

Ministry of Environment Strengthens Radiation Safety Control on Imported Wastes

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1. Overview

- The Ministry of Environment operates import and export licensing and declaring system for wastes to enhance the domestic import and export of wastes and safety management. Accordingly, import-licensed and declared wastes are approved by confirming whether domestic recyclables and technologies and facilities for proper recycling are available
- Some revised bills to the Enforcement Decree of 'Act on the Transboundary Movement of Waste and its Treatment (hereinafter referred to as the "Waste Management Act")' were approved in October 2017

2. Background

- This revised bill aims to strengthen the radiation safety management of imported wastes and transfer the import and export declaration system.

3. Major Aspects

- Radiation Safety Management of Existing Japanese Imported Waste
 - (Prohibition of Import) Guidelines on discontinuing waste imports from Fukushima Prefecture released (Since 2011)
 - (Pre- and post-inspection management) Submission of results of simple measurement of radiation every month (Since September, 2014) to imports of Japanese wastes and clearance, visit to the importer once a quarter to check radiation (Since September 2014)
 - (Installation of radiation monitoring system) For all coal materials imported from Japan, the radiation dose is measured and confirmed by passing the fixed radiation monitoring system before domestic transportation
 - (Legal maintenance) Submission of the radiological examination certificate of the accredited body for import license (Since July 2017)
- Enhancement of radioactive safety management of wastes subject to import declaration (Article 17-2-2-9 of the revised bill)
 - When importing wastes to be reported (such as coal ash and waste tires that require management of exports / imports) from an area where nuclear accidents such as Japan, the importer should submit additional documents proving that they are not contaminated by radioactivity
 - This is an enhancement of the effectiveness by legislating the existing procedures from September 2014 when the results of simple measurement of radiation should be submitted every time imported wastes from Japan are cleared to the present.
- Transfer of waste import and export notification system (Article 2, Article 17-2, Article 17-3, Article 19, etc. of the revised bill)

- As the Waste Import and Export Notification System was transferred from the 「Waste Management Act」 to the 「Act on the Transboundary Movement of Waste and its Treatment」(revised on April 16, 2017), its sub-decree was revised.

- Transfer of scope of waste to be reported, procedures for import/export declaration and related forms
- Transfer of obligations (take over, hand over, input of electronic information processing program, report on performance and making management register, etc.) of the importer and treating person of declared waste, and relevant forms

<Amendments to the Inter-legal Provisions Subject to the Export/Import Notification System Transfer>

Main Content	Waste Management Act		Act on the Transboundary Movement of Waste	
	Act (revised on Apr.18, 2017)	Enforcement Decree · Enforcement Rule	Act (revised on Apr.18, 2017)	Enforcement Decree
Export/Import Declaration Items	Article 24-2*	-	Article 2. (1)	Article 2. (1)**
Import/Export Declaration System	Article 24-2	Enforcement Rule Article 25-2, Attached sheet No.15-2 to 5	Article 18-2	Article 17-2 Attached sheet No.7-2 to 5
Information Transfer	Article 24-3 (2)-(3)	Enforcement Rule Article 25-3	Article 18-3 (2)-(3)	Article 17-3
Electronic Information System Input	Article 45	Enforcement Rule Article 23-2	Article 18-4	Article 17-4
Record · Preservation of Books	Article 36 (1)	Enforcement Rule Article 58 Attached sheet No.37-2	Article 21-2	Article 19 Attached sheet No.8 and 9
Performance Reporting	Article 38	Enforcement Rule Article 60 Attached sheet No.29-2 to 3	Article 21-3	Article 19-2 Attached sheet No.11 and 12
Penalty	Article 68	Enforcement Decree. Table 8	Article 32	Table 3

*Detailed items set in "Waste to Be Reported for Import/Export (Notified by the Ministry of Environment)"

**Detailed items are set in "Waste Items to be Applied to the Act on the Transboundary Movement of Waste and its Treatment (Notified by the Ministry of Environment)"

- It is expected that the reliability of radiation safety management can be improved by submitting the radioactivity inspection report measured by domestic and foreign accredited certification authorities at the time import declaration of wastes
- The submitted "Confirmation document for non-contamination of radioactive materials" is subject to review by the competent local environmental agency, and waste whose radioactivity is above the reference level can not be imported
 - ※ Radiation: 50~300nSv/h (Domestic average environmental radiation dose), radioactivity: 0.1Bq/g (Food standard for infants)
- Companies that do not attach "Confirmation of non-contamination with radioactive materials" at the time of import declaration to the amendment of the Act on Transboundary Movement of Waste may not import waste from Japan, and in the case of filing false documents, the applicant shall be punished by imprisonment for not more than 2 years or a fine of not more than KRW 20 million
 - ※ Wastes to be licensed are subject to imprisonment for up to 5 years or a fine of up to KRW 50 million
- Regarding the wastes to be licensed, such as waste batteries, the Enforcement Decree of the same Act was first amended in July 2017 to submit the relevant documents, and this revised bill contains the contents to expand the items to be reported such as coal ash
- Some amendments to the Enforcement Decree of the 'Act on the Transboundary Movement of Waste' have been enacted from October 19, 2017, and on the same day, detailed information can be found at the website (www.me.go.kr) of the Ministry of Environment and National Law Information Center (www.law.go.kr) of the Ministry of Government Legislation

4. Source

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