SHIN & KIM

Center for Environment & Safety Strategies

Environmental issues caused by global warming and the COVID-19 pandemic have made carbon neutrality and climate change response an unstoppable global trend. In Korea, strong regulations aimed at achieving these goals are having a major impact on all areas of society and the economy, reaching a point where it is now difficult to do business without taking into consideration carbon neutrality and climate change response.

Meanwhile, with the introduction of the Integrated Environmental Permit System in 2017, there are increasing calls for the application of the latest technologies (i.e. Best Available Technology) for reducing environmental pollutants emitted during the operation of factories and facilities across all manufacturing processes, resulting in permit requirements becoming more complex and sophisticated. Furthermore, as demands for stricter environmental regulations grow, post-hoc inspections, enforcement, and penalties are also being tightened.

Government inspections and crackdowns are no longer limited to traditional environmental issues, such as chemicals, waste, air quality, and water quality. In fact, the scope of these efforts is increasingly extending to safety and fire protection issues. Consequently, businesses are in greater need of integrated advisory services that can proactively address a wide range of environmental, safety, and fire-related risks.

In response to this need, Shin & Kim LLC expanded and transformed its Environmental Future Strategy Center into the Environmental & Safety Strategy Center. With this change, our firm can now provide comprehensive, one-stop problem-solving services tailored to corporate needs. As the first law firm in Korea to launch an environment-focused expert group and establish the Environmental Future Strategy Center, we have positioned ourselves as a market leader in environmental legal advisory services. Through this expansion, we aim to transcend the traditional scope of legal advice by offering an integrated response system addressing environmental, safety, and criminal issues. Our advisory services have expanded from three areas—environmental development strategy, regulatory strategy, and business strategy—to six key areas: environmental policy, environmental regulation, environmental development, environmental disputes, environmental crimes, and fire safety. This expansion is designed to deliver practical, one-stop solutions that meet the evolving needs of our clients.

Key Services

The Center for Environment & Safety Strategies, headed by Gyu-Seok Baek, provides optimal response strategies and actionable plans for local and international corporations and stakeholders dealing with complex environmental and safety issues across six areas: environmental policy, regulation, development, disputes, crimes, and fire safety. Specific services offered in each area are outlined below.



1) Environmental Policy

We provide advisory services that help clients stay ahead by identifying policy trends and legal developments related to

carbon neutrality and the transition to a circular economy, forecasting future regulations, and uncovering market opportunities. These services enable our clients to proactively develop and implement promising environmental business plans and strategies. In collaboration with the ESG Center at Shin & Kim, we assist clients in preparing sustainability reports required by mandatory corporate governance disclosure regulations and in developing customized ESG systems.

2) Environmental Regulation

Our services extend beyond identifying basic regulatory requirements. Instead, we provide systematic consulting for clients facing complex challenges throughout the production process. These challenges include emission reduction, pollution remediation, and accident prevention. We customize solutions for each business site based on its conditions and characteristics. Additionally, we assess the regulatory compliance status of each business facility, identify potential risks, and advise on every aspect of the regulatory process. This includes responding to operational suspensions or fines resulting from past violations.

3) Environmental Development

We provide strategic legal and administrative advice to ensure the environmental sustainability of business projects with environmental impacts, such as urban development, construction of industrial complexes, renewable energy projects (e.g., solar and onshore/offshore wind), and the development of ports, roads, airports, tourism complexes, and golf courses. Based on our extensive experience, we provide consultation and response strategies for environmental impact assessments. Furthermore, we collaborate with specialized engineering firms to advise on the selection of optimal technologies, licensing processes, and the establishment and operation of environmental governance frameworks for new environmental businesses or the construction and expansion of environmental facilities.

4) Environmental Disputes

Environmental disputes have evolved beyond the conventional air- and water-related issues covered by the Act on the Integrated Control of Pollutant-Discharging Facilities. Since the implementation of the Integrated Permit System in 2017, differences in the interpretation of statutes and administrative actions have led to an increase in conflicts, particularly because the system is relatively new. Resolving these disputes requires more than the mechanical application of statutes and precedents. Success demands the formation of persuasive arguments grounded in a deep understanding of legislative intent, policy background, and the current institutional context. The Center for Environmental & Safety Strategies provides clients with optimal dispute solutions by leveraging legal expertise, as well as exceptional knowledge of and experience in relevant policy and practice.

5) Environmental Crimes

Due to the increasing crackdown and strict enforcement of environmental and safety-related crimes, administrative and criminal sanctions in this area represent one of the most significant risks to corporate management. In response, we provide optimal strategies to protect our clients from these sanctions. Specifically, we offer customized advisory and criminal defense services for government investigations and prosecutions involving chemicals, soil contamination, fire, and safety issues, as well as the full range of related criminal procedures.

6) Fire Safety

Regulatory authorities are increasingly focused on fire and safety issues. Their attention extends beyond routine site inspections to broader areas, such as establishing laws and strengthening regulations related to manufacturing and quality control of fire equipment. The Center for Environmental & Safety Strategies offers comprehensive advisory services to support our clients on all fire and safety-related concerns. Our extensive experience includes regulatory responses to site inspections, official inquiries, and consultations regarding the interpretation of fire safety laws; advisory services on fire and hazardous materials issues arising in M&A transactions; and legal compliance involving hazardous materials and chemicals.

Experience

- Advised on obtaining the Integrated Environmental Permit and other environment-related permits
- Advised on obtaining development project-related permits such as environmental impact assessments
- Conducted environmental due diligence and advised on environmental laws for numerous M&A transactions
- Advised on investment and financing agreements for a number of wind power projects
- Advised on investment and financing agreements for a number of solar power projects
- Advised on contracts related to the installation of a number of greenhouse gas reduction facilities
- Advised on chemical-related laws such as the Act on Registration and Evaluation of Chemical Substances and the Chemical Control Act
- Advised on the Wastes Control Act for a number of companies
- Advised on numerous permits and legal compliance matters (environmental compliance counseling)
- Served as an external advisor to the Ministry of Environment on climate change negotiations
- Advised on legislation of regulations such as carbon tax and fossil fuel levies
- Advised on legislation of the Act on the Allocation and Trading of Greenhouse Gas Emissions Permits
- Advised on the drafts of the Enforcement Decree and Enforcement Rules of the Act on Liability for Environmental Damage and Relief thereof
- Advised on the drafts of the Enforcement Decree and Enforcement Rules of the Act on Registration and Evaluation of Chemical Substances
- Conducted a lawsuit concerning cancellation of an allocation plan for greenhouse gas emissions permits and allocation disposition
- Conducted a lawsuit concerning prohibition of automobile air pollutant emissions and related damages
- Conducted a lawsuit for damages related to the oil spill off the coast of Taean
- Conducted a lawsuit for damages related to environmental contamination of the Trans-Korea Pipeline (TKP) site
- Conducted a lawsuit concerning cancellation of the preliminary site approval and construction permit for the Yeonggwang Nuclear Power Plant
- Conducted a lawsuit for damages for fish deaths due to thermal effluent from the Uljin Nuclear Power Plant
- Conducted a lawsuit for damages for soil contamination caused by oil pipelines and oil storage facilities

- Conducted numerous other lawsuits and preliminary injunction cases related to violations of environmental rights and health rights due to environmental pollution

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