

(Garuda Emblem)

Notification of Ministry of Industry

Re: Permission criteria for factory types 105 and 106

To better clarify the prescription of factory type under the provision of the Ministerial Regulation No. 15 (B.E. 2544 (2001)) issued pursuant to the Factory Act B.E. 2535 (1992), it is deemed appropriate to prescribe permission criteria for factory type 105 and type 106 of the attached list to the Ministerial Regulation (B.E. 2535(1992)) issued pursuant to the Factory Act B.E. 2535 (1992) to be as implementing guideline as follows:

Article 1 A factory type 105 shall mean a sorting and/or landfill facility for wastes with characteristics as prescribed in accordance with the Ministerial Regulation No. 2 (B.E. 2535 (1992)) issued pursuant to the Factory Act B.E. 2535 (1992), and shall mean any of the following.

(1) A sorting facility for wastes as prescribed in article 1, chapter 1 of the annex 1 on list of wastes annexed to the Notification of Ministry of Industry No. 1 (B.E. 2541 (1998)) regarding disposal of waste issued pursuant to the Factory Act B.E. 2535 (1992). An applicant shall submit an application for factory license as normal and shall not be required to comply with this Notification.

(2) A sorting facility for wastes as prescribed in article 3, chapter 2 of the annex 1 on list of wastes annexed to the Notification of Ministry of Industry No. 1 (B.E. 2541 (1998)) regarding disposal of waste issued pursuant to the Factory Act B.E. 2535 (1992). An applicant shall submit an application for factory license together with a study report on measures of preventing and correcting impact on environmental quality as a result of the factory operation.

(3) A landfill facility for wastes as prescribed in the annex 1 on list of wastes annexed to the Notification of Ministry of Industry No. 1 (B.E. 2541 (1998)) regarding disposal of waste issued pursuant to the Factory Act B.E. 2535 (1992). An applicant shall submit an application for factory license together with a study report on measures of preventing and correcting impact on environmental quality as a result of the factory operation.

(4) A sorting and landfill facility for wastes as prescribed in the annex 1 on list of wastes annexed to the Notification of Ministry of Industry No. 1 (B.E. 2541 (1998)) regarding disposal of waste issued pursuant to the Factory Act B.E. 2535 (1992). An applicant shall submit an

application for factory license together with a study report on measures of preventing and correcting impact on environmental quality as a result of the factory operation.

(5) A sorting facility for wastes as prescribed in the annex 1 on list of wastes annexed to the Notification of Ministry of Industry No. 6 (B.E. 2540 (1997)) regarding disposal of waste issued pursuant to the Factory Act B.E. 2535 (1992). A facility shall have treatment system comprising of any methods or combination of methods prescribed in article 1, methods 1.1 to 1.7, of the annex 2 on criteria and methods of treatment and disposal annexed to the Notification of Ministry of Industry No. 6 (B.E. 2540 (1997)). An applicant shall submit an application for factory license together with a report on environmental impact assessment in accordance with the Notification of Ministry of Science, Technology, and the Environment.

(6) A landfill facility for wastes as prescribed in the annex 1 on list of wastes annexed to the Notification of Ministry of Industry No. 6 (B.E. 2540 (1997)) regarding disposal of waste issued pursuant to the Factory Act B.E. 2535 (1992). A facility shall have treatment system comprising of any methods or combination of methods prescribed in article 1, methods 1.1 to 1.7, of the annex 2 on criteria and methods of treatment and disposal annexed to the Notification of Ministry of Industry No. 6 (B.E. 2540 (1997)). An applicant shall submit an application for factory license together with a report on environmental impact assessment in accordance with the Notification of Ministry of Science, Technology, and the Environment.

(7) A sorting and landfill facility for wastes as prescribed in the annex 1 on list of wastes annexed to the Notification of Ministry of Industry No. 6 (B.E. 2540 (1997)) regarding disposal of waste issued pursuant to the Factory Act B.E. 2535 (1992). A facility shall have treatment system comprising of any methods or combination of methods prescribed in article 1, methods 1.1 to 1.7, of the annex 2 on criteria and methods of treatment and disposal annexed to the Notification of Ministry of Industry No. 6 (B.E. 2540 (1997)). An applicant shall submit an application for factory license together with a report on environmental impact assessment in accordance with the Notification of Ministry of Science, Technology, and the Environment.

Article 2 An onsite landfill of wastes generating from production process of every factory types of the attached list to the Ministerial Regulation (B.E. 2535(1992)) issued pursuant to the Factory Act B.E. 2535 (1992) which is granted a factory license shall not be required to apply for factory license of type 105, except for an anticipated expansion located offsite whose license of factory type 105 shall be required.

Article 3 A factory type 106 shall mean a recycling facility in which unusable industrial products or industrial wastes being utilized in production process to produce raw material or new product, and shall mean any of the following.

(1) A factory operation in which unusable industrial products or industrial wastes being utilized in production process to produce raw material or new product that cannot be classified directly into any type of the attached list to the Ministerial Regulation (B.E. 2535(1992)) issued pursuant to the Factory Act B.E. 2535 (1992), shall be classified as factory type 106. An operating condition to ensure safe working condition and control of environmental impact shall be prescribed in the permit, as the case may be.

(2) A factory of types as prescribed in the attached list to the Ministerial Regulation (B.E. 2535(1992)) issued pursuant to the Factory Act B.E. 2535 (1992), but appears to undertake the operation in which unusable industrial products or industrial wastes being utilized in production process to produce raw material or new product, shall subject to change of factory type from current type to type 106 during the permit renewal process or during a request for factory expansion. An operating condition to ensure safe working condition and control of environmental impact shall be prescribed in the permit, as the case may be.

(3) A factory of types as prescribed in the attached list to the Ministerial Regulation (B.E. 2535(1992)) issued pursuant to the Factory Act B.E. 2535 (1992), and also undertakes factory operation in which unusable industrial products or industrial wastes being utilized in production process to produce raw material or new product, shall be prescribed as factory type 106 in addition to the current type during the permit renewal process or during a request for factory expansion. An operating condition to ensure safe working condition and control of environmental impact shall be prescribed in the permit, as the case may be.

(4) A factory which currently undertakes the operation as exactly prescribed in the attached list to the Ministerial Regulation (B.E. 2535(1992)) issued pursuant to the Factory Act B.E. 2535 (1992) and also request the use of unusable industrial products or industrial wastes, received from its facility or others, in production process to produce raw material or new product, shall not be prescribed as factory type 106 so that the change in type or addition of type 106 shall not be required.

Article 4 Consideration of a study report on measures of preventing and correcting impact on environmental quality as a result of the factory operation, or a report on environmental

impact assessment in accordance with the Notification of Ministry of Science, Technology, and the Environment as in article 1 by the authority shall be one element of application supporting document for consideration process according to article 11(6) of Form RoNgor.3 annexed to the Ministerial Regulation No. 5 (B.E. 2535 (1992)) issued pursuant to the Factory Act B.E. 2535 (1992).

Article 5 Detail of criteria prescribed in article 3 to be used in permit consideration process by the authority shall be as implementing guideline regulation prescribed by Department of Industrial Works.

This shall, thus, enter into force on the day of its publication in the Government Gazette.

Announced on the 6th November B.E. 2545 (2002)

(signed)_____

(Mr.Manu Leopairote)

Permanent Secretary of Ministry of Industry

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