# SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON ENVIRONMENTAL IMPACT ASSESSMENT

Enactment No. 3985, Mar. 20, 2002
Amendment of Other Laws No. 4131, Jul. 25, 2003
Partial Amendment No. 4227, Sep. 24, 2004
Partial Amendment No. 4313, Sep. 30, 2005
Amendment of Other Laws No. 4593, Dec. 26, 2007
Amendment of Other Laws No. 4616, Apr. 03, 2008
Whole Amendment No. 4780, May. 28, 2009
Partial Amendment No. 4883, Nov. 11, 2009
Amendment of Other Laws No. 5208, Dec. 29, 2011
Amendment of Other Laws No. 5308, Jul. 26, 2012
Partial Amendment No. 5541, Aug. 01, 2013
Amendment of Other Laws No. 6016, Oct. 08, 2015
Amendment of Other Laws No. 6961, Jan. 03, 2019
Partial Amendment No. 6984, Jan. 03, 2019
Partial Amendment No. 7068, Mar. 28, 2019
Partial Amendment No. 7542, Mar. 26, 2020
Partial Amendment No. 7728, Oct. 05, 2020
Partial Amendment No. 7947, Mar. 25, 2021
Amendment of Other Laws No. 8235, Dec. 30, 2021
Partial Amendment No. 8392, Apr. 28, 2022

## CHAPTER I GENERAL PROVISIONS

### Article 1 (Purpose)

CHAPTER I GENERAL PROVISIONSThe purpose of this Ordinance is to contribute to the creation of a pleasant and sustainable city by prescribing the extent of projects subject to environmental impact assessment and matters necessary for the execution of such projects in consideration of unique characteristics of the Seoul Metropolitan Government pursuant to Article 42 of the Environmental Impact Assessment Act. <Amended by Ordinance No. 5541, Aug 1, 2013>

### Article 2 (Definitions)

The definitions of the terms used in this Ordinance are as follows: <Amended by Ordinance No. 5541, Aug 1, 2013; Ordinance No. 6984, Jan. 3, 2019>

1. The term "environmental impact assessment" means an assessment designed to formulate measures for avoiding, alleviating, or mitigating harmful environmental impact by surveying, forecasting and assessing, in advance, the potential impact that such proposed project may have on the environment, when granting permission, authorization, approval, or license, or making determination (hereinafter referred to as "approval, etc.") with respect to an implementation plan or action plan, etc., that can impact the environment;
2. The term "project implementer" means a person who formulates a business plan for a target project under Article 4 or who executes such project;
3. The term "agreed standards" means the standards a project implementer or the head of an approving agency agrees with the Mayor of the Seoul Metropolitan Government (hereinafter referred to as the "Mayor") to apply to a relevant project in an area affected by the implementation of the project deeming that the following standards could hardly meet the environmental standards prescribed in Article 12 of the Framework Act on Environmental Policy or could not prevent environmental degradation:
(a) Standards for the quality of discharged water prescribed in Article 13 of the Act on the Management and Use of Livestock Excreta;
(b) Permissible emission levels prescribed in Article 16 of the Clean Air Conservation Act;
(c) Standards for effluent water quality prescribed in Article 12 (3) of the Water Environment Conservation Act;
(d) Permissible discharge limits prescribed in Article 32 of the Water Environment Conservation Act;
(e) Standards for managing waste treatment facilities prescribed in Article 31 (1) of the Wastes Control Act;
(f) Standards for effluent water quality prescribed in Article 7 of the Sewerage Act;
(g) Other standards for discharging pollutants prescribed in other relevant statutes for environmental conservation;
4. The term "approving agency" means an agency that grants approval, etc. to projects subject to environmental impact assessment or relevant business plans etc. (hereinafter referred to as "business plans, etc.").

### Article 3 (Mayor's Responsibilities)

(1) Where the Mayor and the head of an autonomous Gu (hereinafter referred to as the "head of a Gu") intends to formulate and

execute various policies or business plans, he or she shall consider the potential impact of such policy or plan on the environment from the early stages and take measures. <Amended by Ordinance No. 6984, Jan. 3, 2019>
(2) The Mayor, the heads of Gus, project implementers, and citizens shall recognize the importance of environmental impact assessment and endeavor to ensure the proper and smooth execution of the procedures prescribed by this Ordinance.
(3) A person who intends to execute a project affecting the environment shall seek to minimize the impact of the execution of the relevant project on the environment.

### Article 4 (Projects Subject to Environmental Impact Assessment)

(1) The extent of projects subject to environmental impact assessment (hereinafter referred to as "target projects") shall be as specified in attached Table 1. <Amended by Ordinance No. 6984, Jan. 3, 2019>
(2) Notwithstanding paragraph (1), environmental impact assessment shall not be conducted on any of the following projects:
1. A project for emergency measures under Article 37 of the Framework Act on the Management of Disasters and Safety;
2. A project on which the Minister of National Defense has consulted with the Mayor because he or she deems it necessary for the protection of military secrets or the rapid execution of military operations;
3. A project on which the Director of National Intelligence Service has consulted with the Mayor because he or she deems it necessary for national security.

### Article 5 (Basic Principles of Environmental Impact Assessment)

Environmental impact assessment shall be conducted according to the following basic principles: <Amended by Ordinance No. 6984, Jan. 3, 2019>
1. To formulate a plan to avoid or mitigate any harmful effects to the environment following the execution of a target project to the extent economically and technically viable;
2. To formulate a plan for environmental conservation based on the results of scientific investigation and forecast;
3. To strive to make sure that residents, etc. can participate in the process of environmental impact assessment by providing sufficient information on a target project.

### Article 6 (Formulation, etc. of Targets for Environmental Conservation)

(1) Where a project implementer intends to conduct environmental impact assessment on a target project, he or she may set targets for environmental conservation considering the environmental impacts of the execution of the project, and scientific knowledge, economic circumstances, etc, at the time of assessment, and may conduct environmental impact assessment based on the targets.
(2) Where a project implementer sets targets for environmental conservation under paragraph (1), he or she shall refer to the following standards: <Amended by Ordinance No. 4883, Nov. 11, 2009; Ordinance No. 5541, Aug 1, 2013; Ordinance No. 6984, Jan. 3, 2019>
1. Environmental standards prescribed in Article 12 of the Framework Act on Environmental Policy; however, in cases of air, environmental standards prescribed in attached Table 1 of the Seoul Metropolitan Government Framework Ordinance on Environment;
2. The status of urban ecology prescribed in Article 4 (4) of the Seoul Metropolitan Government Ordinance on Urban Planning;
3. An ecological and natural map prescribed in subparagraph 14 of Article 2 of the Natural Environment Conservation Act;
4. Total pollutant standards by region prescribed in the Clean Air Conservation Act and the Water Environment Conservation Act;
5. Other standards established by relevant statutes or regulations for environmental conservation.

## CHAPTER II PREPARATION, ETC. OF ENVIRONMENTAL IMPACT ASSESSMENT REPORTS

### Article 7 (Preparation of Assessment Reports)

CHAPTER II PREPARATION, ETC. OF ENVIRONMENTAL IMPACT ASSESSMENT REPORTS(1) Where a project implementer intends to execute a target project, he or she shall prepare documents concerning environmental impact assessment (hereinafter referred to as "assessment report"), as prescribed by rule of the Seoul Metropolitan Government. <Amended by Ordinance No. 7068, Mar. 28, 2019>
(2) Where a project implementer has conducted a strategic environmental impact assessment pursuant to Article 16 of the Environmental Impact Assessment Act (hereinafter referred to as the "Act") at the stage of formulating a master development plan for a development project, he or she may utilize details of the strategic environmental impact assessment report when preparing an assessment report under paragraph (1). <Amended by Ordinance No. 5541, Aug 1, 2013; Ordinance No. 6984, Jan. 3, 2019>

### Article 8 (Seeking Opinions, etc.)

(1) Each project implementer shall hold a presentation or public hearing, etc., as prescribed by rule of the Seoul Metropolitan Government, to hear opinions from residents of an area to be affected by the execution of a target project (hereinafter referred to

as "residents") in the preparation of an assessment report, and shall reflect their opinions in the assessment report. In such cases, he or she shall hold a public hearing if residents so request within the extent prescribed by rule of the Seoul Metropolitan Government.
(2) When a project implementer intends to hear opinions from residents pursuant to paragraph (1), he or she shall submit a summary of a draft assessment report prepared as prescribed by rule of the Seoul Metropolitan Government and a draft assessment report prepared in electronic format determined and publicly notified by the head of a related administrative agency to the head of the Gu having jurisdiction over the area of the target project. In such cases, the area of a project falls across at least two Gus, the project implementer shall submit the said summaries to the head of the Gu having jurisdiction over an area in which the largest portion of the target project is included. <Amended by Ordinance No. 6984, Jan. 3, 2019; Ordinance No. 7068, Mar. 28, 2019>
(3) The head of a Gu who has received a draft assessment report under paragraph (2) (hereinafter referred to as the "head of a Gu in charge") shall publicize such draft as prescribed by rule of the Seoul Metropolitan Government for residents' perusal, and send it to the head of the Gu having jurisdiction over an area in which the project area is located and to the Mayor to seek their opinions. In such cases, as for a project subject to approval, etc., the head of a Gu in charge shall also seek opinions from an approving agency. <Amended by Ordinance No. 6984, Jan. 3, 2019>
(4) The head of an administrative agency who has received a draft assessment report pursuant to paragraph (3) may submit his or her opinion on possible damage to the living environment and property of residents caused by the execution of the target project and a plan for reduction thereof to the head of the Gu in charge, and residents may submit their opinions to the head of the Gu in charge or the head of the Gu having jurisdiction over the relevant area. <Amended by Ordinance No. 6984, Jan. 3, 2019>
(5) A project implementer shall publicize opinions gathered from residents, etc., prescribed in paragraph (1) and whether he or she will reflect the results thereof as required by rule of the Seoul Metropolitan Government. <Newly Inserted by Ordinance No. 5541, Aug 1, 2013>
(6) If a project implementer has undergone procedures for preparing a draft strategic environmental impact assessment report and seeking opinions pursuant to Articles 12 through 15 of the Act when formulating a master development plan for a target project and constitutes the grounds prescribed by rule of the Seoul Metropolitan Government (excluding where the procedures for seeking opinions are omitted pursuant to Article 14 of the same Act), he or she need not undergo the procedures for preparing a draft assessment report and seeking opinions. <Amended by Ordinance No. 6984, Jan. 3, 2019>

### Article 9 (Re-Preparation, etc. of Draft Assessment Reports)

(1) Where a project implementer intends to change a target project or any other important matters prescribed by rule of the Seoul Metropolitan Government before he or she is notified of agreed terms and conditions pursuant to Article 15 after having passed through due formalities for seeking opinions under Article 8, he or she shall re-prepare a draft assessment report and re-gather opinions from residents, etc. <Amended by Ordinance No. 5541, Aug 1, 2013; Ordinance No. 6984, Jan. 3, 2019>
(2) Where residents, etc. make a request for re-gathering opinions because any defect exists in the procedures for gathering opinions from residents, etc. publicized pursuant to Article 8 (5) or any other grounds prescribed by rule of the Seoul Metropolitan Government exists, the relevant project implementer shall re-gather opinions from the residents, etc. pursuant to Article 8. <Newly Inserted by Ordinance No. 6984, Jan. 3, 2019>
(3) The period and procedures for making a request for re-gathering opinions under paragraph (2), the minimum number of residents required to make such request, and other matters shall be prescribed by rule of the Seoul Metropolitan Government. <Newly Inserted by Ordinance No. 6984, Jan. 3, 2019>

### Article 10 (Vicarious Execution of Environmental Impact Assessment)

(1) Where a project implementer intends to prepare an assessment report under Article 7, a draft assessment report under Article 8 (2), measures for environmental conservation under Article 18 (1), the results of a survey of environmental impacts under Article 19 (4), and a plan for preparation of an environmental impact assessment report under Article 25 (1) (hereinafter referred to as "assessment report, etc."), he or she may have a Class 1 environmental impact assessment agent registered pursuant to Article 54 of the Act (hereinafter referred to as "assessment agent") prepare the assessment report, etc. for and on behalf of him or her. <Amended by Ordinance No. 5541, Aug 1, 2013; Ordinance No. 6984, Jan. 3, 2019>
(2) Where a project implementer has an assessment agent prepare an assessment report, etc. for and on behalf of him or her pursuant to paragraph (1), he or she shall enter into a contract with the agent separate from a contract for work, etc, on a target project and shall submit a copy of a document evidencing such contract. <Amended by Ordinance No. 5541, Aug 1, 2013>
(3) Where a contracting authority referred to in Article 53 (2) of the Act intends to have an agent prepare an environmental impact assessment report on its behalf pursuant to paragraph (1), it shall evaluate the capability to perform the relevant project, such as technical and management capabilities, of an environmental impact assessment agent wishing to participate in preparing the report. <Newly Inserted by Ordinance No. 7068, Mar. 28, 2019>
(4) Articles 67-3 and 67-4 of the Enforcement Decree of the Environmental Impact Assessment Act shall apply to the subject matters of, standards, methods, etc. for evaluation of capabilities to perform projects under paragraph (3). <Newly Inserted by Ordinance No. 7068, Mar. 28, 2019>

### Article 11 (Report of Assessment Agents)

(1) An assessment agent who intends to prepare an assessment report, etc. pursuant to Article 10 (1) for and on behalf of his or her client, shall report to the Mayor within 20 days from the agency contract date. <Amended by Ordinance No. 5541, Aug 1, 2013; Ordinance No. 6984, Jan. 3, 2019; Ordinance No. 7068, Mar. 28, 2019>

(2) Methods and procedures for reporting an assessment agent shall be prescribed by rule of the Seoul Metropolitan Government. <Amended by Ordinance No. 5541, Aug 1, 2013>

(3) Where an assessment agent who has filed a report pursuant to paragraph (1) files for registration of any modification of the matters registered pursuant to Article 54 (2) of the Act, he or she shall report on the modification to the Mayor within 14 days from the date such modification is registered. <Amended by Ordinance No. 5541, Aug 1, 2013; Ordinance No. 6984, Jan. 3, 2019>

### Article 12 (Obligations of Project Implementers and Assessment Agents)

(1) A project implementer and an assessment agent shall keep an assessment report, etc. and materials which serve as a basis for preparing such assessment report for a period prescribed by rule of the Seoul Metropolitan Government: Provided, That this shall not apply where they have disclosed an assessment report, etc. through the information and communications network, etc. of the Seoul Metropolitan Government, etc. <Amended by Ordinance No. 5541, Aug 1, 2013>

(2) A project implementer and an assessment agent who prepare an assessment report, etc. shall comply with the following: <Amended by Ordinance No. 5541, Aug 1, 2013; Ordinance No. 6984, Jan. 3, 2019>

1. They shall not prepare an assessment report, etc. by reproducing details of another assessment report, etc.;
2. They shall not prepare an assessment report, etc. and materials which serve as a basis for the preparation thereof falsely or poorly;
3. They shall not lend the certificate of registration or the name of an assessment agent to another person;
4. No assessment agents shall have another person conduct, on their behalf, an environmental impact assessment they must do for and on behalf of their clients when they prepare an assessment report, etc. for and on behalf of their clients: Provided, That this shall not apply where assessment agents have another person perform, on their behalf, the work of surveying and measuring items subject to environmental impact assessment according to the requirements and sectors specified in Article 26 of the Enforcement Rule of the Environmental Impact Assessment Act after obtaining approval from a person who has ordered such work;
5. They shall not request, entertain, or provide money and other valuables to a public official or deliberating council member in the process of consultation on an assessment report.

(3) Article 23 of the Enforcement Rule of the Environmental Impact Assessment Act shall apply mutatis mutandis to the standards for determining false or poor preparation of assessment reports, etc. and materials pursuant to paragraph (2) 2. <Amended by Ordinance No. 6984, Jan. 3, 2019>

## CHAPTER III CONSULTATION, ETC. ON ENVIRONMENTAL IMPACT ASSESSMENT REPORTS

### Article 13 (Request for Consultation on Assessment Reports)

CHAPTER III CONSULTATION, ETC. ON ENVIRONMENTAL IMPACT ASSESSMENT REPORTS(1) Where a project implementer is required to obtain approval, etc. of a business plan, etc., he or she shall submit an assessment report to the head of an approving agency. <Amended by Ordinance No. 6984, Jan. 3, 2019>

(2) The head of an approving agency and a project implementer who need not obtain approval, etc. (hereinafter referred to as the "head of an approving agency, etc.") shall submit an assessment report to the Mayor as prescribed by rule of the Seoul Metropolitan Government, and shall request consultation.

(3) The timing for submitting an assessment report under paragraph (1) and the timing for requesting consultation on an assessment report under paragraph (2) shall be as specified in attached Table 1. In such cases, the head of an approving agency who has received an assessment report from a project implementer shall submit the same to the Mayor, together with his or her opinion on the assessment report, within five days from the date he or she receives the same. <Amended by Ordinance No. 6984, Jan. 3, 2019>

### Article 14 (Review and Supplementation of Assessment Reports)

(1) Where the Mayor deems that a business plan, etc. needs to be supplemented because an assessment report submitted for consultation under Article 13 (2) has not been prepared in accordance with Article 7 or execution of a target project is likely to cause harmful effects to the environment, he or she may request the head of an approving agency, etc. to supplement such business plan, etc. or to require the relevant project implementer to supplement such business plan, etc. In such cases, the Mayor may make a request for supplementation only twice, and the head of an approving agency, etc. in receipt of such request shall comply therewith unless there is a compelling reason not to do so. <Amended by Ordinance No. 6984, Jan. 3, 2019>

(2) In reviewing an assessment report, the Mayor shall refer the assessment report to the Environmental Impact Assessment Deliberative Committee of the Seoul Metropolitan Government pursuant to Article 22 for deliberation. <Amended by Ordinance No.

6984, Jan. 3, 2019>
(3) Where necessary for the review of an assessment report, the Mayor may seek opinions from relevant specialized institutions and experts.
(4) The Mayor may return an assessment report in any of the following cases:
1. Where he or she deems it impossible to hold consultations because an assessment report or a business plan is prepared improperly by omitting important matters though he or she has requested such matters to be supplemented pursuant to paragraph (1);
2. Where he or she deems that a false assessment report has been prepared. <Newly Inserted by Ordinance No. 6984, Jan. 3, 2019>

### Article 15 (Notification of Agreed Terms and Conditions)

(1) When the Mayor has completed the review of an assessment report, he or she shall notify the head of an approving agency, etc. of the result thereof (including details of the review and supplementation thereof requested pursuant to Article 14 (1); hereinafter referred to as "agreed terms and conditions") within 28 days from the date he or she receives the assessment report pursuant to Article 13 (2), and the period during which the project implementer supplements the assessment report shall not be included therein: Provided, That when any inevitable cause prescribed by the Enforcement Rule arises, the period may be extended only once. <Amended by Ordinance No. 6984, Jan. 3, 2019; Ordinance No. 7068, Mar. 28, 2019>
(2) In any of the following cases, the Mayor may notify the head of an approving agency, etc. of the agreed terms and conditions on condition that he or she supplement the assessment report, etc. and reflect such in the relevant business plan, etc.:
1. Where he or she deems that matters to be supplemented are insignificant;
2. Where he or she deems that it is possible for a project implementer or the head of an approving agency to supplement an assessment report before he or she approves the relevant business plan, etc.
(3) The head of an approving agency who has been notified of the agreed terms and conditions pursuant to paragraphs (1) and (2) shall immediately notify the project implementer of agreed terms and conditions so that he or she shall take necessary measures based on such terms and conditions, and the project implementer shall implement such measures.

### Article 16 (Request for Revision)

(1) Where the head of an approving agency, etc. has an objection to agreed terms and conditions notified pursuant to Article 15 (1), he or she may request revision regarding agreed terms and conditions from the Mayor, as prescribed by rule of the Seoul Metropolitan Government, within 90 days from the date he or she is notified of such details thereof. In such cases, a project implementer who shall obtain approval, etc. shall request revision through the head of an approving agency. <Amended by Ordinance No. 5541, Aug 1, 2013>
(2) In receipt of a request for revision made pursuant to paragraph (1), the Mayor shall examine whether the details of the request for revision are appropriate, and notify the head of an approving agency, etc. of the result thereof within 30 days from the date he or she receives the request. <Amended by Ordinance No. 5541, Aug 1, 2013>
(3) Where a request is made for revision of agreed terms and conditions accompanying any modification of a business plan, etc., the head of an approving agency, etc. shall not grant approval, etc. of or finalize the relevant business plan, etc. before he or she is notified pursuant to paragraph (2): Provided, That this shall not apply where he or she excludes details related to the request for revision from the business plan. <Amended by Ordinance No. 5541, Aug 1, 2013>

### Article 17 (Re-Consultation)

(1) In any of the following cases, including changing a business plan, etc. consulted on pursuant to Article 15, a project implementer or the head of an approving agency, etc. shall request the Mayor to re-consult on the relevant assessment report: <Amended by Ordinance No. 6984, Jan. 3, 2019>
1. Where a project is not commenced within five years after approval, etc. is granted of the relevant business plan, etc. or after the business plan, etc. is finalized: Provided, That this shall not apply where minor changes occur in the surrounding conditions in the period during which the project is not commenced and the relevant approving agency, etc. has consulted with the Mayor thereon;
2. Where the scale of a project or facilities stated in the details of agreed terms and conditions notified pursuant to Article 15 increases at least 30 percent (including where the scale thereof has increased at least 30 percent from the scale reflected in the details of agreed terms and conditions referred to in Article 15 or in the details of re-consultation referred to in Article 17 due to accumulated changes);
3. Where the scale of a project increases beyond the minimum scale of a target project specified in attached Table 1;
4. Where he or she resumes work after the suspension of work for at least seven years;
5. Deleted. <by Ordinance No. 6984, Jan. 3, 2019>
(2) Notwithstanding paragraph (1), a project implementer or the head of an approving agency, etc. may omit the request for re-consultation in any of the following cases: <Amended by Ordinance No. 6984, Jan. 3, 2019>
1. Where a target project is canceled or invalidated after it has been finalized through consultation with the Mayor or has obtained approval, etc., and five years have not passed since the details of agreed terms and conditions were notified;

2. Where a target project is delayed after consultation with the Mayor, and five years have not passed since the details of agreed terms and conditions were notified;
(3) Articles 7 through 15 shall apply to re-preparation of and re-consultation on an assessment report pursuant to paragraph (1). <Amended by Ordinance No. 6984, Jan. 3, 2019>

### Article 18 (Consultation on Changes)

(1) Where any change is made to a business plan, etc. consulted on pursuant to Articles 13 through 15 but such change does not fall under the subparagraphs of Article 17 (1), the project implementer shall formulate a plan for environmental conservation suited to the change in a business plan, etc. and reflect such plan in the business plan, etc. to be changed. <Amended by Ordinance No. 6984, Jan. 3, 2019>
(2) A project implementer obliged to obtain approval, etc. shall submit in advance to the head of an approving agency a plan for environmental conservation under paragraph (1) for review: Provided, That this shall not apply to any minor changes prescribed by rule of the Seoul Metropolitan Government. <Amended by Ordinance No. 6984, Jan. 3, 2019>
(3) When the head of an approving agency, etc. intends to formulate a plan for environmental conservation pursuant to paragraph (1) or to review such plan pursuant to paragraph (2), he or she shall seek opinions from the Mayor if such formulation or review falls under reasons prescribed by rule of the Seoul Metropolitan Government. <Amended by Ordinance No. 6984, Jan. 3, 2019>
(4) Article 20 (1) and (2) shall apply mutatis mutandis to the confirmation and notification of whether a plan for environmental conservation formulated pursuant to paragraph (1) has been reflected in the relevant business plan, etc. In such cases, "agreed terms and conditions" shall be construed as "plan for environmental conservation". <Amended by Ordinance No. 6984, Jan. 3, 2019>

### Article 19 (Obligations of Project Implementers)

(1) In implementing a target project, a project implementer shall finalize the target project by reflecting agreed terms and conditions notified pursuant to Articles 15, 17, and 18 in a business plan and execute such agreed terms and conditions in good faith. <Amended by Ordinance No. 6984, Jan. 3, 2019>
(2) When a project implementer has finalized a business plan, etc., he or she shall submit the details thereof to the head of an approving agency: Provided, That a project implementer not obliged to obtain approval, etc. shall submit details of a business plan to the Mayor. <Amended by Ordinance No. 6984, Jan. 3, 2019>
(3) A project implementer shall designate a manager who will inspect and report the conditions of the execution of agreed terms and conditions, such as keeping a management ledger stating agreed terms and conditions at a work site, as prescribed by the Enforcement Rule, to faithfully execute the agreed terms and conditions pursuant to Articles 15, 17, and 18. <Amended by Ordinance No. 6984, Jan. 3, 2019>
(4) In order to prevent damage to the neighborhood from environmental impacts after a project implementer commences a target project, he or she shall investigate the environmental impacts for each item subject to follow-up survey of environmental impact, as prescribed by rule of the Seoul Metropolitan Government, and report the outcomes to the Mayor and the head of an approving agency. <Amended by Ordinance No. 7068, Mar. 28, 2019>
(5) When a project implementer intends to commence or complete a target project or to suspend work for at least three months or resume work, he or she shall notify the Mayor and the head of an approving agency of the details thereof. <Amended by Ordinance No. 7068, Mar. 28, 2019>
(6) When a project implementer is changed, obligations of a project implementer under paragraphs (1) through (5) shall devolve upon such project implementer changed, and the latter shall notify the Mayor or the head of an approving agency of matters prescribed by rule of the Seoul Metropolitan Government, such as the conditions of the execution of agreed terms and conditions and reasons for devolvement.

### Article 20 (Management and Supervision of Agreed Terms and Conditions)

(1) When the head of an approving agency intends to grant approval, etc. of a business plan, etc., he or she shall ascertain whether agreed terms and conditions have been reflected; and when the agreed terms and conditions have not been reflected, he or she shall order the project implementer to take necessary measures to reflect such details in the business plan, etc. <Amended by Ordinance No. 7068, Mar. 28, 2019>
(2) When the head of an approving agency, etc. approves, etc. of a business plan, etc. or finalizes a business plan, etc. not subject to approval, etc., he or she shall notify the Mayor of whether agreed terms and conditions have been reflected in the business plan, etc. and the content reflected therein.
(3) When the head of an approving agency approves, etc. of a business plan, etc. pursuant to paragraph (1), he or she shall notify the Mayor of the details thereof.
(4) The Mayor and the head of an approving agency may have a project implementer submit materials related to the execution of agreed terms and conditions, or investigate or check his or her place of business.
(5) Where a project implementer obliged to obtain approval, etc. fails to implement the agreed terms and conditions, the head of an approving agency shall issue an order to take measures necessary for the implementation thereof. <Newly Inserted by Ordinance

No. 5541, Aug 1, 2013; Ordinance No. 6984, Jan. 3, 2019>
(6) Where the head of an approving agency deems that a project implementer obliged to obtain approval, etc. has substantial effects on the environment, etc. because he or she has failed to comply with an order to take measures prescribed in paragraph (5), the head of an approving agency shall order the project implementer to fully or partially suspend work for the relevant project. <Amended by Ordinance No. 5541, Aug 1, 2013; Ordinance No. 6984, Jan. 3, 2019>
(7) In any of the following cases, the Mayor may require a project implementer not obliged to obtain approval, etc. to suspend work, perform reinstatement, or take other necessary measures; or may request the head of an approving agency to require such project implementer to suspend work, perform reinstatement, or take other necessary measures; and in such cases, the head of an approving agency, etc. shall comply with such request in the absence of grounds prescribed by rule of the Seoul Metropolitan Government: <Amended by Ordinance No. 5541, Aug 1, 2013; Ordinance No. 6984, Jan. 3, 2019>
1. Where such request is deemed necessary to manage the implementation of agreed terms and conditions;
2. Where such request is deemed necessary to prevent damage to the surrounding environment, considering the result of follow-up survey of environmental impact, details of measures to be taken, etc.
(8) Where the head of an approving agency, etc. intends to inspect completion of the construction work of a relevant project, he or she shall verify whether agreed terms and conditions are implemented and notify the Mayor the results thereof. In such cases, if necessary, the head of an approving agency, etc. may request that the Mayor jointly verify whether such details of agreed terms and conditions were implemented. <Newly Inserted by Ordinance No. 5541, Aug 1, 2013>
(9) The Mayor shall examine the result of a follow-up survey of environmental impact submitted pursuant to Article 19 (4); may hear opinions of the Seoul Institute of the Seoul Metropolitan Government or any other relevant specialized institution (hereinafter referred to as "specialized institution") or entrust field surveys to such institution, if necessary; and may request a project implementer or the head of an approving agency to submit relevant data. <Newly Inserted by Ordinance No. 6984, Jan. 3, 2019>

### Article 21 (Prohibition of Premature Implementation of Projects)

(1) No project implementer shall execute any construction work for a target project before the procedures for consultation, re-consultation, or consultation on change under Articles 13 through 18 are completed: Provided, That this shall not apply to any of the following works: <Amended by Ordinance No. 6984, Jan. 3, 2019>
1. Work executed in an area to which approval, etc. has been granted through consultation under Articles 13 through 18 and which is not subject to re-consultation or consultation on change;
2. Work specified in Article 15 (1) of the Enforcement Rule of the Environmental Impact Assessment Act, such as work to install a field office to prepare for the commencement of a project or work to perform duties under other statutes or regulations.
(2) Where a project implementer intends to engage in premature implementation of projects for works under the proviso of paragraph (1), he or she shall notify the head of the relevant consultation agency of the grounds for premature implementation of projects for construction works, the details, scope, etc. of the work after undergoing procedures for seeking opinions regarding a draft assessment report pursuant to Article 8 (including where the procedures for preparation of and consultation on a draft assessment report have been omitted). <Newly Inserted by Ordinance No. 6984, Jan. 3, 2019>
(3) The head of an approving agency shall not grant approval, etc. for a business plan, etc. before the procedures under Articles 13 through 18 are completed, and when a project implementer obliged to obtain approval, etc. has executed work in violation of paragraph (1), the head of an approving agency shall order a project implementer to fully or partially suspend work for the relevant project. <Amended by Ordinance No. 6984, Jan. 3, 2019>
(4) When a project implementer executes work in violation of paragraph (1), the Mayor may require a project implementer not obliged to obtain approval, etc. to suspend work, perform reinstatement, or take other necessary measures; or may request the head of an approving agency to require such project implementer to suspend work, perform reinstatement, or take other necessary measures; and in such cases, the head of an approving agency, etc. shall comply with such request in the absence of grounds prescribed by rule of the Seoul Metropolitan Government. <Amended by Ordinance No. 6984, Jan. 3, 2019>

## CHAPTER IV DELIBERATION ON ENVIRONMENTAL IMPACT ASSESSMENT

### Article 22 (Environmental Impact Assessment Deliberative Committee of the Seoul Metropolitan Government)

CHAPTER IV DELIBERATION ON ENVIRONMENTAL IMPACT ASSESSMENT(1) To deliberate on the following matters, the Mayor may establish and operate the Environmental Impact Assessment Deliberative Committee of the Seoul Metropolitan Government (hereinafter referred to as the "Committee"): <Amended by Ordinance No. 5541, Aug 1, 2013; Ordinance No. 6984, Jan. 3, 2019>
1. An assessment report submitted pursuant to Articles 13 and 17;
2. Return of an assessment report under Article 14 (4);
3. A request for revision made under Article 16;
4. Whether to exempt a project implementer from procedures for consultation on environmental impact assessment under Article 27;

5. Matters concerning improving the environmental impact assessment system;
6. Matters submitted to the Committee as the chairperson deems necessary.
(2) The Committee shall be comprised of at least 45 members but not more than 60 members, including one chairperson and one vice chairperson. <Amended by Ordinance No. 6984, Jan. 3, 2019>
(3) The Chief Officer of the Climate and Environment Headquarters shall chair the Committee, and the vice chairperson shall be elected by and from among its members who are not public officials. <Amended by Ordinance No. 5208, Dec. 29, 2011; Ordinance No. 6984, Jan. 3, 2019>
(4) The Mayor shall commission or appoint members of the Committee from among those who have extensive knowledge and experience in the field of environment. In such cases, a majority of them shall be members who are not public officials. <Amended by Ordinance No. 6984, Jan. 3, 2019>
(5) The term of office of each member commissioned by the Mayor shall be two years: Provided, That the term of office of a member who fills a vacancy shall be the remaining period of his or her predecessor. <Amended by Ordinance No. 6984, Jan. 3, 2019>
(6) A majority of the members of the Committee shall constitute a quorum and any decision thereof shall require the concurring vote of a majority of those present. <Amended by Ordinance No. 5541, Aug 1, 2013>
(7) Any of the following members shall be disqualified from deliberations and decisions on the relevant agenda item subject to deliberation; and any of the following members shall apply to refrain from deliberations and decisions on the relevant agenda item: <Newly Inserted by Ordinance No. 5541, Aug 1, 2013; Ordinance No. 7068, Mar. 28, 2019>
1. Where a member has carried out or is currently carrying out services, consultation, research, etc., with regard to a relevant agenda item subject to deliberation;
2. Where a member is deemed to have a direct or indirect interest in regard to the relevant agenda item subject to deliberation.
(8) Where any ground for disqualification prescribed in any subparagraph of paragraph (7) arises, the chairperson of the Committee shall decide whether to disqualify the relevant member ex officio or in response to an application by the member for refrainment. <Newly Inserted by Ordinance No. 5541, Aug 1, 2013>
(9) The formation, operation, and method of deliberation of the Committee and other necessary matters shall be prescribed by rule of the Seoul Metropolitan Government. <Amended by Ordinance No. 5541, Aug 1, 2013>

### Article 23 (Subcommittees)

(1) The Committee may establish and operate subcommittees where necessary for the efficient deliberation by the Committee.
(2) Each subcommittee shall be comprised of at least five members, who shall be appointed by the chairperson of the Committee, and the chairperson of a subcommittee shall be elected by and from among its members.
(3) Matters that have been passed by a subcommittee after deliberation shall be deemed to have been passed by the Committee. In such cases, the Committee shall determine matters to be deliberated upon in advance and refer them to a subcommittee.

### Article 24 (Decommissioning of Members)

Where a commissioned member of the Committee under Article 22 falls under any of the following, the Mayor may decommission him or her: <Amended by Ordinance No. 6984, Jan. 3, 2019>
1. Where he or she has difficulty performing his or her duties due to a disease that requires long-term treatment or other reasons;
2. Where his or her behavior is deemed inappropriate for the performance of duties as a member, such as impairment of dignity or a long-term failure to attend meetings;
3. Where he or she wishes to resign from office.

## CHAPTER V SPECIAL CASES CONCERNING ENVIRONMENTAL IMPACT ASSESSMENT

### Article 25 (Submission of Plans for Preparation of Environmental Impact Assessment Reports)

CHAPTER V SPECIAL CASES CONCERNING ENVIRONMENTAL IMPACT ASSESSMENT(1) Each project implementer shall prepare a plan for preparation of an environmental impact assessment report (hereinafter referred to as "preparation plan") and submit the same to the head of a Gu in charge before he or she prepares a draft assessment report for a target project specified in attached Table 1 (excluding a project for which items subject to assessment and deliberation standards by target project specified in attached Table 1 have been publicly notified). <Amended by Ordinance No. 6984, Jan. 3, 2019>
(2) The head of a Gu in charge shall forward a preparation plan received pursuant to paragraph (1) to the Mayor and the head of the Gu having jurisdiction over the project area and seek their opinions, as prescribed by rule of the Seoul Metropolitan Government. <Amended by Ordinance No. 6984, Jan. 3, 2019>
(3) A preparation plan under paragraph (1) shall include the following:
1. The name, domicile, etc. of the project implementer;
2. The present status of the target project and the project area;
3. Items subject to environmental impact assessment and major items subject to assessment for the target project;

4. The area where the project implementer intends to execute the target project and the extent of the area where the execution of the relevant project is likely to affect the environment;
5. A rough forecast of the impact of the execution of a project.

### Article 26 (Review, etc. of Plans for Preparation of Environmental Impact Assessment Reports)

(1) The Mayor shall review a preparation plan submitted pursuant to Article 25 (2) and notify the head of the Gu in charge of the results of review.
(2) In reviewing a preparation plan pursuant to paragraph (1), the Mayor may seek opinions from specialized institutions. <Amended by Ordinance No. 5308, Jul. 26, 2012; Ordinance No. 6984, Jan. 3, 2019>
(3) The head of a Gu in charge shall notify a project implementer of the result of review pursuant to paragraph (1) and the result of seeking opinions pursuant to Article 25 (2).
(4) A project implementer shall reflect the result of review and the result of seeking opinions notified pursuant to paragraph (3) in a draft assessment report referred to in Article 8 (2). <Amended by Ordinance No. 6984, Jan. 3, 2019>

### Article 27 (Special Cases concerning Procedures for Consultation)

(1) Where a target project falls under each of the following, the Mayor may exempt such target project from procedures for consultation on environmental impact assessment following deliberation by the Committee. In such cases, the Mayor may seek opinions from a specialized institution: <Amended by Ordinance No. 6984, Jan. 3, 2019>
1. Where the scale of a target project does not exceed 200 percent of the minimum scale subject to environmental impact assessment specified in attached Table 1 and its impact on the environment is not significant;
2. Where measures for reducing an adverse impact to be caused by the target project have been fully established;
3. Where the results of review meet the deliberation standards under Article 29 (2).
(2) If a project implementer falls under paragraph (1) 1, he or she may request a determination of whether he or she is exempt from procedures for consultation, when submitting a draft assessment report. <Newly Inserted by Ordinance No. 6984, Jan. 3, 2019>
(3) Where the Mayor exempts a project implementer from procedures for consultation on environmental impact assessment pursuant to paragraph (1), he or she shall notify the head of the Gu in charge of the details thereof. <Amended by Ordinance No. 6984, Jan. 3, 2019>

### Article 28 (Obligations of Project Implementers Subject to Exemption from Procedures for Consultation)

(1) Even in cases of a project subject to exemption from procedures for consultation on environmental impact assessment under Article 27 (1), the relevant project implementer shall prepare an assessment report reflecting opinions presented in the process of seeking opinions under Article 8 and implement such opinions in good faith. <Amended by Ordinance No. 5541, Aug. 1, 2013>
(2) Where a project implementer fails to reflect opinions under Article 8 in an assessment report or to implement such opinions in good faith in violation of paragraph (1), the Mayor may request the head of an approving agency, etc. to take necessary measures for the implementation thereof.

### Article 29 (Fields of, Items, etc. Subject to Environmental Impact Assessment)

(1) Environmental impact assessment shall be conducted in the fields of air environment, water environment, land environment, natural ecological environment, living environment, and social and economic environment to be affected by the execution of a project, and items subject to assessment by field shall be as specified in attached Table 2. <Amended by Ordinance No. 5541, Aug 1, 2013>
(2) The Mayor may determine major items subject to assessment and items subject to field investigation according to the characteristics of a target project among assessment items referred to in paragraph (1). In such cases, the Mayor shall determine and publicly notify assessment items by target project specified in attached Table 1 and the deliberation standards thereof.
(3) An area subject to environmental impact assessment shall be an area to be environmentally affected by the execution of a target project, and the extent thereof shall be determined according to the materials that have scientifically forecasted and analyzed possible environmental impacts.

## CHAPTER VI SUPPLEMENTARY PROVISIONS

### Article 30 (Confidentiality)

CHAPTER VI SUPPLEMENTARY PROVISIONSAn assessment agent, expert, or a current or former executive officer or employee of a specialized institution who has participated in the process of environmental impact assessment under this Ordinance shall neither disclose nor steal any confidential information which became known to him or her in the course of duty. <Amended by Ordinance No. 5541, Aug 1, 2013>

### Article 31 (Payment of Allowances, etc.)

The Mayor may pay allowances and other necessary expenses to any of the following persons within the budget, as prescribed by the Seoul Metropolitan Government Ordinance on the Payment of Committee Allowances and Travel Expenses: <Amended by

Ordinance No. 6984, Jan. 3, 2019; Ordinance No. 7068, Mar. 28, 2019>
1. An expert or an executive officer or employee of a specialized institution who has participated in the review of an assessment report pursuant to Article 14 (3);
2. A member who has participated in the deliberation of an assessment report pursuant to Article 22 (Provided, That this shall not apply where allowances cannot be paid under the Seoul Metropolitan Government Ordinance on the Payment of Committee Allowances and Travel Expenses);
3. An executive officer or employee of a specialized institution who has participated in the review of a plan for preparation of an environmental impact assessment report under Article 26 and a draft assessment report under Article 27.

### Article 32 (Disclosure of Assessment Reports)

(1) Except where disclosure of an assessment report is restricted in accordance with other statutes or regulations, the Mayor may disclose an assessment report, etc. for residents' inspection via an information service system related to environmental impact assessment.
(2) Where a project implementer or the head of an approving agency has requested the Mayor not to disclose all or any part of an assessment report, etc. due to any of the following causes, the Mayor need not disclose such assessment report, notwithstanding paragraph (1):
1. Where it is necessary for national security, such as the protection of military secrets;
2. Where details of special business secrets, etc. of the relevant project are included in the assessment report, etc.
(3) Necessary matters concerning the period and method of disclosure of an assessment report, etc. under paragraph (1) shall be prescribed by rule of the Seoul Metropolitan Government.

### Article 33 (Application Mutatis Mutandis)

Laws and related statutes or regulations shall apply to matters not prescribed by this Ordinance. <Amended by Ordinance No. 6984, Jan. 3, 2019; Ordinance No. 7068, Mar. 28, 2019>

## CHAPTER VII PENALTY PROVISIONS

### Article 34 (Administrative Fines)

CHAPTER VII PENALTY PROVISIONS(1) Any of the following persons shall be subject to an administrative fine not exceeding 10 million won: <Amended by Ordinance No. 6984, Jan. 3, 2019>
1. A person who fails to comply with an order to suspend works after he or she receives such order under Article 20 (6) or 21 (3);
2. A person who fails to suspend works, perform reinstatement, or to take other necessary measures after he or she becomes required to take such measures under Article 20 (7) or 21 (4).
(2) Any of the following persons shall be subject to an administrative fine not exceeding seven million won: <Newly Inserted by Ordinance No. 5541, Aug 1, 2013>
1. A person who performs construction works without undergoing an environmental impact assessment in violation of Article 4;
2. A project implementer who fails to comply with an order or a request to take measures prescribed in Article 20 (5);
3. A person who executes construction works in violation of Article 21 (1);
4. A person who prepares a false environmental impact assessment report, etc.
(3) Any of the following persons shall be subject to an administrative fine not exceeding five million won: <Amended by Ordinance No. 5541, Aug 1, 2013>
1. A person who fails to conduct a follow-up survey of environmental impact in whole or in part; to notify the head of an approving agency or the Mayor; or to take necessary measures, in violation of Article 19 (4);
2. A project implementer who fails to enter into a contract for an assessment report, etc. separate from other contracts, in violation of Article 10 (2);
3. An assessment agent or project implementer who prepares an improper assessment report, etc., in violation of Article 12 (2) 2.
(4) Any of the following persons shall be subject to an administrative fine not exceeding two million won: <Amended by Ordinance No. 5541, Aug 1, 2013>
1. A person who fails to keep a management ledger; to record the status of implementation of agreed terms and conditions; to designate a manager; or to notify the fact that he or she has designated such person, in violation of Article 19 (3);
2. A person who fails to notify the outcomes of a follow-up survey of environmental impact, in violation of Article 19 (4);
3. A person who fails to notify the commencement, completion, or suspension of works, in violation of Article 19 (5);
4. A person who fails to notify details of the devolvement of obligations, in violation of Article 19 (6);
5. A person who fails to keep an assessment report, etc. and materials that serve as a basis for the preparation thereof, in violation of Article 12 (1).
(5) The Mayor shall impose and collect administrative fines under paragraphs (1) through (4), as prescribed by rule of the Seoul Metropolitan Government. <Amended by Ordinance No. 5541, Aug 1, 2013>

(6) The Act on the Regulation of Violations of Public Order shall apply to procedures for the imposition and collection of administrative fines under paragraph (5). <Amended by Ordinance No. 5541, Aug 1, 2013>