

**NOTIFICATION OF MINISTRY OF NATURAL RESOURCES AND
ENVIRONMENT**

**Re: Types and Sizes of Projects or Activities Requiring Environmental Impact
Assessment Report and Rules, Procedures, Practices and Guidelines for Preparing
Environmental Impact Assessment Report (No. 7)
B.E. 2558 (2015)**

Whereas it is expedient to amend the Notification of Ministry of Natural Resources and Environment Re: Types and Sizes of Projects or Activities Requiring Environmental Impact Assessment Report and Rules, Procedures, Practices and Guidelines for Preparing Environmental Impact Assessment Report, Dated 24th April B.E. 2555 (2012) for enhanced suitability;

By virtue of section 46 and section 51 of the Enhancement and Conservation of the National Environmental Quality Act, B.E. 2535 (1992) (as amended by section 114 of the Royal Decree Amending Provisions of Laws to be in line with the Transfer of Authorities of Government Agencies in Complying with the Reorganisation of Ministry, Sub-Ministry, and Department Act, B.E. 2545 (2002)), the Minister of Natural Resources and Environment, with approval of the National Environment Board, hereby issues the Notification as follows:

Clause 1. The following definitions shall be added after the definition of “iron or steel industry” in Clause 2 of the Notification of Ministry of Natural Resources and Environment Re: Types and Sizes of Projects or Activities Requiring Environmental Impact Assessment Report and Rules, Procedures, Practices and Guidelines for Preparing Environmental Impact Assessment Report, Dated 24th April B.E. 2555 (2012):

“waste” means waste paper, waste cloth, waste food, waste goods, waste materials, plastic bags, food containers, ashes, animal dung or carcasses or any other things swept away from roads, marketplaces, animal farms or other places;

“area where air pollution level exceeds 80 percent” means an area where the measurement of total suspended particulate or particulate matter no larger than 100 microns, particulate matter no larger than 10 microns, sulfur dioxide and nitrogen dioxide before the operation of a thermal power plant using waste as fuel is more than 80 percent of the parameters specified in the Notification of National Environment Board issued under section 32 of the Enhancement and Conservation of the National Environmental Quality Act, B.E. 2535 (1992) in at least 4 locations, provided that the measurement is conducted on at least 7 consecutive days during a period from March to September and a period from October to February and each measurement shall be conducted 5 – 7 months apart from each other, and all activities occurring during the measurement and a layout plan indicating locations where measurement takes place are recorded.

Clause 2. The content of item no. 18 in Annex 3 of the Notification of Ministry of Natural Resources and Environment Re: Types and Sizes of Projects or Activities Requiring Environmental Impact Assessment Report and Rules, Procedures, Practices and Guidelines for Preparing Environmental Impact Assessment Report, Dated 24th April B.E. 2555 (2012) shall be repealed and replaced by the following:

No.	Type of Projects or Activities	Size	Rules, Procedures, Practices
“18	<p>All types of thermal power plants, except waste-to-energy plants</p> <p>Waste-to-energy plants that are exempted shall not be located in the following areas:</p> <p>(1) Class 1 or Class 2 Watershed Area designated by the Cabinet resolution;</p> <p>(2) Environmentally protected area under the Notification of Ministry of Natural Resources and Environment;</p> <p>(3) Conservation forest area under the Cabinet resolution;</p> <p>(4) Ramsar Site designated by the Cabinet resolution;</p> <p>(5) Area where air pollution level exceeds 80 percent of the National Ambient Air Quality Standards</p>	Productivity of electricity of 10 megawatts or more	Submitted when applying for permission for construction or operation, as the case may be”

Clause 3. The review process of all environmental impact assessment reports of the projects exempted from preparation of an environmental impact assessment report under Clause 2 which have been submitted to the Office of Natural Resources and Environmental Policy and Planning prior to the date on which this Notification comes into force and have not yet been approved by the expert committee, shall be deemed terminated.

In the case where the expert committee has approved the environmental impact assessment report pursuant to paragraph one prior to the date on which this Notification comes into force and, after this Notification has come into force, the owner of the project or activity has filed a request for permission under other relevant laws relying on such approval of the expert committee as a supporting document, it shall be deemed that the owner of the project or activity has prepared a report in compliance with the conditions specified in such laws.

Clause 4. This Notification shall come into force as from the day following the date of its publication in the Government Gazette.

Given on the 19th Day of August B.E. 2558 (2015)

General Dapong Rattanasuwan

Minster of Natural Resources and Environment

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