

## **Notification of Natural Resources and Environment Ministry**

Re: The regulation of types and specifications of projects or businesses that require an environment impact assessment (EIA) including the principles, procedures, practices and guidelines of making an EIA report.

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According to the reformation of Public Service by establishing the Ministry of Natural Resources and Environment including the transfer of the duties of Ministry of Science and Technology relating to the Enhancement and Conservation of National Environmental Quality Act, B.E.2535 to the Ministry of Natural Resource and Environment, it is appropriate to amend the regulation of types and specifications of projects or businesses of Public Service, State or Private Enterprises that require an EIA according to the Notification of Ministry of Science and Technology.

Under Section 46, Section 48, Section 49 and Section 51 of the Enhancement and Conservation of National Environmental Quality Act, B.E.2535 notice as follows:

### **Article 1. Cancellation**

(1) Notification of Ministry of Science and Technology Re: The regulation of types and specifications of projects or business of Public Service, State or Private Enterprise that must report an EIA, issued on 24 August B.E.2535

(2) Notification of Ministry of Science and Technology Re: The regulation of types and specifications of projects or businesses of Public Service, State or Private Enterprise that must report an EIA No.2 (B.E.2535), issued on 9 September B.E.2535

(3) Notification of Ministry of Science and Technology Re: The regulation of types and specifications of projects or businesses of Public Service, State or Private Enterprise that must report an EIA No.3 (B.E.2539), issued on 22 January B.E.2539

(4) Notification of Ministry of Science and Technology Re: The regulation of the principles, procedures, practices and guidelines of making an EIA, issued on 24 August B.E.2535

(5) Notification of Ministry of Science and Technology Re: The regulation of the principles, procedures, practices and guidelines of making an EIA No.2 (B.E.2535), issued on 9 September B.E.2535

(6) Notification of Ministry of Science and Technology Re: The regulation of the principles, procedures, practices and guidelines of making an EIA No.3 (B.E.2539), issued on 22 January B.E.2539

(7) Notification of Ministry of Science and Technology Re: The regulation of the principles, procedures, practices and guidelines of making and EIA No.4 (B.E.2543), issued on 19 June B.E.2543

Article 2. In this notification

“Building of Retail or Wholesale Business” means building according to the Building Control Act for doing retail or wholesale business of consumer goods; mostly for use in private daily routine.

“Retail or Wholesale Business” means retail or wholesale business of consumer goods; mostly for use in private daily routine.

“Retail” means doing business by selling small amounts consumer goods for customers.

“Wholesale” means doing business by selling large amounts of consumer goods for buyers in order to continue selling or providing services to consumers.

Article 3. The regulation of types and specifications of projects or businesses that require an EIA including the principles, procedures, practices and guidelines of making an EIA report is subject to annex 1. except the types and specifications of projects or businesses on No. 1.5 and 26.2 that are subject to annex 1. That must make an initial report.

Article 4. The guidelines for making an EIA report or to report the beginning of an EIA is subject to annex 2.

EIA reports or to report the beginning of an EIA must be done by an educated, licensed environment expert.

Article 5. Using article 3. to enforce the expansion of a project or business an EIA report must be made or the beginning of an EIA must be made by mutatis mutandis.

Article 6. A project or business according to Article 1. (1) (2) or (3) that submits an EIA report before this Notification is forced must follow the principles,

procedures, practices and guidelines of making EIA report according to Notification Article No.1 (4) (5) (6) or (7) until the EIA expert committee makes an resolution.

Article 7. This Notification shall come into force after 120 days following the date of its publication in the Government Gazette.

## Annex 1

1. Projects or businesses of Public Service, State or Private Enterprises that must be submitted after the Cabinet’s resolution (Submit the report before submitting to the Cabinet).

2. Projects or businesses of Public Service, State Enterprise that must not necessarily be submitted after the Cabinet’s resolution. Submit the report during the procedure of applying for projects, approval for the budget or before construction.

3. Projects or business that must be approved from Public Service, report as per the following annex

No.	Types of Projects or Business	Capacity	Principle, procedure, practice
1.	Mining according to the Minerals Act		
	1.1 Mining Projects as follow:		
	1.1.1 Coal Mining	All	Submit on the procedure of applying for Prathanabat
	1.1.2 Potash Mining	All	Submit on the procedure of applying for Prathanabat
	1.1.3 Stone salt Mining	All	Submit on the procedure of applying for Prathanabat
	1.1.4 Limestone Mining for Cement Industrial Enterprise	All	Submit on the procedure of applying for Prathanabat
	1.1.5 All Metal Mining	All	Submit on the procedure of applying for Prathanabat
	1.2 Underground Mining Projects	All	Submit on the procedure of applying for Prathanabat
	1.3 All kinds of Mining located as follows:		
	1.3.1 First-class quality basin of a river according to the Cabinet’s resolution		
	1.3.2 Sea	All	Submit on the procedure of applying for Prathanabat
	1.3.3 Conservation Forest addition by the Cabinet’s resolution		Submit on the procedure of applying for Prathanabat
	1.3.4 Ground water that important between countries	All	Submit on the procedure of applying for Prathanabat
	1.3.5 Land located near ancient remains, old tale, history or a historical national park	All	Submit on the procedure of applying for Prathanabat

	1.4 Mining projects using explosive materials 1.5 Other mining projects according to the Minerals Act except 1.1, 1.2, 1.3 and 1.4	All  All  All  All	Submit on the procedure of applying for Prathanabat   Submit on the procedure of applying for Prathanabat Submit on the procedure of applying for Prathanabat
No.	Types of Projects or Business	Capacity	Principle, procedure, practice
2.	Development of Petroleum 2.1 Exploring Petroleum  2.2 Producing Petroleum	All  All	Submit in the procedure of applying for the approbation from responsible office Submit in the procedure of applying for the approbation from responsible office
3.	Projects to transport the Petroleum and Fuel Oil by Pipe	All	Submit in the procedure of applying for the license or the procedure of applying for the approving from responsible office
4.	Industrial enterprises	All	Submit in the procedure of approbation the projects
5.	Petrochemical industry projects that produce chemicals	More than 100 Tons per day	Submit in the procedure of applying for the projects
6.	Petroleum Refining Industry	All	Submit in the procedure of applying for the projects
7.	Analyzing or transmuting natural gas	All	Submit in the procedure of applying for the projects
8.	Chlor-alkaline Industry using Sodium Chloride (NaCl) as a material in the production of Sodium Carbonate (Na <sub>2</sub> CO <sub>3</sub> ) Sodium Hydroxyl (NaOH) Hydraulic Acid (HCl) Chlorine (Cl <sub>2</sub> ) Sodium Hypo chloride (NaOCl) and Bleaching power	Each or Compound more than 100 Tons per day	Submit in the procedure of applying for the projects
9.	Industry Producing Portland cement	All	Submit in the procedure of applying for the projects

10.	Industry producing paper pulp	More than 50 Tons per day	Submit in the procedure of applying for the projects
11.	Industry producing pesticides	All	Submit in the procedure of applying for the projects
12.	Industry producing chemical fertilizers	All	Submit in the procedure of applying for the projects
13.	Sugar Industries that produce: 13.1 cane sugar, white cane sugar, pure white cane sugar 13.2 glucose dextrose fructose or other similar products	All More than 20 Tons per day	Submit in the procedure of applying for the projects Submit in the procedure of applying for the projects

<b>No.</b>	<b>Types of projects</b>	<b>Specifications of projects</b>	<b>Principle, procedure, practice</b>
<b>14</b>	Iron or steel industry	- Iron or steel producer that has a production capacity of 100 tons per day or more	Submit in the procedure of applying for the projects
<b>15</b>	Mineral industry that is not an iron or steel industry	- Mineral producer that has a production capacity of 50 tons per day or more	Submit in the procedure of applying for the projects
<b>16</b>	Liquor and alcohol production industry	-Liquor and alcohol producer that has a production capacity of 40,000 liters per month  -Wine or beer producer that has a production capacity of 600,000 liters per month	Submit in the procedure of applying for the projects  Submit in the procedure of applying for the projects
<b>17</b>	Factories that recycle waste products according to the Factory Law	All capacities	Submit in the procedure of applying for the projects
<b>18</b>	Power plants	- Power plants that have a production capacity of 10 megawatt per day or more	Submit in the procedure of applying for the projects
<b>19</b>	Expressways	All capacities	Submit in the procedure of applying for the projects
<b>20</b>	Highway and roads according to the Highway Law that go through the following areas:  20.1 Reserved forest areas	All capacities	Submit in the procedure of

	20.2 National parks	All capacities	applying for the projects  Submit in the procedure of applying for the projects
	20.3 The plain area level 2 according to conclusion of the cabinet	All capacities	Submit in the procedure of applying for the projects
	20.4 Mangrove forest	All capacities	Submit in the procedure of applying for the projects
	20.5 Fifty meters from beach areas	All capacities	Submit in the procedure of applying for the projects
	20.6 Areas 2 kilometers from world heritage sites	All capacities	Submit in the procedure of applying for the projects
	20.7 Areas 2 kilometers from ancient remains, antiques, national parks, historical parks and national museums	All capacities	Submit in the procedure of applying for the projects
<b>21</b>	Public metal transit system	All capacities	Submit in the procedure of applying for the projects
<b>22</b>	Ports	-Capacity for vessels of 500 gross tons or more -Quay length of 100	Submit in the procedure of applying for the projects



		square meters or more - Total port area is amount of 1,000 square meters or more	
<b>23</b>	Marinas for docking boats for sport and recreational purposes	Marinas that have a capacity of 50 vessels or more or an area of 1,000 square meters or more	Submit in the procedure of applying for the projects
<b>24</b>	Man-made land projects	All capacities	Submit in the procedure of applying for the projects
<b>25</b>	Construction or enlargement of buildings close to or in the sea  25.1 Walls close to the beach  25.2 Dams against sand, surfs and water  25.3 Dam against surfs outside the beach	length of 200 square meters or more  All capacities  All capacities	Submit in the procedure of applying for the projects  Submit in the procedure of applying for the projects  Submit in the procedure of applying for the projects
<b>26</b>	Air transportation projects  26.1 construction of or enlargement of commercial water airports.  26.2 Water airports	Runway length of 1,100 meters or more	Submit in the procedure of applying for the projects

<p><b>27</b></p>	<p>Building according to the Building Control Act</p> <p>27.1 located in an area beside the river, lake, beach or close to or in a national park or historical park</p> <p>27.2 used for a retail or wholesale business</p> <p>27.3 used as an office building</p>	<p>Buildings that are 23 meters or taller or have all area of 10,000 square meters or more</p> <p>Buildings that are 23 meters or taller or has a total area of 10,000 square meters or more</p> <p>Buildings that are 23 meters or taller or have all area in amount of 10,000 square meters or more</p>	<p>Submit in the procedure of applying for the projects or the procedure to inform local officers according to Building Control Law</p> <p>Submit in the procedure of applying for the projects or the procedure to inform local officers according to Building Control Law</p> <p>Submit in the procedure of applying for the projects or the procedure to inform local officers according to Building Control Law</p>
<p><b>28</b></p>	<p>To allot the land for habitation or commerce according to the Land Development Law</p>	<p>Projects that have more than 500 plot of land or the area more than 100 Rai</p>	<p>Submit in the procedure of applying for land allotment according to The Land Development Law</p>
<p><b>29</b></p>	<p>Hospitals according to the Medical Premises Law</p> <p>29.1 located in an area close to the river, lake, beach within 50 meters</p>	<p>Hospitals that have 30 or more patients beds</p>	<p>Submit in the procedure of applying for the projects or the</p>

	29.2 Out of 29.1	Hospitals that have 60 or more patients beds	<p>procedure to inform local officers according to Building Control Law</p> <p>Submit in the procedure of applying for the projects or the procedure to inform local officers according to Building Control Law</p>
<b>30</b>	Hotels according to the Hotel Act	Hotels that have 80 rooms or more or have a usable area of 4,000 square meters or more	Submit in the procedure of applying for the projects or the procedure to inform local officers according to Building Control Law
<b>31</b>	Condominiums according to the Building Control Law	Condominiums that have 80 rooms or more or have a usable area of 4,000 square meters or more	Submit in the procedure of applying for the projects or the procedure to inform local officers according to Building Control Law
<b>32</b>	<p>Dam Projects</p> <p>32.1 Capacity</p> <p>32.2 Area</p>	<p>100 millions cubic meters or more</p> <p>15 square kilometers or more</p>	<p>Submit in the procedure of applying for the projects</p> <p>Submit in the procedure of applying for the projects</p>
<b>33</b>	Irrigation Projects	Those that have area of irrigation 80,000 Rai or more	Submit in the procedure of applying for the projects

<b>34</b>	All projects that are located in the plain area level 1 according to conclusion of the cabinet	All capacities	Submit in the procedure of applying for the projects