

Review of monitoring reports by an independent institute in Korea

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Abstract

While Environment Impact Assessment (EIA) is well-known, the post-EIA monitoring process is not familiar with the public because the post-EIA monitoring report is not generally publicity to the public. The post-EIA monitoring report is drawn up annually and is submitted to the Ministry of Environment (MoE) for the construction and three to five years of operation period. According to the MoE of Korea, the violation percentage of the EIA consultation opinion is around 10~20% of the whole post-EIA monitoring cases. The MoE of Korea knows the difficulty to draw up the properly prepared post-EIA monitoring reports and adopts an additional process of reviewing the post-EIA monitoring reports by independent institutes like Korea Environment Institute (KEI) to ensure the quality of the post-EIA monitoring reports. As the KEI reviews the EIA reports from policy/plan stage to a small scale development project level and knows the specific environment impacts considered from the beginning of EIA and the measurement methods/sites used in the EIA process, the KEI easily finds the errors in the post-EIA monitoring report and guides an appropriate way to draw up the report.

Recently, the public access to Environment Impact Assessment (EIA) has been improved with the EIA news articles or experience on the relevant field. Some EIA cases are emerging as national controversial issues in Korea and becoming national news. But the post-EIA monitoring process is not familiar with the public because the post-EIA monitoring report is not generally publicity to the public.

In the EIA system of Korea, the post-EIA monitoring process is mandatory to all EIA projects and the final EIA report specifies the scope and methods of the post-EIA monitoring process. Usually the period of the post-EIA monitoring process is consistent with the whole construction period and the operation period of three up to five years after the construction. The developer takes the whole responsibility to draw up the post-EIA monitoring reports and submits the reports to the MoE of Korea annually during the whole post-EIA monitoring period. When the annual post-EIA monitoring reports are submitted, the officials of MoE shall review the reports and undergo a precise field inspections. When the officials find any violation of the EIA consultation opinion, the officials suspend the construction/operation of the site

or impose a fine. According to the MoE of Korea, the violation percentage of the EIA consultation opinion is recorded at 10~20% of the whole post-EIA monitoring cases.

Through over 30-years' experience of the EIA process, the MoE of Korea knows the difficulty to draw up the properly prepared post-EIA monitoring reports and adopts an additional process of reviewing the post-EIA monitoring reports by independent institutes like Korea Environment Institute to ensure the quality of the post-EIA monitoring reports.

In order for the significance of additional reviewing process of the post-EIA monitoring reports by the KEI to be recognized, stipulated three different types of the EIA process based on the policy/plan level or, category or, scale of the development projects under "Environment Impact Assessment Act" should be fully understood. The three types of the EIA process are 1) Strategic Environment Assessment (SEA) for policy/plan level; 2) Environment Impact Assessment (EIA) for development project level; and 3) Small Scale EIA (SEIA) for development project smaller than the development scale subject to the EIA process but located in environmentally sensitive area. In accordance with the aforementioned EIA Act, the KEI as an official government institute shall review the EIA reports and give an expert opinion on the EIA reports including SEA and SEIA reports. As the KEI reviews the EIA reports from policy/plan stage to a small scale development project level, the KEI makes it possible to keep a consistency along the planning process among many projects in different provinces. On the same line, as the KEI reviews the whole EIA process, the KEI makes it possible to keep a consistency through SEA, EIA, and the post EIA monitoring as the KEI has expertise in the area of the specific environment impacts to be taken into consideration from the beginning of the EIA and the measurement methods/sites used in the EIA process.

The post-EIA monitoring process is important to verify the EIA estimation of the environmental impact of a certain development project, but is not an easy task to draw up the post-EIA monitoring report in an appropriate way. To monitor the environmental impact properly, the monitoring agent who draws up the report should know the previous EIA process of that development project and try to have a consistency in the selection of monitoring sites and methods. When the monitoring agent draws up the EIA monitoring report without little knowledge of the previous EIA process, they are easily neglecting some important monitoring sites or items. For example, if an endangered species is surveyed in the EIA of which species can be surveyed at specific period, it is extremely important to survey the aforementioned endangered species at the specific period in the post-EIA monitoring.

In case where the monitoring agents do not measure a certain monitoring items of air/water quality, use inappropriate measuring method or select inappropriate sampling site in the post-EIA monitoring report intentionally or unintentionally, the KEI easily points out the errors in the post-EIA monitoring report and

guides an appropriate way to draw up the report. In other circumstance, when the developer submits the fulfillment report of the EIA consultation opinion with ineffective mitigation methods or inarticulate monitoring results as a part of the post-EIA monitoring report, it is also easy task to the KEI to find out their underrepresented intention in that report.

In an extreme case, when the developer changes the land use plan slightly that may cause a significant environmental impact without any consultation with the MoE, the KEI easily notices the change and notifies it to the MoE in the reviewing process of the post-EIA monitoring report.

Despite some post-EIA monitoring reports are reviewed by the KEI, the portion of the reviewed monitoring reports is outnumbered by the total number of the post-EIA monitoring reports to be reviewed by KEI. To reinforce the reviewing process of the post-EIA monitoring reports, the MoE of Korea adds its affiliated agencies, Korea Environment Corporation and National Institute of Ecology. As these two affiliated agencies are controlled by the MoE of Korea, their independence is not guaranteed but the reviewing process of the post-EIA monitoring reports does not require the independence because the development project is already consulted with the MoE of Korea.

Despite of the dispute over the effectiveness of the post-EIA monitoring process, the MoE of Korea is on the way to intensify the post-EIA monitoring process with more experts and thorough field inspection. With this intensified administrative procedure, it is expected to increase the effectiveness of the whole EIA process and ask more developer's responsibilities in construction/operation stage. While the intensified administrative procedure adopted by the MoE of Korea is a bottom line of a complete EIA process, the mutual understandings and efforts of the stakeholders of the EIA process including the developer are needed to have a successful EIA.