

# Legal Updates

**KIM & CHANG**

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## Designation of 13 Additional Chemicals as Accident-Prone Chemicals<sup>1</sup>

The Ministry of Environment (the "MOE") announced recently the draft amendment (the "Draft Amendment") to the Presidential Decree of the Toxic Chemicals Control Law (the "TCCL"), under which 13 chemicals including ammonium nitrate, hydrogen peroxide, etc. are additionally designated as accident-prone chemicals (the "APCs"). By addition of 13 chemicals under the Draft Amendment, the number of designated APCs will be increased from the current 56 chemicals to 69 chemicals.

Anyone who handles the APCs above the permissible quantity limits shall establish and submit a self-prevention plan to the head of a relevant municipal government or local environmental agency. Moreover, anyone who has a facility handling the APCs within the area where it is expected that damages from accidents caused by the APCs could be substantial (e.g. an industrial complex, free trade zone, etc.) shall inform in advance neighborhood residents of his/her self-prevention plan.

As for the newly designated APCs and their permissible quantity limits, please refer to the table below.

With regard to additional designation of the APCs, public comments are currently being solicited. If you would like us to convey your comments to the MOE, please do not hesitate to contact us.

Accident-Prone Chemicals	Permissible Quantity Limit for Manufacture/Use <sup>2</sup> (kg/year)	Permissible Quantity Limit for custody/storage <sup>3</sup> (kg)
Nitric oxide (CAS 10102-43-9) and its mixtures containing 1% or more of nitric oxide	75,000	750
Nitromethane (CAS 75-52-5) and its mixtures containing 25% or more of nitromethane	60,000	20,000
Ammonium nitrate (CAS 6484-52-2) and its mixtures containing 33% or more of ammonium nitrate	90,000	30,000
Hexamine (CAS 100-97-0) and its mixtures containing 25% or more of hexamine	90,000	30,000
Hydrogen peroxide (CAS 7722-84-1) and its mixtures containing 35% or more of hydrogen peroxide	90,000	30,000
Potassium chlorate (CAS 3811-04-9) and its mixtures containing 98% or more of potassium chlorate	15,000	5,000
Potassium nitrate (CAS 7757-79-1) and its mixtures containing 98% or more of potassium nitrate	90,000	30,000

Potassium perchlorate (CAS 7778-74-7) and its mixtures containing 98% or more of potassium perchlorate	15,000	5,000
Potassium permanganate (CAS 7722-64-7) and its mixtures containing 98% or more of potassium permanganate	300,000	100,000
Sodium chlorate (CAS 7775-09-9) and its mixtures containing 98% or more of sodium chlorate	15,000	5,000
Sodium nitrate (CAS 7631-99-4) and its mixtures containing 98% or more of sodium nitrate	90,000	30,000
Sarin (O-Isopropyl methyl phosphonofluoridate) (CAS 107-44-8) and its mixtures containing 1% or more of sarin	15,000	500
Cyanogen chloride (CAS 506-77-4) and its mixtures containing 1% or more of cyanogen chloride	75,000	750

1 "Accident-prone chemicals" are defined under Article 2 of the current TCCL as "chemical substances that are highly likely to cause accidents due to their high acute toxicity or explosiveness or run a chance to cause great damages in case of accidents occurrence and thus that are considered to need accident preparedness and countermeasure plans."

2 "Permissible Quantity Limit for Manufacture/Use" means the maximum annual quantity of an APC that is allowed to be manufactured or used in an APC manufacturing or using facility.

3 "Permissible Quantity Limit for custody/storage" means the maximum permissible quantity of an APC that can be kept or stored in a storage facility, such as a storage tank.

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