1. Where it is deemed likely to cause a significant danger to the health or property of residents or the growth of any living species, by exceeding the environmental standards provided for in Article 12 (1) or (3) of the Act;
2. Where it is deemed likely to substantially destroy the natural ecosystem;
3. Where the soil or water is heavily contaminated with specific noxious substances.

(2) If the Minister of Environment intends to impose restrictions on the utilization of land and the installation of facilities within a special-measures area for any ground falling under any subparagraph of paragraph (1), he/she shall determine and publish the subject-matter, details, period, methods, etc. of the restrictions. The same shall also apply where he/she intends to modify any of those restrictions.

#### **Article 14 (Designation of Environmental Management Areas Classified by Affected Zones)**

Where necessary for environmental management by affected zone under Article 39 of the Act, the Minister of Environment may designate each environmental management area (hereinafter referred to as “management area”) classified by zone affected by air pollution, water system zone affected by water pollution, ecological zone, etc. In such cases, any of these management areas may be designated after being subdivided into medium and large regions.

#### **Article 15 (Establishment of Environmental Management Plans and Measures Classified by Affected Zones)**

(1) Where the management area of a medium region is designated under Article 14, the head of a basin environmental office or the head of a regional environmental office shall establish an environmental management plan and measures that suit the characteristics of the medium region under his/her jurisdiction (hereinafter referred to as “medium region management plan”), and obtain approval from the Minister of Environment through the deliberation and coordination of the Environmental Management Committee for the Medium Region provided for in Article 17 to finalize the plan and measures.

(2) Where the management area of a large region is designated under Article 14, the Minister of Environment shall establish an environmental management plan and measures for the large region (hereinafter referred to as “large region management plan”) on the basis of the medium region management plan for which approval is requested under paragraph (1).

(3) Where the Minister of Environment, the head of a basin environmental office or the head of a regional environmental office intends to establish a medium region management plan or large region management plan, he/she shall consult in advance with the heads of each relevant institution and organization.

(4) The Minister of Environment, the head of a basin environmental office, or the head of a regional environmental office shall, upon finalizing a medium region management plan or establishing a large

region management plan, notify the heads of relevant institutions and organizations thereof, and the heads of the relevant institutions and organizations so notified shall take necessary measures or provide necessary cooperation.

**Article 16 (Establishment, etc. of Plans to Revise Medium Region Management Plans, etc.)**

(1) If any substantial change occurs in economic and social circumstances when implementing a medium region management plan or large region management plan, the Minister of Environment, the head of the basin environmental office, or the head of the regional environmental office shall establish a revised plan, taking such change into consideration.

(2) Article 15 (1), (2), and (4) shall apply mutatis mutandis to the establishment, finalization and notification of a revised plan under paragraph (1).

**Article 17 (Organization of Environmental Management Committee for Medium Region)**

(1) In order to deliberate on and coordinate a medium region management plan, an environmental management committee for medium region (hereinafter referred to as “medium region committee”) shall be established under the relevant basin environmental office or regional environmental office.

(2) A medium region committee shall be comprised of not more than 30 members, including one chairperson, and the head of the relevant basin environmental office or regional environmental office shall be the chairperson of the medium region committee.

(3) Members of a medium region committee shall be commissioned or appointed by the head of the relevant basin environmental office or regional environmental office, from among the following persons:

1. Public officials of related administrative agencies;
2. Members of the relevant local council;
3. Executives and employees of institutions relevant to water resources;
4. Representatives of relevant economic and social organizations, such as trade and industrial organizations;
5. Other persons with abundant knowledge and experience in environmental preservation, national land planning, or urban planning;
6. Persons recommended by civic groups (referring to non-profit, non-governmental organizations under Article 2 of the Assistance for Non-Profit, Non-Governmental Organizations Act).

**Article 18 (Functions, etc. of Medium Region Committees)**

(1) A medium region committee shall deliberate on and coordinate, in relation to environmental management of the management area, the following matters:

1. Matters concerning investment priorities in projects for environmental preservation measures;
2. Matters concerning the sharing of expenses incurred in enforcing projects for environmental preservation measures among the State, local governments, and industrial entities;
3. Matters concerning the adjustment of interests between local governments or between residents and industrial entities;

4. Matters concerning the adjustment of permissible emission levels for sources of environmental pollution and concerning the regulation of the total quantity of pollution;
5. Other matters deemed especially necessary for the establishment of environmental management plans and measures.

(2) Matters necessary for the operation of medium region committees shall be determined by the Minister of Environment.

#### **Article 19 (Organization of Central Environmental Policy Committee)**

(1) Members of the Central Environmental Policy Committee provided for in Article 58 (1) of the Act (hereinafter referred to as the “Central Policy Committee”) shall be commissioned or appointed by the Minister of Environment, from among the following:

1. Persons with abundant knowledge and experience in the field of environmental policy;
2. Public officials of related central administrative agencies;
3. Persons recommended by civic groups (referring to non-profit, non-governmental organizations under Article 2 of the Assistance for Non-profit, Non-Governmental Organizations Act).

(2) The term of office of members under paragraph (1) 1 and 3 shall be two years.

#### **Article 20 (Chairperson’s Duties)**

The chairperson of the Central Policy Committee (hereinafter referred to as the “chairperson”) shall represent the Central Policy Committee and exercise overall control over the affairs of the Central Policy Committee.

#### **Article 21 (Meetings of Central Policy Committee)**

(1) The chairperson shall convene any meeting of the Central Policy Committee when he/she deems it necessary to do so; and the chairperson and at least five members designated by the chairperson at each meeting shall constitute a quorum for every meeting of the Central Policy Committee, which shall be presided over by the chairperson.

(2) A meeting of the Central Policy Committee shall be held with the attendance of a majority of the total members under paragraph (1), and resolution shall be passed with the concurrent vote of a majority of those present.

#### **Article 22 (Establishment and Organization of Subcommittees)**

(1) Subcommittees by specific fields of environmental management, including environmental policy, natural environment, climate and air, water, water supply and sewerage, and resource circulation, shall be established for the efficient operation of the Central Policy Committee.

(2) Each subcommittee shall be comprised of not more than 25 members, including one chairperson.

#### **Article 23 (Allowances, etc.)**

Members, etc. of the Central Policy Committee may be reimbursed for travel expenses and paid allowances within budgetary limits: Provided, That the same shall not apply where a member who is a public official attends the Committee directly in connection with his/her official duties.

#### **Article 24 (Detailed Operational Rules)**

Other than those provided for in this Decree, matters necessary for the organization and operation of the Central Policy Committee and subcommittees, detailed matters subject to deliberation, etc. shall be determined by the Minister of Environment.

#### **Article 25 (Members of Environmental Preservation Association)**

“Those who are prescribed by Presidential Decree” in Article 59 (3) of the Act means each of the following:

1. A person who engages commercially in the disposal of environmental pollutants and wastes, or in the design, manufacturing, and construction of facilities for disposal thereof;
2. A person who engages commercially in the production and sale of machinery and medicines related to the prevention of environmental pollution;
3. Other persons who intend to be actively engaged in environmental preservation.

#### **Article 26 (Project Plans, etc.)**

Each year, the Environmental Preservation Association shall prepare a project plan and a budget for revenue and expenditure and submit them to the Minister of Environment to obtain approval by not later than one month before the relevant fiscal year begins. The same shall also apply where it intends to make any modification thereto.

#### **Article 27 (Business Reporting)**

The Environmental Preservation Association shall submit to the Minister of Environment a business performance report and a report on settlement of accounts, along with a balance sheet, by not later than two months after the relevant fiscal year ends.

#### **ADDENDA**

##### **Article 1 (Enforcement Date)**

This Decree shall enter into force on July 22, 2012: Provided, That the column “fine particulate matter (PM-2.5)” in subparagraph 1 of the attached Table shall enter into force on January 1, 2015.

##### **Article 2 Omitted.**

##### **Article 3 (Relationship with other Acts and Subordinate Statutes)**

As at the time this Decree enters into force, any reference in other Acts and subordinate statutes to the former Enforcement Decree of the Framework Act on Environmental Policy, if this Decree includes any provisions corresponding thereto, shall be deemed a reference to the corresponding provisions of this Decree in lieu of the previous provisions.

#### **ADDENDUM <Presidential Decree No. 24203, Nov. 27, 2012>**

This Decree shall enter into force on January 1, 2013: Provided, That in the amended provisions of subparagraph 3 (a) (i) of the attached Table, the portion regarding formaldehyde shall enter into force on January 1, 2014, and the portion regarding hexachlorobenzene, on January 1, 2015.