



Environment

Advancement in scientific technology brings convenience to our lives but also brings side effects that are harmful to the environment. Environmental law is experiencing a paradigm shift in regulation and has shifted toward preemptive management and the prevention of various risks that may be difficult to predict. In recent years Korea also has continuously enacted regulations addressing (i) the manufacture, import and use of chemical substances, (ii) carbon emissions to handle climate change and (iii) mandatory insurance to solve business-induced environmental pollution damage, and has adopted advanced environmental regulations such as those implemented in the EU addressing comprehensive environment management systems for pollutant-emitting facilities. As such, it is more important than ever for companies to be able to react and respond systematically to these changes and adapt to this regulatory scheme early on.

Shin & Kim's Environment practice provides comprehensive legal services through its diverse experience and expertise relating to the evaluation and handling of environmental risks associated with business transactions. Our Environment team provides advice on and representation with respect to (i) required permits, licenses and other compliance matters (especially, periodic renewal of permits and licenses for each place of business required due to the adoption of the Integrated Environmental Management System), (ii) emission trading and climate change, (iii) registration and evaluation of chemical substances, (iv) management of chemical substances and (v) litigation and disputes over soil contamination and waste.

Key Services

Shin & Kim provides services in the following areas related to environment and climate change:

- Compliance with environmental laws and regulations
- Environmental laws in connection with M&A and other business transactions and operations
- Facility location analysis, permit registration and periodical renewal of permits and licenses for environmental impact assessments and the Integrated Environmental Management System
- Enactment, amendment and interpretation of various laws and regulations, including submission of opinions
- Response and handling of sanctions and administrative/criminal proceedings of the Ministry of Environment and other regulatory bodies
- Resolution of disputes and lawsuits involving environmental issues, including soil contamination, noise, vibration,

wastes and emission trading

Experience

- Various environmental due diligence projects related to M&A deals and environmental laws and regulations
- Investment agreements and financial agreements for a number of wind power generation projects and photovoltaic power generation projects
- Agreements for the installation of a number of greenhouse gas reduction facilities
- Laws regarding registration and evaluation of chemical substances and related regulation, including the Chemicals Control Act
- Various companies on the Waste Control Act
- Various permits and licenses, and related compliance matters (environmental compliance counseling)
- The Ministry of Environment on climate change as an external advisor
- Legislation for environmental regulation, including carbon tax and fossil fuel charges
- Legislation of emission trading laws
- Drafting of the Enforcement Decree and Enforcement Rules of the Act on Liability for Environmental Damage and Relief
- Drafting of the Act on Registration, Evaluation of Chemicals and the Enforcement Decree and Enforcement Rules thereof
- Lawsuit seeking cancellation of the greenhouse gas emission rights allocation plan and allocation disposition
- Lawsuit seeking prohibition on automobile air pollutant emission and related damages
- Lawsuit seeking damages caused by an oil contamination accident in the coastal waters of Taean
- Lawsuit seeking damages associated with environmental contamination on the site for the Trans-Korea Pipeline
- Lawsuit seeking cancellation of preliminary approval for the Yeonggwang Nuclear Power Plant site and its construction permit
- Lawsuit seeking damages caused by hot water discharged from Uljin Nuclear Power Plant
- Lawsuit seeking damages from soil contamination caused by oil pipelines and oil storage tanks
- Lawsuits and injunction cases related to breach of environmental rights and health rights caused by environmental contamination

Key Contacts

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Awards and Rankings

- Firm of the Year: Environmental
Asian Counsel 2011