

NOTIFICATION OF MINISTRY OF NATURAL RESOURCES AND ENVIRONMENT**About defining type, size and procedure for Project or Activity which
May affect community severely in respect of both the quality of Environment,
Natural Resources and Health that Government agency, State Enterprise
Or Private Sector should prepare environmental impact assessment report
B.E. 2553 (2010)**

As it is appropriated to define type, size and procedure for Project or Activity which may affect community severely in respect of both the quality of Environment, Natural Resources and health that Government agency, State Enterprise or Private Sector should prepare environmental impact assessment report as well as the approval of the Cabinet in the meeting conducted on August 31, 2010 and it is agreeable with the Ministry of Natural Resources and Environment to announce type, size and procedure for Project or Activity which may affect community severely in respect of both the quality of environment, natural resources and health to fulfill the requirement of section 67 of the Constitution of the Kingdom of Thailand B.E. 2550.

By virtue of section 67 of the Constitution of the Kingdom of Thailand, with the approval of the Cabinet and section 46 and 51 of the Promotion and Conservation of National Environmental Quality Act B.E. 2535 (1992), and with the approval of the National Environmental Board, here by, the Minister of the Ministry of Natural Resources and Environment shall announce in the following:

Clause 1. of this announcement

“Upstream Petrochemical Industry” and “Intermediate Petrochemical Industry” is used according to the definition of the Petroleum Institution of Thailand.

“Carcinogens group 1” means list of Carcinogenic substances or agents group 1 which defined by the announcement of International Agency for Research on Cancer (IARC).

“Carcinogens group 2 A” means list of Carcinogenic substances or agents group 2 A which defined by the announcement of International Agency on Cancer (IARC).

Clause 2. Defining type, size and procedure for Project and Activity which may affect community severely in respect of both the quality of environment, natural resources and Health that Government Agency, State Enterprise and Private Sector should prepare environment impact assessment report mentioned in Annex hereto attached.

Clause 3. The project or activity in Clause 2 may include the project of Government Agency, State Enterprise or joint venture with Private Sector which required the approval of the Cabinet and the Project or Activity that required governmental permission in accordance to the law.

Clause 4. The preparation of environment impact assessment report of the Project or Activity in Clause 2, should follow specification in the notification of the Ministry of Natural

Resources and Environment, described defining, principle, method, procedure and guideline in preparation environmental impact assessment report for the Project or Activity which may affect community severely in respect of both the quality of environment, natural resources and health, dated December 29, 2009. And preparation of the mentioned environment impact assessment report shall be prepared by authorized preparer.

Clause 5. The effectiveness of this notification is the following date after its publication in the Royal Gazette.

Announced on August 31, 2010

Suwit Khunkitti

Minister of Natural Resources and Environment

ANNEX 1

1. In case of the project of Government Agency, State Enterprise or joint venture with Private Sector which required the approval of the cabinet, the report shall be submitted for prior stage of asking for Cabinet's approval.

2. In case of the Project of Government Agency, State Enterprise which does not require the approval by the Cabinet, the report shall be submitted prior construction or during stage of project or budget approval

3. In case of the Project or Activity which required legal permission from government agency, the report shall be submitted hereto attached table.

No.	Type of Projects or Activities	Size	Rules, Procedures, Practices
1	Land reclamation in the sea or lake in the external existing coastline except it is done for seashore improving purpose.	More than 300 Rai of land	Submitted for project's approval or project's permission
2	<p>Mining with defined by the Mineral Act as follow:</p> <p>2.1 Underground mining which the structure has been specifically designed for subsidence after stopping operation without being suspended or without refilling substituted material to avoid subsidence.</p> <p>2.2 Lead mine, Zinc mine or other metal which used Cyanide or Mercury or Lead Nitrate in production process or other metal mine which used Arsenopyrite as associated mineral.</p> <p>2.3 Coal mining which is specifically loaded Coal from the area by trucks.</p> <p>2.4 Marine mining</p>	<p>All sizes</p> <p>All sizes</p> <p>More than 200,000 ton per month or 2,400,000 ton per year</p>	<p>Submitted for mining concession</p> <p>Submitted for mining concession</p> <p>Submitted for mining concession</p>
3	<p>Industrial Estate in accordance to Industrial Estate Act or Project with identical characteristics of Industrial Estate mentioned as follow:</p> <p>3.1 Industrial Estate or Project with identical characteristics of Industrial</p>	All sizes	Submitted for project's approval or project's permission

No.	Type of Projects or Activities	Size	Rules, Procedures, Practices
	Estate which is established to support petrochemical industry described in 4 or ironworks industry that described in 5.1 or 5.2 more than 1 factory.		
	3.2 Industrial Estate or Project with identical characteristics of Industrial Estate which is expanding area to support petrochemical industry described in 4 or ironworks industry that described in 5.1 or 5.2	All sizes	Submitted for project's approval or project's permission
4	<p>Petrochemical Industry that mentioned in the following:</p> <p>4.1 Upstream Petrochemical Industry</p> <p>4.2 Intermediate Petrochemical Industry which is mentioned as follow:</p> <p>4.2.1 Intermediate Petrochemical Industry which is manufactured chemical substance or used chemical substances which are Cancer stimulant group 1 as raw material</p> <p>4.2.2 Intermediate Petrochemical Industry which is manufactured chemical substance or used chemical substances which are Cancer stimulant group 2A as raw material</p>	<p>All sizes Or extensive productivity more than 35% of the existing production</p> <p>Productivity is more than 100 ton per day or total extensive production is more than 100 ton per day</p> <p>Productivity is more than 700 ton per day or total extensive production is more than 700 ton per day</p>	<p>Submitted for construction's permission, operational permission or expansion</p> <p>Submitted for construction's permission, operational permission or expansion</p> <p>Submitted for construction's permission, operational permission or expansion</p>
5	<p>Mineral Smelting Industry or Melting Metal Industry which is mentioned in the following:</p> <p>5.1 Ironworks Industry</p>	Quantity of Ore input of production is more than 5,000 ton per day or the total quantity of ore input in production	Submitted for construction's permission, operational permission or expansion

Remark : The English version is the translation of the original in Thai for information purpose only and please be aware that only the Thai text has legal force. ONEP assumes no responsibility for its accuracy nor be held liable for any loss or damage arising from or related to its use.

No.	Type of Projects or Activities	Size	Rules, Procedures, Practices
		process is more than 5,000 ton per day	
	<p>5.2 Ironworks Industry which is manufactured Coke Coal or provided with sintering process</p> <p>5.3 Mineral Smelting Industry of Copper, Gold or Zinc</p> <p>5.4 Smelting Lead</p> <p>5.5 Melting Metal (except Iron and Aluminum) Industry</p> <p>5.6 Melting Lead Industry</p>	<p>All sizes</p> <p>Quantity of Ore input of production process is more than 1,000 ton per day or the total quantity of ore input in production process is more than 1,000 ton per day</p> <p>All sizes</p> <p>Quantity of output is more than 50 ton per day or the total output is more than 50 ton per day</p> <p>Quantity of output is more than 10 ton per day or the total output is more than 10 ton per day</p>	<p>Submitted for construction's permission, operational permission</p> <p>Submitted for construction's permission, operational permission or expansion</p> <p>Submitted for construction's permission, operational permission</p> <p>Submitted for construction's permission, operational permission or expansion</p> <p>Submitted for construction's permission, operational permission or expansion</p>
6	Manufacturing, disposal or modification of radioactive substance	All sizes	Submitted for operational permission
7	Central Waste Treatment Plant or Manufacturer that buried garbage or unused material which defined by the Factory Act which is burning or buried hazardous waste except burning in cement oven that used hazardous waste as substituted fuel or additional fuel	All sizes	Submitted for construction's permission, operational permission

Remark : The English version is the translation of the original in Thai for information purpose only and please be aware that only the Thai text has legal force. ONEP assumes no responsibility for its accuracy nor be held liable for any loss or damage arising from or related to its use.

No.	Type of Projects or Activities	Size	Rules, Procedures, Practices
8	Project of aviation transportation system	With the construction or expansion or extension of runway is longer than 3,000 meters	Submitted for project's approval or project's permission
9	Port	<p>1. With berth length of 300 meters or port area is 10,000 square meters except port for consuming cargo or recreational purposes</p> <p>2. With the digging of water course is more than 100,000 cubic meters except ferry port or port for consuming cargo or port for recreational purposes</p> <p>3. Used for loading hazard material or hazardous waste which is classified as carcinogens group 1 in total quantity of 25,000 tons per month or more or more than 250,000 tons per year</p>	<p>Submitted for project's approval or project's permission</p> <p>Submitted for project's approval or project's permission</p> <p>Submitted for project's approval or project's permission</p>
10	Dam or reservoir	<p>1. With the capacity of stored water is 100 million cubic meters or more</p> <p>2. The area of stored water is 15 square kilometers or more</p>	<p>Submitted for project's approval or project's permission</p> <p>Submitted for project's approval or project's permission</p>
11	<p>Thermal Power Plant as follow:</p> <p>11.1 Electric Plant using coal as fuel</p>	Total productivity of electricity is more than	Submitted for construction's permission, operational permission

Remark : The English version is the translation of the original in Thai for information purpose only and please be aware that only the Thai text has legal force. ONEP assumes no responsibility for its accuracy nor be held liable for any loss or damage arising from or related to its use.

No.	Type of Projects or Activities	Size	Rules, Procedures, Practices
		100 megawatts	
	11.2 Electric Plant that used biomass fertilization as fuel	Total productivity of electricity is more than 150 megawatts	Submitted for construction's permission, operational permission
	11.3 Electric Plant that used natural gas as fuel which is co-thermal system of combined cycle or co-generation	Total productivity of electricity is more than 3,000 megawatts	Submitted for construction's permission, operational permission
	11.4 Nuclear Power Plant	All sizes	Submitted for construction's permission, operational permission

Remark : The English version is the translation of the original in Thai for information purpose only and please be aware that only the Thai text has legal force. ONEP assumes no responsibility for its accuracy nor be held liable for any loss or damage arising from or related to its use.