

Notification of Ministry of Natural Resources and Environment

Re: Criteria, procedure, regulation and guideline for preparing the initial environmental evaluation (IEE) report and environmental impact assessment (EIA) report in the environmental protection areas of Bang Lamung District and Sattahip District in Chonburi Province

B.E. 2553

By the virtue of the Article 46 of the Enhancement and Conservation of National Environmental Quality Act, B.E. 2535, which contains some provisions concerning the limitation of the people rights and liberties that is permissible by the provisions of section 29 together with section 33, 38, 41 and 43 of the Constitution of the Kingdom of Thailand, and of the Article 9 of the Notification of Ministry of Natural Resources and Environment regarding designation of environmental protection area and measure of Bang Lamung District and Sattahip District in Chonburi Province B.E. 2553 (2010); Minister of Natural Resource and Environment, by the approval of the National Environment board, therefore prescribes criteria, procedure, regulation and guideline for preparing the initial environmental evaluation (IEE) report and environmental impact assessment (EIA) report in the environmental protection areas of Bang Lamung District and Sattahip District in Chonburi Province as follows:

1. Notification of Ministry of Science, Technology and Environment regarding type and size of project or activity and criteria, procedure, regulation and guideline for preparing the initial environmental evaluation (IEE) report in the environmental protection areas of Phuket Province, Krabi Province, and Pattaya City in Chonburi Province dated 12th June B.E. 2543 (2000) shall be revoked.

2. Type and size of project or activity required to prepare the IEE report and EIA report and procedure of report submission shall follow the attachment 1 of this Notification.

3. In case that project or activity will be modified, changed of a building's use or expanded that it falls into the list of project or activity as prescribed in the attachment 1 of this Notification, it is required to prepare the IEE report or EIA report as the case maybe.

4. Guideline for preparing the IEE report and EIA report shall follow the attachment 2 of this Notification and the guideline of each specific project or activity as prescribed by Ministry of Natural Resources and Environment.

5. The IEE report or EIA report shall be prepared by a person having permitted to be the EIA expert.

6. The IEE report or EIA report shall be submitted to Office of Natural Resources and Environmental Policy and Planning (ONEP) and to the competent official authorized by such law.

7. In case of the project or activity belonged to the government agency, state enterprise, or the government-private joint project or activity, which is required to get the approval from the

cabinet, the IEE report or EIA report shall be submitted to ONEP and the competent official in prior to the submission to the cabinet.

8. In case of the project or activity belonged to the government agency, state enterprise, which is not required to get approval from the cabinet, the IEE report or EIA report shall be submitted when the project or activity is applied for approval or for budget, or before starting construction, as the case maybe.

9. In case that the project or activity is required by law to get a permit from the government agency, the IEE report or EIA report shall be submitted as prescribed in the attachment 1 of this Notification.

10. Project or activity mentioned in the attachment 1 of this Notification, which falls into the project or activity prescribed in the Notification of Ministry of Natural Resources and environment regarding type and size of project or activity required to submit environmental impact assessment report; and criteria, procedure, regulation and guideline to prepare environmental impact assessment report dated 16th June B.E. 2552 (2009), shall be under the authorization of the technical committee on EIA report appointed by the order of the National Environment Board regarding the appointment of the technical committee on EIA report in each area.

Announced on 14th October B.E. 2553 (2010)

(Suwit Khunkitti)

Minister of Natural Resources and Environment

Preparation and Submission Procedure of IEE Report

No.	Type of Project or Activity	Submission Procedure
1	Substation or power distribution plant	Submit when applying for a construction permit or for a business operation permit, as the case maybe
2	Hotel or resort according to the hotel law, or common housing building according to the building control law, which is located farther than 50 m. from a shoreline and having numbers of room from 10-79 rooms or having a total functional area of every building from 500 m ² but less than 4,000 m ²	Submit when applying for a construction permit or when reporting to the local officer according to the building control law in case of not applying for a construction permit.
3	Hospital or sanatorium according to the sanatorium law, which is having in-patient bed from 10-29 beds	Submit when applying for a construction permit or when reporting to the local officer according to the building control law in case of not applying for a construction permit.
4	Land allocation for the purpose of residential or commercial according to the land allocation law, which is having total units less than 250 units or less than 100 rai	Submit when apply for land allocation according to the land allocation law.
5	All types of port that have capacity for ship of 100 gross tonnage but less than 500 gross tonnage, or its berth length is less than 100 m. and total port area less than 1,000 m ² . This excludes all sizes of port for recreational ship and sport ship.	Submit when applying for a project permit or approval.
6	Personal road or street constructed on the area where size of a slope is higher from 15% and having continuous length from 500 – 1,500 m.	Submit when applying for a construction permit.
7	Highway or road, according to the highway act, which is constructed on the area where size of a slope ranged from 15%-25%	Submit when applying for a project permit or approval.
8	Central waste treatment plant having capacity not higher than 3,000 m ³ /day or solid waste treatment facility having its capacity not more than 50 ton/day but excluding central industrial waste treatment plant according to the factory law.	Submit when applying for a construction permit or a business operation permit, as the case maybe.
9	A business, which uses a residential house comprising of 10-79 units, or a row house, a commercial building or a townhouse having numbers of room from 10-79 room and is constructed on the same plot of land or continuous plot of land, to provide a lodging service as a hotel according to the hotel law.	Submit when applying for a construction permit or when reporting to the local officer according to the building control law in case of not applying for a construction permit.

Preparation and Submission Procedure of EIA Report

No.	Type of Project or Activity	Submission Procedure
1	Hotel or resort according to the hotel law, or common housing building according to the building control law, which is located farther than 50 m. from a shoreline and having numbers of room from 80 rooms or having a total functional area of every building from 4,000 m ²	Submit when applying for a construction permit or when reporting to the local officer according to the building control law in case of not applying for a construction permit.
2	Hotel or resort according to the hotel law, or common housing building according to the building control law, which is located less than 50 m. from a shoreline.	Submit when applying for a construction permit or when reporting to the local officer according to the building control law in case of not applying for a construction permit.
3	Hospital or sanatorium according to the sanatorium law, which is having in-patient bed from 30 beds.	Submit when applying for a construction permit or when reporting to the local officer according to the building control law in case of not applying for a construction permit.
4	Land allocation for the purpose of residential or commercial according to the land allocation law, which is having total units from 250 units or greater than 100 rai.	Submit when apply for land allocation according to the land allocation law.
5	All types of port that have capacity for ship of a size from 500 gross tonnage, or its berth length is from 100 m. or total port area is from 1,000 m ² .	Submit when applying for a project permit or approval.
6	All sizes of port for recreational and sport boat	Submit when applying for a project permit or approval.
7	Personal road or street constructed on the area where size of a slope is higher from 15% and having continuous length from 1,500 m.	Submit when applying for a construction permit.
8	Highway or road, according to the highway act, which is constructed on the area where size of a slope ranged from 25%	Submit when applying for a project permit or approval.
9	Central waste treatment plant having capacity higher than 3,000 m ³ /day or solid waste treatment facility having its capacity more than 50 ton/day, and central industrial waste treatment plant according to the factory law.	Submit when applying for a construction permit or a business operation permit, as the case maybe.
10	A business, which uses a residential house comprising of 80 units as a minimum, or a row house, a commercial building or a townhouse having numbers of room from 80 rooms and is constructed on the same plot of land or continuous plot of land, to provide a lodging service as a hotel according to the hotel law.	Submit when applying for a construction permit or when reporting to the local officer according to the building control law in case of not applying for a construction permit.

No.	Type of Project or Activity	Submission Procedure
11	High-rise building or extra large building according to the building control law	Submit when applying for a construction permit or when reporting to the local officer according to the building control law in case of not applying for a construction permit.

Guideline for Preparing the IEE Report

1. Main content

1.1 Introduction: describe background, objective, justification of the project, including objective, scope and methodology of the IEE report.

1.2 Site of the project: photo and map of the site in appropriate scale, including a map showing environmental component which may be affected from the project shall be shown.

1.3 Alternative options of the project site and the project implementation methodology: describe reasons and justifications of the options proposed.

1.4 Detail of the project: describe a clear overview detail of the project such as type and size of the project, alternative option for the project site and project implementation methodology, reasons and justifications of the proposed options, detail procedure or related project activities, layout of land utilization of the project in appropriate scale and direction.

1.5 Present environmental condition: describe detail together with photos of natural resources and environment in both physical and biological aspects by classifying into capacity of rehabilitation and non-rehabilitation; human use value; quality of life value; as well as current problems around the site with photos, environmental conditions in surrounding area; utilization of land around the site and in other areas that may be affected from the project in short term and long term.

1.6 Major environmental impact: evaluation of initial environmental impact of the project shall be conducted by focusing on the significant impact that may be directly occurred from the project and the indirect impact that may be occurred to natural resources and environment and all related values mentioned in 1.5

1.7 Mitigation and compensation measure: detail of mitigation measure caused by 1.6 shall be described. In case of an unavoidable damage, compensation to the damage shall also be described.

1.8 Environmental quality monitoring measure: environmental monitoring plan, which is technically and practically suitable for the project, shall be proposed. This monitoring plan will be a part of the project's post monitoring and evaluation.

1.9 Table summarizing important environmental impact and mitigation measure
The IEE report shall be conducted on the basis of public participation and social environmental impact assessment guideline.

2. Attached document and evidence

2.1 IEE report for not less than 15 copies

2.2 Front cover and title page of the IEE report, according to Sor Por 7 Form

2.3 Certified letter of the IEE report and list of the IEE study team, as shown in Sor Por 8 Form

2.4 List of the IEE study team, as shown in Sor Por 9 Form

2.5 A copy of a permit to make the IEE report

Initial Environmental Evaluation Report

Name of the Project

Site of the Project

Project's Proponent

Address

Power of attorney

The project's proponent hereby appoints.....
as an attorney to submit the EIA report as evidence shown in the attached power
of attorney.

The project's owner does not give power of attorney to any person.

Prepared by

.....
(signature of a report maker)

Certified Letter

Date.....Month.....Year

This is to certified thatis assigned to
prepare the initial environmental evaluation report of the project entitled.....
tofor the purpose ofaccording to the application number.....

The expert and staff for preparing this EIA report are listed as follows:

Name of Expert

.....

Signature

.....

Name of staff

.....

.....

.....

Signature

.....

.....

.....

.....

(.....)

Position.....

(Company's seal)

List of the IEE Study Team

Name	Topic/Head of the study team	% of the responsible part to the whole report

Guideline for preparing the environmental impact assessment (EIA) report

1. Main content

1.1 Executive summary shall comprise the following issues:

1.1.1 Type and size of the project including all related activities

1.1.2 Site of the project: photos and map of the site showing environmental surroundings, which may be affected from the project. Scale of map shall be 1: 50,000 or as appropriate.

1.1.3 Alternative options of the project site and the project implementation methodology: describe reasons and justifications of the options proposed.

1.1.4 A report describing important impact to environment, mitigation and monitoring measure in compliance with a Sor Por 1 Form attached with this Notification.

1.2 Main report shall comprise the following issues:

1.2.1 Introduction: describe background, objective, justification of the project, including objective, scope and methodology of the EIA report.

1.2.2 Site of the project: photos and map of the site showing environmental surroundings, which may be affected from the project. Scale of map shall be 1: 50,000 or as appropriate.

1.2.3 Detail of the project: describe a clear overview detail of the project such as type and size of the project, project implementation methodology, detail procedure or related project activities, layout of land utilization of the project in appropriate scale and direction.

1.2.4 Present environmental condition: describe detail together with photos of natural resources and environment in both physical and biological aspects by classifying into capacity of rehabilitation and non-rehabilitation; human use value; quality of life value; as well as current problems around the site with photos, environmental conditions in surrounding area; utilization of land around the site and in other areas that may be affected from the project in short term and long term.

1.2.5 Evaluation of the alternative option for implementing the project and evaluation of the impact that may cause by the project.

(1) Alternative option for implementing the project: the EIA report shall describe alternative option, which may be the option for the project site or the project implementation methodology. Every proposed option shall be in line with the project's objective and shall describe reasons addressing to the project's goal and necessity either the project exists or non-exists. Mitigation measure shall be proposed in each option. The most suitable option shall be identified with justification and reasons.

(2) Evaluation of environmental impact: evaluation of environmental impact, both direct and indirect that may occur to natural resources and environment and to all values mentioned in 1.2.4 shall be described. Natural resources shall be classified to rehabilitation and non-rehabilitation. All possible impacts that may occur from the proposed options shall be evaluated and compared.

1.2.6 Mitigation and compensation measure: detail of mitigation measure caused by 1.2.5 shall be described. In case of an unavoidable damage, compensation to the damage shall also be described.

1.2.7 Environmental quality monitoring measure: environmental monitoring plan, which is technically and practically suitable for the project, shall be proposed. This monitoring plan will be a part of the project's post monitoring and evaluation.

1.2.8 Table summarizing important environmental impact and mitigation measure

The EIA report shall be conducted on the basis of public participation and social environmental impact assessment guideline, as well as the health impact assessment guideline.

2. Attached document and evidence

2.1 Full report for not less than 15 copies

2.2 Executive summary for not less than 15 copies

2.3 Front cover and title page of the EIA report, as shown in Sor Por 2 Form

2.4 Certified letter of the EIA report preparation, following Sor Por 3 Form

2.5 A copy of a permit to make the EIA report

2.6 List of the EIA study team, in Sor Por 9 Form

2.7 Submission form of the EIA report, as shown in Sor Por 6 Form

Sor Por 1 Form

**Report Describing Important Impact to Environment,
Mitigation and Monitoring Measure**

Environmental component and values	Important environmental impact	Prevention and mitigation measures	Environmental impact monitoring measures
Physical environmental resource			
Biological environmental resource			
Human use value			
Quality of life value			

Environmental Impact Assessment Report

Name of the Project

Site of the Project

Project's Proponent

Address

Power of attorney

() The project's proponent hereby appoints.....
as an attorney to submit the EIA report as evidence shown in the attached power
of attorney.

() The project's owner does not give power of attorney to any person.

Prepared by

.....
(signature of the entity making the report)

Certified Letter

Date.....Month.....Year

This is to certified thatis assigned to
prepare the initial environmental evaluation report of the project entitled.....
tofor the purpose ofaccording to the application number.....

The expert and staff for preparing this EIA report are listed as follows:

Name of Expert

.....

Signature

.....

Name of staff

.....

.....

.....

Signature

.....

.....

.....

.....

(.....)

Position.....

(Company's seal)

EIA Report Submission Form

Reason of EIA report submission

This project is required to conduct the EIA according to the Notification of Ministry of Natural Resources and Environment regarding Type and Size of Project or Activity Required to Submit Environmental Impact Assessment Report; And Criteria, Procedure, Regulation and Guideline to Prepare Environmental Impact Assessment Report. Type of the project is.....
.....

This project is required to conduct the EIA due to the cabinet resolution on.....
dated(please attached related cabinet resolution and document)

This project is required to conduct the EIA due to a requirement of Office of the Board of Investment

Others (specified)

EIA commissioning date

Application for a permit of the project

This EIA report is prepared to apply for a permit to.....
(please specify a competent office) according to the Act
article/category/section/no.....

This EIA report is prepared to apply for approval from the cabinet

This project is not required to apply for a permit from the government office and not required to get approval from the cabinet.

Others (specified)

Status of the Project (you can select more than 1 choice)

- Pre-feasibility study
- On a process of making the feasibility study
- Not start constructing yet
- Construction is on-going (attach photo specifying date of photographing)
- Machine test running
- In operation

This status is reported on the date of

List of the EIA Study Team

Name	Topic/Head of the study team	% of the responsible part to the whole report