

Administrative Examples Enhancing the Convenience of People for 2 Years since the Introduction of 'Preliminary Consulting Audit System' (Case 5~7)

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1. Overview

- The 'Preliminary Consulting Audit System' is intended to promptly improve the unreasonable laws & regulations, obtain positive economic effect and prevent the violation of laws in advance resolving the inconvenience of people through the 'Preliminary Consulting Audit'.
- Out of total 10 audit review subjects, 2 resource circulations and 1 environment integration and 1 water environment subjects are included since the introduction of corresponding system, of which the primary contents of each respective examples are as follows.

2. Major Aspects

- Cases of System Improvement Enhancing the Convenience of People since the Introduction of 'Preliminary Consulting Audit System'
- ▶ **Case 5) Allowing Carrying the Test Purpose Shredded Residues In for Registration of Shredded Residue Recycling Business [March 28th, 2016]**

- Background

- An insufficient statutory item. Need of allowing carrying the Test Purpose Shredded Residues in for those individuals intending to register the Shredded Residue Recycling Business* until the amendment of relevant laws and regulations is raised.

- Current Status

- 「Electric and Electronic Product Resource Circulation Laws」 is established in January 2008, yet the registration of business was allowed first in December 2012.

< Current Waste Automobile Related Business Registration Status (March 2016) >

Item	Registered (Location)	Registration Institution	Recycling & Appropriate Treatment Subject Material
Shredded Residue Recycling Business	13	Ministry of Environment (Assigned to Korea Environment Corporation)	Receive Shredded residues → Recovery of heat energy & recycling of residual steel & non-ferrous metals
Waste Gas Treatment Business	3	Ministry of Environment (Assigned to Korea Environment Corporation)	Receive waste refrigerants → Recycling or destructing of waste refrigerants

- Issues

- The Test Report is to be submitted for registration of waste residue recycling business to verify the compliance of energy recovery standard requirements based on the currently effective laws and regulations, but no legal grounds to receive the ASR (Automobile Shredded Residue) prior to the registration of business.

- Waste gas treatment business processing the waste automobile refrigerants is required to submit the Test Report meeting over 99% gas decomposing rate or over 99% of purity (recycling) prior to the registration of business in accordance with the above mentioned same law, which requires the amendment of administrative system together.
- Audit Comment
 - Allowing the carrying in of test purpose waste shredded materials is desirable prior to the amendment of relevant laws in order to minimize the damage to related business industry attributable to the insufficient statutory issue, subject to the condition requiring clearly defining the content of waste materials to be carried in for test purpose and executing proper control on the residual wastes produced after the test.
- Effect Enhancing Convenience of People
 - Inconvenience of people intending to register the business incurred due to insufficient law is resolved.
- ▶ **Case 6) Change of Sales Pending Housing Site Processing Method within National Park [April 17th, 2017]**
 - Background
 - Need of changing is raised for the way of processing those sites not sold of corresponding Household Moving Complex in the Bukhansan National Park exchanging with those private lands within the national park territory in order not only to resolve the civil complaints related to private lands within national park territory but also to expand the nationalization of private lands in national park.
 - Current Status
 - Planned to remove commercial establishment within the Bukhansan National Park building a Household Moving Complex intending to make sale for those residents moving out but the total 22 sites have not been sold yet.
 - Issues
 - Civil complaints on private land purchase for those private lands within national parks have been consistently raised but resolving of such private land purchase related civil complaints is limited due to insufficient purchase budget.

- Audit Comment
 - Changing (Sale → Exchange) of private land processing method is regarded desirable with respect to the efficient management and public interest concerned on the national parks. Rather than limiting the subject of exchange as the lands in Bukhansan National Park, it is desirable to execute the exchange program expanding to the private lands within entire national park territories subject to the preparation of reasonable criteria in selecting the target in order not to create any disputes of special favor.
- Effect Enhancing Convenience of People
 - (Budge Saving) Private lands nationalized with no separate use of purchase budge.
 - (Civil Complaint Resolved) Issue of limiting the property rights for private lands within national parks resolved by settling the deep-seated, long standing civil complaints.
- ▶ **Case 7) Relieving the Equipment Requirements of Living Commodity Waste Collection & Transportation Business Standard [January 20th, 2017]**
 - Background
 - Need of postponing application is raised of equipment requirement specified in the Living Commodity Waste Collection & Transportation Business Standard until the amendment of Enforcement Regulations of 「Waste Material Control Act」 in order to resolve the inconvenience & damage of relevant industry enterprises attributable to the error incurred in the course of statutory establishment
 - Current Status
 - Those individuals intending to conduct the living commodity waste collection & transportation business shall obtain the permit in accordance with the Paragraph 3, Article 25 of 「Waste Material Control Act」, furnished with the facility, equipment & technical capability as stipulated in the Table 7, Paragraph 6, Article 28 of Enforcement Regulations of same act mentioned above. Also, the criteria of equipment to be furnished by the living commodity waste collection & transportation business operators are revised as follows.

Date Enforced	Description	Reason
Before June 30, 2016	More than 1 concealed transport truck (Total loading capacity: Over 15m ³)	
July 1 ~ Dec. 31, 2016	More than 1 concealed transport truck (Total loading capacity: Over 15m ³). Provided, no loading capacity requirement is to be applied until June 30, 2018 when collecting & transporting the living commodity wastes.	Regulation relieved
After Jan. 1, 2017	More than 1 concealed transport truck or truck furnished with concealed cover (Total loading capacity: Over 15m ³)	

- Issues

- 'The requirement of loading capacity standard for 'Concealed Truck' among those criteria requirement for living commodity waste collection & transportation business operators was postponed until June 30th, 2018 when amending the Enforcement Regulation on July 1st, 2016, but not reflected in the Enforcement Regulation executed beginning January 1st, 2017 extinguishing the temporarily postponed regulation and thereby creating confusion and economic burden of corresponding collection & transportation industry.

- Audit Comment

- Need to minimize the confusion and damage of relevant industry participators and local municipal government employees in charge by securing administrative consistency and reliability. Accordingly, it is regarded, even before the amendment of corresponding Enforcement Regulation of 「Waste Material Control Act」, applying the revision of July 1st, 2016 (Relieving of requirement on loading capacity standard) consistently is desirable with the internal policy instructions in terms of executing the proactive administrative actions.

- Effect of Improving Convenience of People

- Damage incurred to the living commodity collection & transportation industry including the economic burden and creating lawbreakers due to insufficient statutory establishment is prevented.

3. Source

- Ministry of Environment (www.me.go.kr)