

Public Choice Analysis on Enforcement Processes of the Soil Contamination Countermeasures Act in Japan

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[SYNOPSIS]

Regarding conservation of the soil environment, the Soil Contamination Countermeasures Act (SCCA) came into force in 2003. Whether or not soil contamination is present in the land is often not clear beforehand, and administrative officials face decisions under uncertainty in issuing orders for soil investigation. In this study, an empirical analysis was conducted on the behavior of administrative officials during the execution of the SCCA, and the research were compiled into two papers.

In order to investigate the trends of survey order release rate, we analyzed from FY2010 to FY2014 based on statistical data issued by the Ministry of the Environment in Chapter 1. As a result, it was shown that administrative officials' judgment on investigation orders varies from group to group, and it was indicated that possible that unified operation nationwide is not being planned.

According to the revised SCCA enacted in 2010, this resulted in an alternative relationship between administrative orders and voluntary surveys on the land subject to review of the investigation order. In Chapter 2, therefore, in order to verify the effect of this substitution on the law enforcement attitude of the administrative officer, we created panel data on the number of survey orders from FY2010 to FY2015 and estimate the number of survey order issuance by group. As a result, it became clear that the number of issuance of the group's investigation orders decreased significantly from 2011, and it is confirmed that the number of orders issued is high in large scale governments and governments that has own ordinance.