

4<sup>th</sup> edition

# Environmental Impact Assessment in Thailand



Office of Natural Resources and Environmental Policy and Planning  
Ministry of Natural Resources and Environment  
September, 2021



# Preface

Since the UN Conference on the Human Environment in Stockholm, Sweden on 5<sup>th</sup> – 16<sup>th</sup> June, 1972, Thailand had the change in the environmental policy. The significant change occurred in 1975 when the enhancement and conservation of the national environmental quality act (NEQA), B.E. 2518 (1975) was enacted, especially the Environmental Impact Assessment (EIA), which was originally imposed in this law. The Thai EIA was concretely developed as the Ministry of Science Technology and Energy was imposed the notification to determine 10 types and sizes of projects or activities requiring reports on assessment and measures to prevent and resolve impacts affecting environmental quality. In B.E. 2527 (1984), the second Ministerial Regulation was enacted, prescribing the registration of the EIA consultant licensing.

The EIA system had been continuously developed until the NEQA, B.E. 2535 (1992) was enacted in 1992. This act had an important contribution of introducing and implementing the environmental impact assessment report review system by a committee of experts to consider the report. In B.E. 2535 – 2539 (1992 – 1996), the Ministry of Science, Technology and Environment announced additional types and sizes of projects or activities what would require EIA, raising it from 10 types to 22 types.

Later, the concept of environmental impact assessment system reformation was more concrete when the Constitution of the Kingdom of Thailand B.E. 2550 (2007) was in effect. The provision on Section 67, paragraph two of the B.E. 2550 (2007) Constitution prompted the improvement of the EIA system, such as the prescription on types and sizes of seriously impact project on natural resources, environmental quality, and health, required the Environmental Health Impact Assessment (EHIA), the strict public participation guideline and the driving of Strategic Environmental Assessment (SEA) as the tool of policy-plan-program making both sectoral-based and area-based for the executive's decision making.

# Contents



After the Constitution of the Kingdom of Thailand B.E. 2560 (2017) went into effect, the EIA system was revised by the amendment of EIA regulation on NEQA B.E. 2535 (1992), which is the NEQA (No.2) B.E. 2561 (2018) and the secondary legislation under the amendment act such as the rule and guidance of measures implementation report and the assignment of state agency to act on the behalf of Office of Natural Resources and Environmental Policy and Planning (ONEP), etc.

ONEP has foreseen that the Environmental Impact Assessment procedure has been continuously developed and revised in many issues, especially the regulations as mentioned above, consequently ONEP has published the guidance “Environmental Impact Assessment in Thailand” to other agencies, educational institutions, project developers, project planners, entrepreneurs, and the public to acknowledge and understand, and operate properly according to the laws.

Office of Natural Resources  
and Environmental Policy and Planning  
September, 2021



<b>Enhancement and Conservation of the National Environmental Quality Act, No.2) B.E. 2561 (2018)</b>	<b>7</b>
<b>Projects, undertakings, or operations required to prepare the Initial Environmental Examination report</b>	<b>24</b>
<b>Projects, undertakings, or operations required to prepare the Environmental Impact Assessment report</b>	<b>24</b>
<b>Annex 1</b> 22 Main river basins of Thailand	<b>34</b>
<b>Annex 2</b> 23 Principal rivers of Thailand	<b>34</b>
<b>Projects, undertakings, or operations which may seriously impact natural resources, environmental quality, health, sanitation and life quality of people in a community that are required to prepare the Environmental Health Impact Assessment report</b>	<b>35</b>
<b>Projects within the Environmentally Protected Areas (EPA)</b>	<b>41</b>
<b>Types and Sizes of Projects in Forest Conservation Area that required EIA report, IEE report, Environmental Checklist</b>	<b>42</b>



<b>Figure 1</b>	Approval process for projects undertakings, or operations required the approval by the cabinet	<b>43</b>
<b>Figure 2</b>	Approval process for projects undertakings, or operations which are required the EIA by law, and not required the approval by the cabinet	<b>44</b>
<b>Figure 3</b>	Approval process for projects, undertakings, or operations which may seriously impact natural resources, environmental quality, health, sanitation, life quality of people in a community that are required the EHIA by law, and not required the approval by the cabinet	<b>45</b>
<b>Figure 4</b>	Approval process for projects, undertakings, undertakings, or operations which may seriously impact natural resources, environmental quality, health, sanitation, life quality of people in a community, that are required by law and the approval by the cabinet	<b>46</b>
<b>SMART EIA</b>		<b>47</b>
<b>All QR CODE</b>		<b>48</b>

## Enhancement and Conservation of National Environmental Quality Act, (No.2) B.E. 2561 (2018)



**His Majesty King Maha Vajiralongkorn  
Bodindradebayavarangkun**

**Given on the 16<sup>th</sup> Day of April B.E. 2561 ;  
Being the 3<sup>rd</sup> Year of the Present Reign.**

His Majesty King Maha Vajiralongkorn Bodindradebayavarangkun is graciously pleased to proclaim that:

Whereas it is expedient to amend the law on the enhancement and conservation of national environmental quality;

This Act contains certain provisions that restrain the rights and freedoms of persons which Section 26 along with Sections 33, 37, and 40 of the Constitution of the Kingdom of Thailand requires powers of a law to do so;

The reason and necessity to restrain the rights and freedoms of persons under this Act are to efficiently carry on the country's environmental management which will benefit enhancement and conservation of environmental quality, people's health, and public interest. Passing this Act is therefore consistent with the conditions provided in Section 26 of the Constitution of the Kingdom of Thailand.

Be it, therefore, enacted by the King, and with the advice and consent of the National Legislative Assembly serving at the National Assembly, as follows:

**Section 1** This Act is called the "Enhancement and Conservation of the National Environmental Quality Act (No.2) B.E. 2561 (2018)."

**Section 2** This Act shall come into force after an expiration of 90 days from the date of its publication in the Government Gazette.

**Section 3** The term "environmental impact analysis report" in the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535, shall be amended to "environmental impact assessment report" at all places.

**Section 4** The definition of "state agency" shall be added between the definitions of "conservation area" and "local official" in Section 4 of the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535:

"state agency" means a civil service unit, state-owned enterprise, public organization, local government administration, and any other state agency established by law."

**Section 5** The text in Part 4: Providing Environmental Impact Analysis Reports, Sections 46, 47, 48, 49, 50, and 51 of Chapter III: Environmental Protection of the Enhancement and Conservation of the National Environmental Quality Act B.E.2535 as amended by Order of National Council for Peace and Order No.9/2559 on Amendment to the Law on Enhancement and Conservation of National Environmental Quality, dated 7 March B.E. 2559, shall be repealed and replaced by the following provisions:

**"Part 4**

**Providing Environmental Impact Assessment Reports**

**Section 46** In this part, unless it is stated otherwise:

"environmental impact assessment" means a procedure for studying and assessing impacts that may occur due to carrying on any project, undertaking, or operation of the State or which the State will give permission to operate, that may directly or indirectly impact natural resources, environmental quality, health, sanitary, life quality, or other interests of people or communities by going through the process of public participation, in order to determine measures to prevent and rectify such impacts. Results of the study shall be called an "environmental impact assessment report";

"permit/permission" means an act that a government official consents to a person's action which the law requires a consent, and shall include issuing a license/permit, authorization, registration, enrollment, notification receipt, and granting a concession and license;

"operator" means an owner of the project, undertaking, or operation which is required to provide an environmental impact assessment report under Section 48 and shall include a juristic person manager of a condominium for common property under the law on condominiums as well as an allocator of land or a housing complex committee of the juristic person of the housing complex to provide public facilities under the law on land allocation;

**Section 47** In case where there is a strategic environmental assessment in accordance with any other regulation or law, the environmental impact assessment shall take into consideration the finding of such strategic environmental assessment.



**Section 48** For the benefit of enhancing and conserving environmental quality, the Minister, with the National Environmental Board's approval, shall have the power to issue a notification specifying that any project, undertaking, or operation of the State or which the State will give any person permission to operate, is a project, undertaking, or operation that impacts the environment or may seriously impact natural resources, environmental quality, health, sanitary, life quality, or other important interests of people, communities, or environment, which an operator or person asking for permission must provide an environmental impact assessment report.

Rules, procedure, and conditions on providing an environmental impact assessment report under paragraph one, shall be prescribed in the Minister's notification with the National Environmental Board's approval. Those rules, procedure, and conditions may be different due to categories or sizes of projects, undertakings, or operations and shall at least consist of the subject matter of detail of the project, undertaking, or operation; current environmental situation; assessment of alternatives that can be operated; assessment of environmental impact which may directly and indirectly occur due to implementing the project, undertaking, or operation; public participation in the environmental impact assessment; and measures to prevent and rectify impacts and to compensate and remedy injuries and damages.

In addition to the requirements under paragraph two, when providing an environmental impact assessment report for a project, undertaking or operation of the State or which the State will give any person permission to operate, that may seriously impact natural resources, environmental quality, health, sanitary, life quality, or other important interests of people, communities, or environment, an operator or person asking for permission shall also assess health impact and hold a public hearing for the people with interests and relevant people and communities in accordance with the rules, procedure, and conditions prescribed in the Minister's notification, with the National Environmental Board's approval.

The Office of Natural Resources and Environmental Policy and Planning shall recommend that the National Environmental Board review the notification under paragraph one every five years or, if necessary, within a shorter timeframe.

**Section 49** In case where the project, undertaking or operation that is required to provide an environmental impact assessment report under Section 48, is a project, undertaking or operation of a state agency or which a state

agency jointly implements with a private sector, that shall be submitted for the Cabinet's approval pursuant to a governmental regulation, the state agency responsible for that project, undertaking, or operation, shall provide an environmental impact assessment report from feasibility study of the project, undertaking, or operation and submit it to the National Environmental Board who will submit its opinions to the Cabinet for consideration. In submitting the National Environmental Board's opinions, there shall also be the expert committee's opinions attached for consideration.

In considering the environmental impact assessment report pursuant to paragraph one, the Cabinet may request that any person or institution with proficiency or expertise in environmental impact assessment conduct a study and submit a report or opinions for consideration.

In case where the project, undertaking or operation which is required to provide an environmental impact assessment report under Section 48, is a project, undertaking, or operation of a state agency, that is not required a submission for the Cabinet's approval or not required a legal permission, the state agency responsible for that project, undertaking, or operation, shall *mutatis mutandis* provide and submit an environmental impact assessment report in accordance with the rules, procedure, and conditions as prescribed in Sections 50 and 51/1.

In case where the project, undertaking or operation which is required to provide an environmental impact assessment report under paragraph one, is a project, undertaking, or operation on transportation, irrigation, disaster prevention, hospitals, or residences which is urgently necessary for the public interest, during the waiting period that the environmental impact assessment report is considered, the state agency responsible for such project, undertaking, or operation, may propose the Cabinet to approve a procedure or process to acquire a private sector who will undertake such work for a while. However, the state agency shall not sign a contract for commitment or granting a right to such private sector.

**Section 50** In case where the project, undertaking, or operation which is required to provide an environmental impact assessment report pursuant to Section 48, is a project, undertaking, or operation that is required a legal permission before starting construction or operation, the operator or person asking for permission shall submit an environmental impact assessment report to an official with the legal power to grant permission under such specific law as well as submit it to the Office of Natural Resources and

Environmental Policy and Planning or the state agency assigned by the National Environmental Board to act on its behalf. The report to be submitted in this case may be an initial environmental impact assessment report in accordance with the rules, procedure, and conditions as prescribed by the Minister pursuant to Section 48, paragraph two.

The official with the legal power to grant permission shall pend an order to grant permission to implement the project, undertaking, or operation under paragraph one until the environmental impact assessment report is approved or deemed approved from the expert committee as well as he/she receives a letter notifying findings of the environmental impact assessment report from the Office of Natural Resources and Environmental Policy and Planning or the state agency assigned by the National Environmental Board to act on its behalf.

The Office of Natural Resources and Environmental Policy and Planning or the state agency assigned by the National Environmental Board to act on its behalf, shall examine the environmental impact assessment report and relevant documents submitted. If it considers that such environmental impact assessment report is not provided in accordance with the rules, procedure, and conditions as prescribed in Section 48, paragraph two or three, or the documents are not complete, the Office of Natural Resources and Environmental Policy and Planning or the state agency assigned by the National Environmental Board to act on its behalf, shall inform the operator or person asking for permission who has submitted the environmental impact assessment report, within fifteen days from the date of receipt of that environmental impact assessment report.

In case where the Office of Natural Resources and Environmental Policy and Planning or the state agency assigned by the National Environmental Board to act on its behalf, considers that the environmental impact assessment report is accurate and the documents are complete, or corrections have been made according to paragraph three, the Office of Natural Resources and Environmental Policy and Planning or the state agency assigned by the National Environmental Board to act on its behalf, shall submit its initial opinion on such environmental impact assessment report within thirty days from the date of receipt of that environmental impact assessment report for submission to the expert committee's consideration.

In proceeding under this Section, the Office of Natural Resources and Environmental Policy and Planning with the National Environmental

Board's approval, may assign another state agency to act on its behalf unless the project, undertaking, or operation which is required to provide an environmental impact assessment report under paragraph one, is a project, undertaking, or operation that may seriously impact natural resources, environmental quality, health, sanitary, life quality, or any other important interests of people, communities, or environment, or is a project, undertaking, or operation under Section 49, paragraph four. This shall be in accordance with the rules and procedure prescribed in the National Environmental Board's notification.

A state agency assigned by the National Environmental Board to act on the Office of Natural Resources and Environmental Policy and Planning's behalf under paragraph five, shall report results of its work and the expert committee's consideration of the environmental impact assessment report to the National Environmental Board within the time period under the rules and procedure as prescribed in the National Environmental Board's notification.

**Section 51** The National Environmental Board shall appoint expert committees to perform duties in considering environmental impact assessment reports. Each expert committee shall comprise qualified or expert persons from different relevant academic fields. There shall also be officials with the legal power to grant permission to the undertaking that is a subject matter in continuing the project, undertaking or operation as committee members.

The rules, procedure, and conditions in appointing expert committee members under paragraph one, shall be as prescribed in the National Environmental Board's notification.

Sections 16 and 17 shall apply *mutatis mutandis* to meetings of expert committees under paragraph one.

**Section 51/1** An expert committee shall consider an environmental impact assessment report within forty-five days from the date of receipt of that environmental impact assessment report from the Office of Natural Resources and Environmental Policy and Planning or the state agency assigned by the National Environmental Board to act on its behalf. If the expert committee does not complete its consideration within the time period, it shall be deemed that the expert committee gives approval.

In case where the expert committee does not give its approval, the operator or person asking for permission shall amend or provide anew the environmental impact assessment report in accordance with the guidelines, details, issues, or topics as required by the expert committee within one hundred and eighty

days from the date of receipt of the expert committee's notification of its finding. Otherwise, it shall be deemed that the operator or person asking for permission does not intend to submit that environmental impact assessment report and shall be also deemed that the consideration process of that environmental impact assessment process is concluded. However, this shall not affect the right of the operator or person asking for permission to submit a new environmental impact assessment report pursuant to Section 50.

When the operator or person asking for permission submits the environmental impact assessment report which has been amended or provided anew, the expert committee shall complete its consideration within thirty days from the date of receipt of such report. If the expert committee does not complete its consideration within the time period, it shall be deemed that the expert committee gives approval.

In case where the expert committee does not approve the environmental impact assessment report submitted pursuant to paragraph three, it shall be deemed that the process of considering the environmental impact assessment process is concluded. However, this shall not affect the right of the operator or person asking for permission to submit a new environmental impact assessment report pursuant to Section 50.

Whether the expert committee gives approval or not, such opinion of the expert committee shall be final.

**Section 51/2** For the benefit of considering an environmental impact assessment report pursuant to Sections 49, 50, and 51/1, the expert committee or competent officials assigned by the expert committee, shall have the authority to inspect the location of the project, undertaking, or operation for which the environmental impact assessment report is submitted. Such inspection shall be conducted in front or with consent of the operator or permission applicant.

**Section 51/3** When the expert committee gives approval, or in case where it is deemed that the expert committee gives approval under Section 51/1, an official with the legal power to grant permission shall bring the measures proposed in the environmental impact assessment report to prescribe as conditions in giving permission or renewing a license. Those conditions shall be deemed as required by law in that particular matter.

The officer with the legal authority to grant permission shall bring the implementation report of measures indicated in paragraph one which the operator or applicant permission shall provide under Section 51/5, to prescribe as conditions in giving permission or renewing a license as well.

**Section 51/4** For the benefit of proceeding under Sections 49 and 50, the Minister with the National Environmental Board's approval, may require that an environmental impact assessment report pursuant to Section 48 shall be provided or certified by a licensee as provider of environmental impact assessment reports.

Request for and issuance of a license, qualifications of licensees as providers of environmental impact assessment reports, renewal, issuance of replacement documents, and suspension and withdrawal of a license shall be in accordance with the rules, procedure, and conditions as prescribed in the ministerial regulation.

**Section 51/5** For the benefit of monitoring, inspecting, and developing the system of environmental impact assessment, the operator or permission applicant who provides an environmental impact assessment report and is granted permission to proceed, shall provide an implementation report of measures required in the environmental impact assessment report and submit it to the officer with the legal power to grant permission at least once a year in accordance with the rules and procedure prescribed in the Minister's notification with the National Environmental Board's approval.

The officer with the legal power to grant permission shall gather the reports received under paragraph one and send them to the Provincial Office of Natural Resources and Environment in that locality or the Office of Natural Resources and Environmental Policy and Planning in Bangkok within sixty days from the date of receipt of such report.

The Office of Natural Resources and Environmental Policy and Planning shall gather the reports under paragraph two and provide an implementation report of such measures with recommendations and opinions submitted to the National Environmental Board at least once a year.

In case where it appears that the operator or person asking for permission applicant avoids or does not proceed with the measures required in the environmental impact assessment report which are the conditions for granting permission or renewing a license under Section 51/3, the Office of Natural Resources and Environmental Policy and Planning shall make a recommendation to the state agency or the official with the legal power to grant permission to proceed with a legal procedure to enforce the operator or person asking for permission to correctly implement such measures required in the environmental impact assessment report which are the conditions for granting permission or



renewing a license. The state agency or the official with the legal power to grant permission, as the case may be, shall report their actions to the Office of Natural Resources and Environmental Policy and Planning within the period of ninety days.

**Section 51/6** An environmental impact assessment report which is received opinions from the National Environmental Board or approved or deemed to be approved by an expert committee, may be used in requesting for the Cabinet's approval or in a permission consideration process as required by law within a period of five years from the date the Office of Natural Resources and Environmental Policy and Planning or the state agency assigned by the National Environmental Board to act on its behalf issues a letter notifying opinions of the National Environmental Board or the expert committee's approval, as the case may be.

In case where the operator or person asking for permission intends to bring the environmental impact assessment report which is received opinions from the National Environmental Board or is approved or deemed to be approved by an expert committee to request for the Cabinet's approval or to be used in a permission consideration process as required by law, when the period as prescribed in paragraph one is expired, the project, undertaking, or operation to be operated, shall not be modified, expanded, extended, increased, deducted, or adjusted in a manner that will impact or damage the environment in the area or community more than that indicated in the environmental impact assessment report which is received opinions from the National Environmental Board or approved or deemed to be approved by the expert committee, or shall not be a project, undertaking, or operation which may seriously impact natural resources, environmental quality, health, sanitary, life quality or other important interests for people, communities, or environment. The operator or person asking for permission shall review the measures to prevent and rectify environmental impacts in the environmental impact assessment report which is received opinions or is approved and submit it to the National Environmental Board or the expert committee to reconsider, as the case may be.

**Section 51/7** Expert committees shall receive meeting allowances as prescribed in the Royal Decree.

In considering environmental impact assessment reports pursuant to Sections 49 and 51/1, an expert committee may assign any person or institution to provide an opinion to be considered along with the environmental

impact assessment report . That person or institution shall be paid compensations as prescribed in the Royal Decree.

A person who is assigned by an expert committee pursuant to paragraph two shall not be a government official or official or personnel in the Office of Natural Resources and Environmental Policy and Planning or the state agency assigned by the National Environmental Board to act on its behalf, as the case may be, and shall have qualifications and not have prohibited qualifications as prescribed in the National Environmental Board's notification.

An environmental impact assessment report for which an expert committee will assign a person under paragraph two to give an opinion for consideration process, shall be an environmental impact assessment report for the project, undertaking, or operation of the State or that the State will give any person permission to operate, which may seriously impact natural resources environmental quality, health, sanitary, life quality or other important interests of people, communities or environment or has complication, involves high technology, or must require specialized expertise. This shall be as prescribed in the National Environmental Board's notification."

**Section 6** The provision of Section 86 of the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 shall be repealed and replaced by the following provision:

**"Section 86:** In performing the duties of an official pursuant to Section 65, or performing the duties of a pollution control official pursuant to Section 82 (1), such action shall be taken in front of owner or person in possession of the place or vehicle, if that person cannot be found, the action shall be taken in front of at least two other persons whom the official or pollution control official requests to be witnesses."

**Section 7** The following provisions as follows shall be added as Sections 101/1 and 101/2 of the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535:

**"Section 101/1:** Any operator or person asking for permission applicant who constructs or implements a project, undertaking, or operation before the environmental impact assessment report under Section 48 is approved or deemed to be approved by an expert committee, shall be subject to a fine of no more than one million Baht and a daily fine of no more than 100,000 Baht during the period of non-complying with the law or not ceasing such offense.

If the offense under paragraph one is a construction or operation in any project, undertaking, or operation which may seriously impact natural resources, environmental quality, health, sanitary, life quality, or any other important interests of people, communities or environment, the perpetrator shall be subject to a punishment harsher than that provided under paragraph one by half.

“Section 101/2: Any operator or person asking for permission who does not submit an implementation report of measure required in the environmental impact assessment report under Section 51/5, paragraph one, shall be subject to a fine of no more than one million Baht.”

**Section 8** The following provisions shall be added as Sections 110/1 and 110/2 of the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535:

“Section 110/1: The Minister shall have the power to appoint case settlement committees in Bangkok and in regional areas as appropriate.

Each case settlement committee shall comprise three members and shall be appointed from representatives from the Office of the Attorney-General, the Royal Thai Police, and the Ministry of Natural Resources and Environment. They shall hold office for a two-year term and may be reappointed after end of his/her term.

Removal from the position before end of an office term, meetings, and consideration procedure of case settlement committees shall be as prescribed in the Minister’s notification.

“Section 110/2: A case settlement committee shall have the power to settle cases of those offenses under this Act that prescribe only a fine punishment or a fine punishment or imprisonment of no more than two years.

In case where an inquiry officer, pollution control officer, or official finds that any person commits an offense under paragraph one and that person consents to case settlement process, the inquiry official, pollution control official, or official, as the case may be, shall submit the matter to the case settlement committee within seven days from the date that person expresses his/her consent to settle.

When the suspect pays fine of the amount as determined for settlement within thirty days of the determination, it shall be deemed that the case is settled in accordance with the provisions of the Criminal Procedure.”

**Section 9** No.1 of the fee rates attached to the Enhancement and Conservation of the National Environmental Quality Act B.E.2535 shall be repealed.

**Section 10** The provision in No.2 of the fee rates attached to the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 shall be repealed and replaced by the following provision:

“2. License as a provider of environmental impact assessment reports	5,000 Baht per year
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**Section 11** The following text shall be added as No.7 of the fee rates attached to the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535:

“7. License renewal	same amount as the fee for a new license
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**Section 12** Expert committees to consider environmental impact analysis reports that the National Environmental Board appointed pursuant to the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535, shall perform its duties until expert committees to consider environmental impact assessment reports are appointed pursuant to the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 as amended by this Act.

**Section 13** Those environmental impact analysis reports for a project or undertaking under the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 that have been submitted before this Act takes effect and are still under consideration, shall be considered an environmental impact assessment report under the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 as amended by this Act. They shall be proceeded under the rules and procedure as required under the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 as amended by this Act.

Those environmental impact analysis reports for a project or undertaking under the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 that have been approved or deemed to be approved by an expert committee to consider environmental impact analysis reports or have been received the National Environmental Board's opinions, may be used in submission for the Cabinet's approval or in permission consideration process required by law within a period of five years from the date this Act enters into force.

**Section 14** The project or undertaking received a consent from the Office of Natural Resources and Environmental Policy and Planning to implement measures as required with an exception that they did not have to provide an environmental impact analysis report under the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 before this Act enters into force, shall be able to proceed with obligations to implement those measures which they consented to implement and to report the implementation result of those measures in accordance with the rules and procedure pursuant to the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535.

**Section 15** A licensee having the right to provide environmental impact analysis reports under the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535, shall be a licensee to provide environmental impact assessment reports under the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 as amended by this Act until his/her license expires.

**Section 16** Those requests for a license to have the right to provide environmental impact analysis reports under the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 that have been submitted before this Act takes effect, shall be considered requests for a license to provide environmental impact assessment reports under the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 as amended by this Act. They shall be considered and proceeded under the rules, procedure, and conditions as provided for under the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 as amended by this Act. Any action rightly taken under the procedure under the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535, shall be deemed rightly taken under the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 as amended by this Act.

**Section 17** All the ministerial regulations, rules, regulations, notifications, or orders issued under the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 only for the matters related to providing environmental impact analysis reports that have been effective before the date this Act takes effect, shall remain effective as long as they do not conflict or contradict this Act until royal decrees, ministerial regulations, or notifications issued under the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 as amended by this Act enter into force.

The process of issuing royal decrees, ministerial regulations, or notifications under this Act shall be completed within ninety days from the date this Act comes into force. If that cannot be done, the Minister shall report the Cabinet reasons of such failure in completing the task.

**Section 18** The Minister of Natural Resources and Environment shall be in charge of this Act.

Countersigned by  
General Prayut Chan-o-cha  
Prime Minister



**Notes:-** The reasons to pass this Act are: the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 provided that providing an environmental impact analysis report for a project or undertaking that may seriously impact communities in the aspects of environmental quality, natural resources and health, shall be as prescribed in the Ministry of Natural Resources and Environment's notification, which is inconsistent with Sections 58 and 278 of the Constitution of the Kingdom of Thailand providing that there shall be necessary provisions of law to require that any operation of the State or that the State will give any person permission to operate, if that operation may seriously impact natural resources, environmental quality, health, sanitary, life quality, or any other important interests of people, communities, or environment. There were also obligation to proceed to conduct a study and assessment of the impacts on environmental quality and health of people or communities and to hold a public hearing for the people with interests and relevant people and communities in order to be used in consideration on operation or legal permission. The process and procedure of providing reports, submission, and consideration of environmental impact assessment reports as specified in that Act have been the rules of operation in force for a long time and at present are no longer consistent with the changing situation. It is therefore appropriate to improve the legal provisions on providing environmental impact analysis reports and a system of analyzing environmental impacts so that they become consistent with provisions in the Constitution of the Kingdom of Thailand. This is also to have standards that are acceptable and trustworthy to all sectors in maintaining conservation of environmental quality and natural resources along with development of the country in balance. It is thus necessary to pass this Act.

Published in the Government Gazette, Vol. 135, Part 27, dated 19<sup>th</sup> April B.E. 2561 (2018).

**Remark:** Reference to Thai legislation in any jurisdiction shall be made to the Thai version only. This translation has been made so as to establish correct understanding about this Royal Decree to foreigners.



## Projects, undertakings, or operations required to prepare the Initial Environmental Examination report

No.	Type of projects, undertakings, or operations	Size	Stage
1.	Other mining types than those specified to require to provide an environmental impact assessment report under Annex 4 but not including the following mining types: (1) glass sand or silica sand mining; (2) cement clay mining; (3) stained clay mining; (4) marl mining; (5) ball clay mining; (6) fire clay mining; (7) diatomite mining.	All sizes	when applying for a mining concession
2.	Seaplane bases (Water airports)	All sizes	when applying for establishment or aircraft takeoff-landing permission, as the case may be

**Source:** Notification of the Ministry of Natural Resources and Environment on Projects, Undertakings, or Operations Required to Provide an Environmental Impact Assessment Report and Rules, Procedure, and Conditions in Providing an Environmental Impact Assessment Report

## Projects, undertakings, or operations required to prepare the Environmental Impact Assessment report

No.	Type of projects, undertakings, or operations	Size	Stage
1.	<b>Mining under the law on minerals:</b> 1.1 mining types as follows: 1.1.1 coal mining; 1.1.2 potash mining; 1.1.3 rock salt mining; 1.1.4 limestone quarry for cement industry; 1.1.5 all types of metal mining; 1.2 underground mining; 1.3 mining types using explosives; 1.4 all mining types located in the following areas:	All sizes	when applying for a mining concession

No.	Type of projects, undertakings, or operations	Size	Stage
	1.4.1 Class 1 Watershed Area designated by the Cabinet resolution; 1.4.2 additional conservation forests designated by the Cabinet resolution; 1.4.3 Ramsar Site; 1.4.4 area within 2 kilometers from an ancient monument, archaeological site, historical site or historical park under the laws on ancient monuments, antiques, objects of art and national museums, or a world heritage site inscribed on the World Heritage List according to the World Heritage Convention.		
2.	<b>Petroleum development under the law on petroleum:</b> 2.1 petroleum exploration by drilling; 2.2 petroleum production except production in the exploration areas and production on land continuously as required in an environmental impact assessment report and the original production right ends when there is petroleum in residue, and there is no production change to be different from the beginning.	All sizes	when applying for approval from a competent or permitting agency
3.	<b>Petroleum and fuel pipeline transportation system, except:</b> (1) onshore natural gas pipeline transportation system of which a maximum operating pressure is less than or equal to twenty bars and a pipeline diameter is less than or equal to sixteen inches for the entire project, in any area, except for the areas where the Cabinet resolution or the specific laws specify otherwise;	All sizes	when applying for a permit or approval from a competent agency, as the case may be



No.	Type of projects, undertakings, or operations	Size	Stage
	(2) onshore natural gas pipeline transportation system of which a maximum operating pressure is more than twenty bars or a pipeline diameter is more than sixteen inches, which is entirely located in an industrial estate under the law on Industrial Estate Authority of Thailand		
4.	<b>Industrial estate under the law on Industrial Estate Authority of Thailand or other similar projects or projects of land allocation for industrial development</b>	All sizes	when applying for authorization or permission of the project, as the case may be
5.	<b>Petrochemical industry using chemical process in production</b>	Production Capacity of 100 tons per day or more	when applying for permission for construction or operation, as the case may be
6.	<b>Petroleum refining industry</b>	All sizes	when applying for permission for construction or operation, as the case may be
7.	<b>Natural gas separation industry or natural gas reforming industry</b> as follows: 7.1 natural gas separation; 7.2 natural gas reforming by adjusting structure or changing status of gas to liquid; 7.3 natural gas reforming by changing status of liquid back to gas, using sea water or natural water resources to provide heat in order to change the status.	All sizes	when applying for permission for construction or operation, as the case may be

No.	Type of projects, undertakings, or operations	Size	Stage
8.	<b>Chlor-alkali industry and industry using chlorine (Cl<sub>2</sub>) or hydrogen chloride (HCl) as follows:</b> 8.1 chlor-alkali industry using sodium chloride (NaCl) as a raw material to produce the production of chlorine (Cl <sub>2</sub> ), sodium hydroxide (NaOH), sodium hypochlorite (NaOCl), hydrochloric acid (HCl), sodium carbonate (Na <sub>2</sub> CO <sub>3</sub> ) and bleaching powder; 8.2 industry using chlorine (Cl <sub>2</sub> ) or hydrogen chloride (HCl) as a raw material to produce the production of sodium hypochlorite (NaOCl), hydrochloric acid (HCl), sodium carbonate (Na <sub>2</sub> CO <sub>3</sub> ) and bleaching powder	Production capacity of each product, or combined, of 100 tons per day or more	when applying for permission for construction or operation, as the case may be
9.	<b>Cement industry</b>	All sizes	when applying for permission for construction or operation, as the case may be
10.	<b>Pulp mill industry</b>	Production capacity of 50 tons per day or more	when applying for permission for construction or operation, as the case may be
11.	<b>Industry producing active ingredient or pesticide using chemical process in production</b>	All sizes	when applying for permission for construction or operation, as the case may be
12.	<b>Chemical fertilizer industry using chemical process in production</b>	All sizes	when applying for permission for construction or operation, as the case may be

No.	Type of projects, undertakings, or operations	Size	Stage
13.	<b>Sugar industry as follows:</b> 13.1 Producing raw sugar, white sugar or refined sugar; 13.2 Producing glucose, dextrose, fructose or other similar products	All sizes  Production capacity of 20 tons per day or more	when applying for permission for construction or operation, as the case may be
14.	<b>Iron or steel industry</b>	Production capacity of each product, or combined, of 100 tons per day or more	when applying for permission for construction or operation, as the case may be
15.	<b>Non-ferrous metals smelting or dressing or melting industry</b>	Production capacity of 50 tons per day or more	when applying for permission for construction or operation, as the case may be
16.	<b>Industry producing liquor, alcohol, including beer and wine:</b> 16.1 liquor and alcohol industry;  16.2 wine industry;  16.3 beer industry.	Production capacity of 40,000 litres per month or more (calculated at 28 degrees) Production capacity of 600,000 litres per month or more Production capacity of 600,000 litres per month or more	when applying for permission for construction or operation, as the case may be

No.	Type of projects, undertakings, or operations	Size	Stage
17.	<b>Central waste treatment plant only for industrial waste under the law on factory</b>	All sizes	when applying for permission for construction or operation, as the case may be
18.	<b>All types of thermal power plants, except waste-to-energy plants.</b> Waste-to-energy plants that are exempted shall not be located in the following areas: 18.1 Class 1 or Class 2 Watershed Area designated by the Cabinet resolution; 18.2 environmentally protected area under a Notification of Ministry of Natural Resources and Environment; 18.3 conservation forest areas under the Cabinet resolution; 18.4 Ramsar Site; 18.5 areas where air pollution level exceeds 80 percent of the National Ambient Air Quality Standards.	Productivity of electricity of 10 megawatts or more	when applying for permission for construction or operation, as the case may be
19.	<b>Expressway system under the law on Expressway Authority of Thailand or other similar projects</b>	All sizes	when applying for authorization or permission of the project, as the case may be
20.	<b>Highway or road as defined by the law on highways, passing through the following areas:</b> 20.1 wildlife sanctuaries or non-hunting areas under the law on wildlife conservation and protection; 20.2 national parks under the law on national parks; 20.3 Class 2 Watershed Area designated by the Cabinet resolution; 20.4 mangrove forest areas designated as the national forests; 20.5 coastal areas within 50 meters of the highest natural sea-level rise;	All sizes	when applying for authorization or permission of the project, as the case may be

No.	Type of projects, undertakings, or operations	Size	Stage
	20.6 areas in or within 2 kilometers from Ramsar Site or world heritage site inscribed on the World Heritage List according to the World Heritage Convention; 20.7 areas within 1 kilometer from an ancient monument, archaeological site, historic site or historic park under the laws on ancient monuments, antiques, objects of art and national museums, except for those town planning roads under the law on town planning.		
21.	<b>Rail mass transit system</b>	All sizes	when applying for authorization or permission of the project, as the case may be
22.	<b>Ports</b> , except projects, undertakings, or operations undertaken for national security under the law on National Security Council that are approved by the Cabinet.	Capacity for vessels of 500 gross tons or more; berth length of 100 meters or more, but not up to 300 meters; or total port area of 1,000 square meters or more, but not up to 10,000 square meters	when applying for authorization or permission of the project, as the case may be
23.	<b>Recreational ports</b>	Capacity for 50 vessels or more or total port area of 1,000 square meters or more	when applying for authorization or permission of the project, as the case may be

No.	Type of projects, undertakings, or operations	Size	Stage
24.	<b>Land reclamation in the sea</b>	Lower than 300 rai	when applying for authorization or permission of the project, as the case may be
25.	<b>Construction or expansion of a structure around or in the sea:</b> 25.1 groin, jetty, and training wall; 25.2 offshore breakwater.	All sizes	when applying for authorization or permission of the project, as the case may be
26.	<b>Aviation Transportation System</b> , only for construction or expansion of airports or temporary takeoff and landing areas for aircrafts under the law on air navigation.	Runway length of 1,100 meters or more, but not up to 3,000 meters.	when applying for authorization or permission of the project, as the case may be
27.	High-rise or extra large building under the law on building control with the locations or utilization purposes as follows: 27.1 located adjacent to a riverbank as indicated in Annex 2, seashore, lake, or beach, or near or in a national park or historical park, which may impact environmental quality; 27.2 buildings used for retail or wholesale business 27.3 buildings used as an office or place of business of a private sector.	Height of 23.00 meters or more; or total floor area of all floors or of each individual floor area in the same building of 10,000 square meters or more	when applying for a construction permit; or when notifying the local competent official, in the case of notifying a local competent official under the law on building control without applying for a permit, as the case may be
28.	<b>Land allocation for residential or commercial purposes under the law on land allocation</b>	500 land plots or more or total allocated area of more than 100 rai	when applying for a land allocation permit under the law on land allocation

No.	Type of projects, undertakings, or operations	Size	Stage
29.	<b>Hospitals or sanatoriums under the law on sanatoriums</b> 29.1 in the case of being located within 50 meters from a river indicated in Annex 2, seashore, lake or beach; 29.2 other types not specified in 29.1	30 in-patient beds or more  60 in-patient beds or more	when applying for a construction permit; or when notifying the local competent official, in the case of notifying a local competent official under the law on building control without applying for a permit, as the case may be
30.	<b>Hotels or resorts under the law on hotels</b>	80 units or more or usable area of 4,000 square meters or more	when applying for a construction permit; or when notifying the local competent official, in the case of notifying a local competent official under the law on building control without applying for a permit, as the case may be
31.	<b>Residential building under the law on building control</b>	80 units or more or usable area of 4,000 square meters or more	when applying for a construction permit; or when notifying the local competent official, in the case of notifying a local competent official under the law on building control without applying for a permit, as the case may be
32.	<b>Irrigation</b>	Irrigated area of 80,000 rai or more	when applying for authorization or permission of the project, as the case may be
33.	<b>All types of projects, undertakings, or operations located in the areas which the Cabinet's resolution designates as Class 1 Watershed Area</b> , except the followings: 33.1 projects, undertakings, or operations for community development and land arrangement as approved by the Cabinet;	All sizes	when applying for authorization or permission of the project, as the case may be

No	Type of projects, undertakings, or operations	Size	Stage
	33.2 projects, undertakings, or operations in community forests under the law on community forests; 33.3 projects, undertakings, or operations of a government agency that had entered the area for benefits before this Notification took effect, and its actions have been consistent with the original objectives and did not expand the area to be different from the beginning.		
34.	<b>Transbasin diversion</b> as follows: 34.1 transbasin diversion of main river basins, with an exception of temporary diversion in the case of a disaster or where there is an impact on national security; 34.2 international transbasin diversion, with an exception of temporary diversion in the case of a disaster or where there is an impact on national security.	All sizes	when applying for authorization or permission of the project, as the case may be
35.	<b>Sluice gate in principal rivers</b>	All sizes	when applying for authorization or permission of the project, as the case may be

**Source:** 1. Notification of the Ministry of Natural Resources and Environment on Projects, Undertakings, or Operations Required to Provide an Environmental Impact Assessment Report and Rules, Procedure, and Conditions in Providing an Environmental Impact Assessment Report  
2. Notification of the Ministry of Natural Resources and Environment on Projects, Undertakings, or Operations Required to Provide an Environmental Impact Assessment Report and Rules, Procedure, and Conditions in Providing an Environmental Impact Assessment Report (No.2) B.E. 2562  
3. Notification of the Ministry of Natural Resources and Environment on Projects, Undertakings, or Operations Required to Provide an Environmental Impact Assessment Report and Rules, Procedure, and Conditions in Providing an Environmental Impact Assessment Report (No.3) B.E. 2564  
4. Notification of the Ministry of Natural Resources and Environment on Projects, Undertakings, or Operations Required to Provide an Environmental Impact Assessment Report and Rules, Procedure, and Conditions in Providing an Environmental Impact Assessment Report (No.4) B.E. 2564

## Annex 1

### 22 Main River Basins of Thailand

- |                                |   |
|--------------------------------|---|
| 1. Salawin River Basin         | 13. Tha Chin River Basin                        |
| 2. North Khong River Basin     | 14. Mae Klong River Basin                       |
| 3. Northeast Khong River Basin | 15. Bang Pakong River Basin                     |
| 4. Chi River Basin             | 16. Tonle Sap Basin                             |
| 5. Mun River Basin             | 17. East Coast Gulf Basin                       |
| 6. Ping River Basin            | 18. Phetchaburi-Prachuap Khiri Khan River Basin |
| 7. Wang River Basin            | 19. Peninsula-Upper East Coast Basin            |
| 8. Yom River Basin             | 20. Thale Sap Songkhla Basin                    |
| 9. Nan River Basin             | 21. Peninsula-Lower East Coast Basin            |
| 10. Chao Phraya River Basin    | 22. Peninsula-West Coast Basin                  |
| 11. Sakae Krang River Basin    |   |
| 12. Pasak River Basin          |   |

## Annex 2

### 23 Principal Rivers of Thailand

- |                       |                        |
|-----------------------|------------------------|
| 1. Yuam River         | 13. Tha Chin River     |
| 2. Songkram River     | 14. Mae Klong River    |
| 3. Kok River          | 15. Prachin Buri River |
| 4. Chi River          | 16. Bang Pakong River  |
| 5. Mun River          | 17. Chantaburi River   |
| 6. Ping River         | 18. Petchaburi River   |
| 7. Wang River         | 19. Pranburi River     |
| 8. Yom River          | 20. Saiburi River      |
| 9. Nan River          | 21. Tapi River         |
| 10. Chao Praya River  | 22. Pattani River      |
| 11. Sakae Krang River | 23. Trang River        |
| 12. Pasak River       |                        |

Projects, undertakings, or operations which may seriously impact natural resources, environmental quality, health, sanitation and life quality of people in a community that are required to prepare the Environmental Health Impact Assessment report

No.	Type of projects, undertakings, or operations	Size	Stage
1.	Land reclamation in the sea or lake outside existing coastline, except if it is done for seashore restoration purpose	300 Rai or more	when applying for authorization or permission of the project, as the case may be
2.	<p>Mining under the law on minerals as follows:</p> <p>2.1 underground mining designed for subsidence after stopping operation without any suspension or refilling substituted material to avoid subsidence;</p> <p>2.2 mining of lead, zinc, or other metals using cyanide or mercury or lead nitrate in production process or other metal mines using arsenopyrite as associated mineral;</p> <p>2.3 coal mining that transports coal mineral out of the area by motor vehicles</p> <p>2.4 marine mining.</p>	<p>All sizes</p> <p>All sizes</p> <p>Production capacity of 200,000 tons per month or more; or 2,400,000 tons per year or more</p> <p>All sizes</p>	when applying for a mining concession



No.	Type of projects, undertakings, or operations	Size	Stage
3.	<p><b>Industrial estate under the law on Industrial Estate Authority of Thailand or other similar projects</b> as follows:</p> <p>3.1 more than one factory of industrial estate or other similar projects established to support petrochemical industry indicated in No.4. or iron smelting industry in No.5.1 or 5.2, as the case may be;</p> <p>3.2 industrial estate or other similar projects which area is expanded to support petrochemical industry indicated in No.4. or iron smelting industry in No.5.1 or 5.2.</p>	All sizes	when applying for authorization or permission of the project, as the case may be
4.	<p><b>Petrochemical industry</b> as follows:</p> <p>4.1 upstream petrochemical industry;</p> <p>4.2 intermediate petrochemical industry as follows:</p> <p>4.2.1 manufacturing chemical substances or using chemical substances in Carcinogens Group 1 as a raw material;</p>	<p>All sizes; or production capacity expansion of 35% or more from the original capacity</p> <p>Production capacity of 100 tons per day or more; or production capacity expansion altogether of 100 tons per day or more</p>	when applying for construction, operation, or expansion permission, as the case may be

No.	Type of projects, undertakings, or operations	Size	Stage
	4.2.2 manufacturing chemical substances or using chemical substances in Carcinogens Group 2A as a raw material	Production capacity of 700 tons per day or more; or production capacity expansion altogether of 700 tons per day or more	
5.	<p><b>Metal smelting or melting industry</b> as follows:</p> <p>5.1 iron smelting industry;</p> <p>5.2 iron smelting industry producing coke or using sintering process;</p> <p>5.3 copper, gold, or zinc smelting industry</p>	<p>Mineral input for production of 5,000 tons per day or more; or mineral input for production altogether of 5,000 tons per day or more</p> <p>All sizes</p> <p>Mineral input for production of 1,000 tons per day or more; or mineral input for production altogether of 1,000 tons per day or more</p>	when applying for construction, operation, or expansion permission, as the case may be

No.	Type of projects, undertakings, or operations	Size	Stage
	5.4 lead smelting industry; 5.5 metal melting industry (except iron and steel, and aluminum);  5.6 lead melting industry.	All sizes Production capacity (output) of 50 tons per day or more; or production capacity altogether of 50 tons per day or more Production capacity (output) of 10 tons per day or more; or production capacity altogether of 10 tons per day or more	
6.	<b>Manufacture, possession, or utilization of atomic energy from nuclear reactors</b>	Generating power of 2 megawatts or more	when applying for operation permission
7.	<b>Central waste treatment plants or factories with a business of burying waste or unused materials under the law on factory that burn or bury hazardous waste, except burning in cement ovens using hazardous waste as raw material substitute or additional fuel</b>	All sizes	when applying for construction or operation permission, as the case may be

No.	Type of projects, undertakings, or operations	Size	Stage
8.	<b>Aviation transportation system,</b> only for construction or expansion of airports or temporary takeoff and landing areas for aircrafts under the law on air navigation.	Runway length of 3,000 meters or more	when applying for authorization or permission of the project, as the case may be
9.	<b>Ports,</b> except projects, undertakings, or operations undertaken for national security under the law on National Security Council that are approved by the Cabinet.	1) Berth length of 300 meters or more; or total port area of 10,000 square meters or more, except those ports used by people in daily life and for tourism; 2) Watercourse dredging of 100,000 cubic meters or more; 3) Loading and unloading hazardous materials or hazardous waste that are in Carcinogens Group 1, the total quantity of which is 25,000 tons per month or more or 250,000 tons per year or more	when applying for authorization or permission of the project, as the case may be

No.	Type of projects, undertakings, or operations	Size	Stage
10.	Dams or reservoirs	Water storage of 100 million cubic meters or more; or water storage area of 15 square kilometers or more	when applying for authorization or permission of the project, as the case may be
11.	Thermal power plants as follows: 11.1 power plants using coal as fuel  11.2 power plants using biomass fuel  11.3 power plants using natural gas as fuel, applying co-thermal system type of combined cycle or cogeneration  11.4 nuclear power plants	Total electricity productivity of 100 megawatts or more  Total electricity productivity of 150 megawatts or more  Total electricity productivity of 3,000 megawatts or more  All sizes	when applying for construction or operation permission, as the case may be
12.	Coke production	All sizes	when applying for authorization or permission of the project, as the case may be

**Source:** 1. Notification of the Ministry of Natural Resources and Environment on Projects, Undertakings, or Operations Which May Seriously Impact Natural Resources, Environmental Quality, Health, Sanitation, Life Quality of People in a Community that are Required to Provide an Environmental Impact Assessment Report and Rules, Procedure, and Conditions in Providing an Environmental Impact Assessment Report

2. Notification of the Ministry of Natural Resources and Environment on Projects, Undertakings, or Operations Which May Seriously Impact Natural Resources, Environmental Quality, Health, Sanitation, Life Quality of People in a Community that are Required to Provide an Environmental Impact Assessment Report and Rules, Procedure, and Conditions in Providing an Environmental Impact Assessment Report (No.2) B.E. 2562

## Projects within the Environmentally Protected Areas (EPA)

Projects within the Environmentally Protected Areas (EPA), required EIA or IEE depends on conditions and notifications of each EPA (<http://urban.onep.go.th>). Lists of EPA are the following:

1. Banglamung District and Sattahip District, Chonburi Province covering the main land and Pattaya city within a determined territory including islands (Koh Lan, Koh Krok, and Koh Sak) and territorial water
2. Phuket Province, island and territorial water
3. Ban Laem District, Muang Phetchaburi District, Ta Yang District, Cha-Um District of Phetchaburi Province and Hua Hin District, Pranburi District of Prachuabkirkhan Province covering the coastal areas within a determined territory
4. Aow Luk District, Muang District, Nuea Klong District, Klong Thom District, Koh Lanta District of Krabi Province covering the main land within a determined territory including islands (Koh Phi Phi, Koh Lanta and some Islands) and territorial water
5. Kuraburi District, Takua Pa District, Tup Pub District, Tai Muang District, Muang Phang-nga District, Takua Tung District, Koh Yao District of Phang-nga Province covering the main land within a determined territory including islands (Koh Yao Yai, Koh Yao Noi, Koh Phra Thong and some Islands) and territorial water
6. Taling Ngam, Bo Phut, Maret, Mae Nam, Na Mueang, Ang Thong, Lipa Noi, Koh Samui Districts, Koh Pha-nga, Ban Tai, Koh Tao and Amphole, Koh Pha-ngan Districts, Surat Thani Province covering the main land within a determined territory, some islands, and territorial water



## Types and Sizes of Projects in Forest Conservation Area that required EIA report, IEE report, Environmental Checklist

### 1. Projects that require EIA report

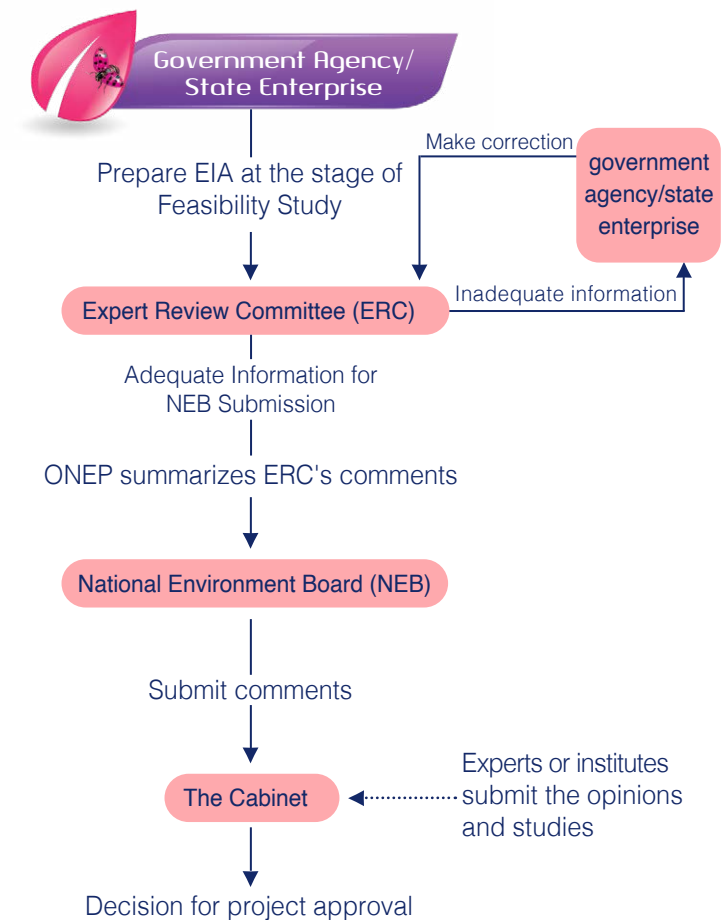
- 1.1 Dam or reservoir project in national forest conservation area over 500 Rai.
- 1.2 Hydro powerplant project dam type and weir type (non-reservoir), over 10 MW.
- 1.3 Transmission line project (for power plant under section 46 of the National Environmental Quality Act 1992), in national forest conservation area need to report together with that power plant
- 1.4 Petroleum survey project by seismic wave measure according to petroleum act
- 1.5 Project under the third category according to the factories act

### 2. Projects that require specific IEE report (Initial Environmental Examination)

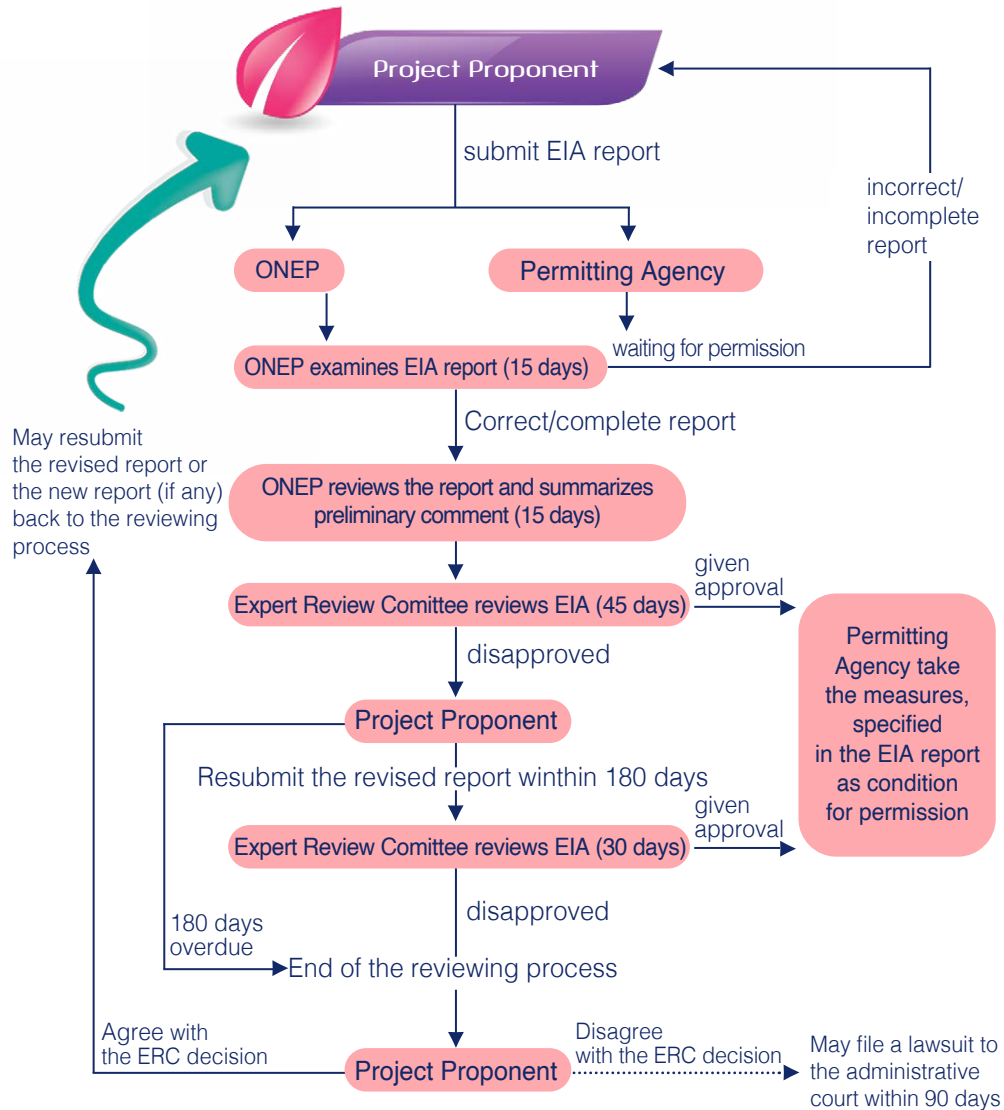
- 2.1 Dam or reservoir with in national forest conservation area between 50 to 500 Rai.
- 2.2 Hydro power plant project dam type and weir type (non-reservoir) between 200 kilowatt to 10 megawatt
- 2.3 Transmission line project or the specific case of the radial expansion of the security of right of way in national forest conservation area.
- 2.4 Road construction or expansion project and construction in national forest conservation area over 5 km.
- 2.5 Pipe construction project or irrigation system project in national forest conservation area over 5 km.
- 2.6 Mineral survey project according to the mineral act
- 2.7 Mine project according to the mineral act In case of concession extension.
- 2.8 Project under the second category according to the factories act

### 3. Projects required Environmental Checklist with environmental impact mitigation and preventive measures and environmental impact monitoring measures.

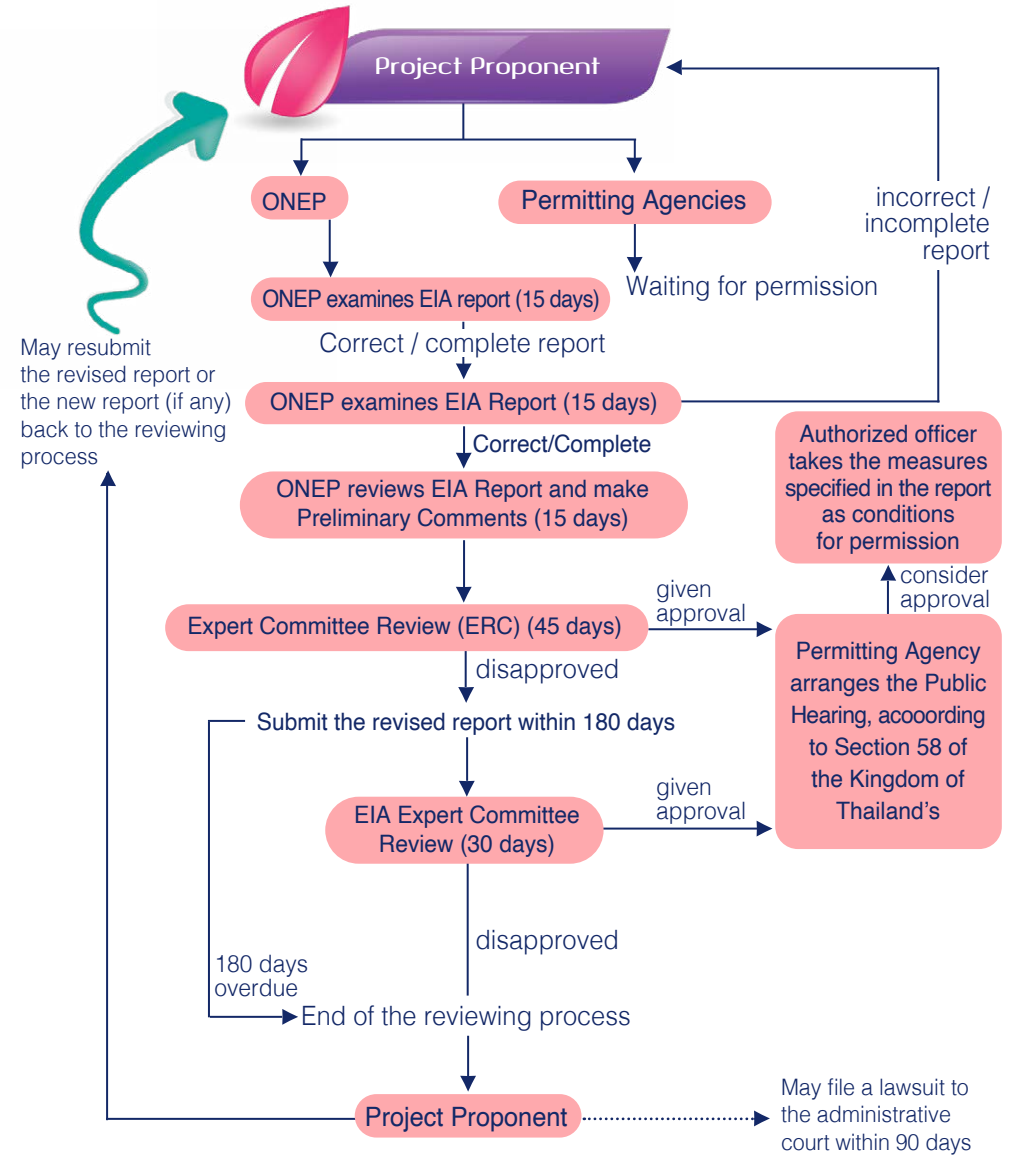
All projects excluded EIA and IEE required, projects need to provide environmental checklist with environmental impact mitigation and preventive measures and environmental impact monitoring measures.



**Figure 1** Approval process for projects undertakings, or operations required the approval by the cabinet

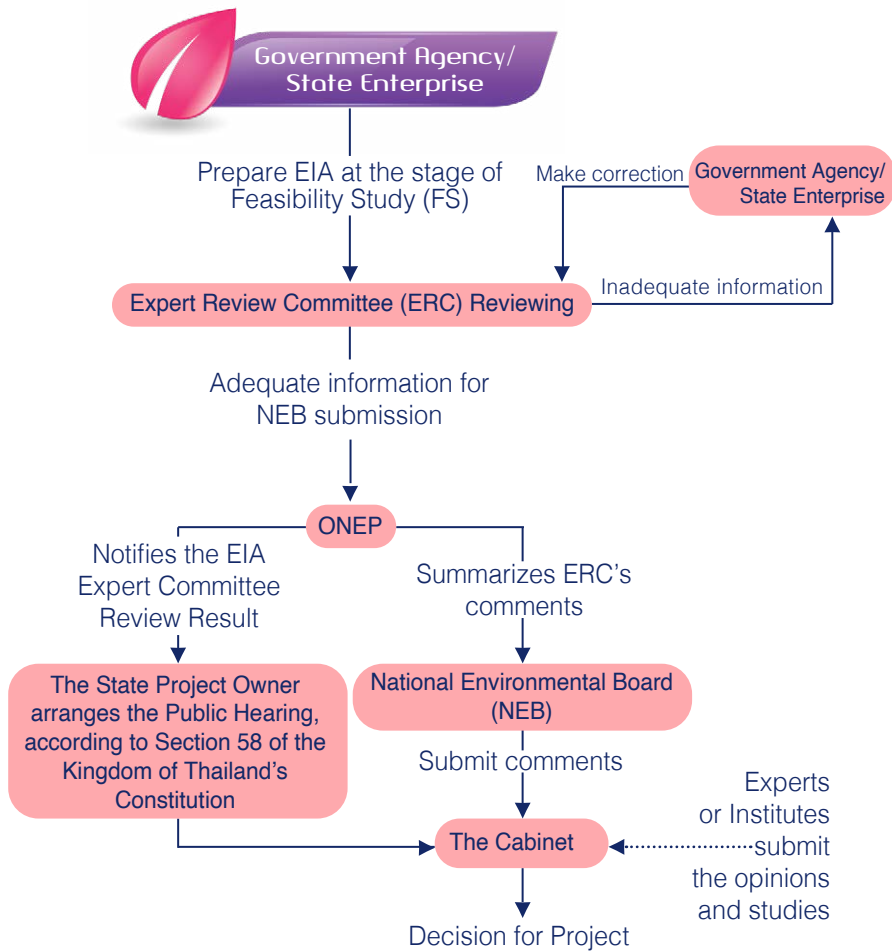


**Figure 2** Approval process for projects undertakings, or operations which are required the EIA by law, and not required the approval by the cabinet



**Figure 3** Approval process for projects, undertakings, or operations which may seriously impact natural resources, environmental quality, health, sanitation, life quality of people in a community that are required the EHIA by law, and not required the approval by the cabinet





**Figure 4** Approval process for projects, undertakings, or operations which may seriously impact natural resources, environmental quality, health, sanitation, life quality of people in a community, that are required by law and the approval by the cabinet



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 Ministry of Natural Resources and Environment  
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No.	EIA Laws and Regulations	QR-Code
1	Enhancement and Conservation of National Environmental Quality Act (No. 2) B.E. 2561 (2018)	
2	Notification of the Ministry of Natural Resources and Environment on Projects, Undertakings, or Operations Required to Provide an Environmental Impact Assessment Report and Rules, Procedure, and Conditions in Providing an Environmental Impact Assessment Report	
3	Notification of the Ministry of Natural Resources and Environment on Projects, Undertakings, or Operations Required to Provide an Environmental Impact Assessment Report and Rules, Procedure, and Conditions in Providing an Environmental Impact Assessment Report (No.2) B.E. 2562	
4	Notification of the Ministry of Natural Resources and Environment on Projects, Undertakings, or Operations Required to Provide an Environmental Impact Assessment Report and Rules, Procedure, and Conditions in Providing an Environmental Impact Assessment Report (No.3) B.E. 2564	
5	Notification of the Ministry of Natural Resources and Environment on Projects, Undertakings, or Operations Required to Provide an Environmental Impact Assessment Report and Rules, Procedure, and Conditions in Providing an Environmental Impact Assessment Report (No.4) B.E. 2564	
6	Notification of the Ministry of Natural Resources and Environment on Projects, Undertakings, or Operations Which May Seriously Impact Natural Resources, Environmental Quality, Health, Sanitation, Life Quality of People in a Community that are Required to Provide an Environmental Impact Assessment Report and Rules, Procedure, and Conditions in Providing an Environmental Impact Assessment Report	

No.	EIA Laws and Regulations	QR-Code
7	Notification of the Ministry of Natural Resources and Environment on Projects, Undertakings, or Operations Which May Seriously Impact Natural Resources, Environmental Quality, Health, Sanitation, Life Quality of People in a Community that are Required to Provide an Environmental Impact Assessment Report and Rules, Procedure, and Conditions in Providing an Environmental Impact Assessment Report (No.2) B.E. 2562	
8	Notification of the Ministry of Natural Resources and Environment on Rules and Procedure in Providing an Implementation Report of Measures Required in the Environmental Impact Assessment Report Which the Operator or Person Asking for Permission Shall Provide When Granted Permission to Proceed With the Project or Undertaking B.E. 2561	
9	Notification of the National Environmental Board on Rules and Procedure in Assigning Another State Agency to Perform Duties on the Office of Natural Resources and Environmental Policy and Planning's Behalf in Considering Environmental Impact Assessment Reports and Reporting Operational Results to the National Environmental Board	
10	Guidelines for Public Participation in the Procedure of Providing an Environmental Impact Assessment Report	
11	Qualification of EIA specialist rules and procedures to obtain EIA consultant license and control of licensee	

# Environmental Impact Assessment in Thailand

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<b>ISBN</b>	978-616-316-082-9	
<b>1st edition</b>	May, 2012	500 copies
<b>2nd edition</b>	June, 2013	500 copies
<b>3rd edition</b>	August, 2015	500 copies
<b>4th edition</b>	September, 2021	500 copies
<b>Citation</b>	Office of Natural Resources and Environmental Policy and Planning. Ministry of Natural Resources and Environment, 2021. Environmental Impact Assessment In Thailand. Bangkok. 52 p.	
<b>Available from</b>	Division of Environmental Impact Assessment Development Office of Natural Resources and Environmental Policy and Planning Ministry of Natural Resources and Environment 118/1 Tipco Tower2, Rama VI Rd., Phaya Thai, Bangkok 10400 Telephone: 02-265-6675, 02-265-6500 # 6 # 6827, 6832, 6834 <a href="http://www.onep.go.th/eia/">http://www.onep.go.th/eia/</a>	



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