

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.

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.

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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 |
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| 1. | Mining according to the Minerals Act | All | Submit on the procedure of applying for Prathanabat |
| | 1.1 Mining Projects as follow: | All | Submit on the procedure of applying for Prathanabat |
| | 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 | All | Submit on the procedure of applying for Prathanabat |
| | Industrial Enterprise | | |
| | 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: | All | Submit on the procedure of applying for Prathanabat |
| | 1.3.1 First-class quality basin of a river according to the Cabinet's resolution | All | Submit on the procedure of applying for Prathanabat |
| | 1.3.2 Sea | All | Submit on the procedure of applying for Prathanabat |
| | 1.3.3 Conservation Forest addition by the | All | Submit on the procedure of applying for Prathanabat |

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| | <p>Cabinet's resolution</p> <p>1.3.4 Ground water that important between countries</p> <p>1.3.5 Land located near ancient remains, old tale, history or a historical national park</p> <p>1.4 Mining projects using explosive materials</p> <p>1.5 Other mining projects according to the Minerals Act except 1.1, 1.2, 1.3 and 1.4</p> | | <p>Submit on the procedure of applying for Prathanabat</p> <p>Submit on the procedure of applying for Prathanabat</p> <p>Submit on the procedure of applying for Prathanabat</p> |
| 2. | <p>Development of Petroleum</p> <p>2.1 Exploring Petroleum</p> <p>2.2 Producing Petroleum</p> | <p>All</p> <p>All</p> | <p>Submit in the procedure of applying for the approbation from responsible office</p> <p>Submit in the procedure of applying for the approbation from responsible office</p> |
| 3. | <p>Projects to transport the Petroleum and Fuel Oil by Pipe</p> | <p>All</p> | <p>Submit in the procedure of applying for the license or the procedure of applying for the approving from responsible office</p> |
| 4. | <p>Industrial enterprises</p> | <p>All</p> | <p>Submit in the procedure of approbation the projects</p> |
| 5. | <p>Petrochemical industry projects that produce chemicals</p> | <p>More than 100 Tons per day</p> | <p>Submit in the procedure of applying for the projects</p> |
| 6. | <p>Petroleum Refining Industry</p> | <p>All</p> | <p>Submit in the procedure of applying for the projects</p> |
| 7. | <p>Analyzing or transmuting natural gas</p> | <p>All</p> | <p>Submit in the procedure of applying for the projects</p> |
| 8. | <p>Chlor-alkaline Industry using Sodium Chloride (NaCl) as a material in the</p> | <p>Each or Compound</p> | <p>Submit in the procedure of applying for the projects</p> |

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| | production of Sodium Carbonate (Na ₂ CO ₃) Sodium Hydroxyl (NaOH) Hydraulic Acid (HCl) Chlorine (Cl ₂) Sodium Hypo chloride (NaOCl) and Bleaching power | more than 100 Tons per day | |
| 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 |
| 14 | 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 |
| 15 | 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 |

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| 16 | Liquor and alcohol production industry | <p>-Liquor and alcohol producer that has a production capacity of 40,000 liters per month</p> <p>-Wine or beer producer that has a production capacity of 600,000 liters per month</p> | <p>Submit in the procedure of applying for the projects</p> <p>Submit in the procedure of applying for the projects</p> |
| 17 | Factories that recycle waste products according to the Factory Law | All capacities | Submit in the procedure of applying for the projects |
| 18 | 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 |
| 19 | Expressways | All capacities | Submit in the procedure of applying for the projects |
| 20 | <p>Highway and roads according to the Highway Law that go through the following areas:</p> <p>20.1 Reserved forest areas</p> <p>20.2 National parks</p> | <p>All capacities</p> <p>All capacities</p> <p>All capacities</p> <p>All capacities</p> | <p>Submit in the procedure of applying for the projects</p> <p>Submit in the procedure of applying for the projects</p> <p>Submit in the procedure of</p> |

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| | <p>20.3 The plain area level 2 according to conclusion of the cabinet</p> <p>20.4 Mangrove forest</p> <p>20.5 Fifty meters from beach areas</p> <p>20.6 Areas 2 kilometers from world heritage sites</p> <p>20.7 Areas 2 kilometers from ancient remains, antiques, national parks, historical parks and national museums</p> | <p>All capacities</p> <p>All capacities</p> <p>All capacities</p> | <p>applying for the projects</p> <p>Submit in the procedure of applying for the projects</p> <p>Submit in the procedure of applying for the projects</p> <p>Submit in the procedure of applying for the projects</p> <p>Submit in the procedure of applying for the projects</p> |
| 21 | Public metal transit system | All capacities | Submit in the procedure of applying for the projects |
| 22 | Ports | <p>-Capacity for vessels of 500 gross tons or more</p> <p>-Quay length of 100 square meters or more</p> <p>- Total port area is amount of 1,000 square meters or more</p> | Submit in the procedure of applying for the projects |
| 23 | 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 |

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| 24 | Man-made land projects | All capacities | Submit in the procedure of applying for the projects |
| 25 | 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 |
| 26 | 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 |
| 27 | Building according to the Building Control Act 27.1 located in an area beside the river, lake, beach or close to or in a national park or historical park 27.2 used for a retail or wholesale business 27.3 used as an office building | Buildings that are 23 meters or taller or have all area of 10,000 square meters or more Buildings that are 23 meters or taller or has a total area of 10,000 square meters or more Buildings that are 23 meters or taller or have all area in amount of | Submit in the procedure of applying for the projects or the procedure to inform local officers according to Building Control Law Submit in the procedure of applying for the projects or the procedure to inform local officers according to Building Control Law Submit in the procedure of applying for the projects or the procedure to inform local officers according to Building Control Law |

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| | | 10,000 square meters or more | |
| 28 | To allot the land for habitation or commerce according to the Land Development Law | Projects that have more than 500 plot of land or the area more than 100 Rai | Submit in the procedure of applying for land allotment according to The Land Development Law |
| 29 | Hospitals according to the Medical Premises Law 29.1 located in an area close to the river, lake, beach within 50 meters 29.2 Out of 29.1 | Hospitals that have 30 or more patients beds Hospitals that have 60 or more patients beds | Submit in the procedure of applying for the projects or the procedure to inform local officers according to Building Control Law Submit in the procedure of applying for the projects or the procedure to inform local officers according to Building Control Law |
| 30 | 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 |
| 31 | 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 |

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| 32 | Dam Projects 32.1 Capacity 32.2 Area | 100 millions cubic meters or more 15 square kilometers or more | Submit in the procedure of applying for the projects Submit in the procedure of applying for the projects |
| 33 | Irrigation Projects | Those that have area of irrigation 80,000 Rai or more | Submit in the procedure of applying for the projects |
| 34 | 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 |

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