

(Garuda Emblem)

Notification of Ministry of Industry

Re: Criteria and methods for reporting on industrial wastes via the Internet

B.E. 2547

By the virtue of clause 13(3), clause 13(3)(a), and clause 13(3)(b), of the Ministerial Regulation No. 2 (B.E. 2535 (1992)) issued pursuant to the Factory Act B.E. 2535(1992), and section 6 of the Factory Act B.E. 2535(1992), 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 35, section 48 and section 50 of the Constitution of the Kingdom of Thailand, the Minister of Industry hereby issues the Ministerial Notification as follows:

Article 1 A factory that has wastes or unusable materials with the characteristics in accordance with the Notification of Ministry of Industry No.6 (B.E. 2540 (1997)), issued pursuant to the Factory Act B.E. 2535(1992), regarding disposal of waste, dated 29th October B.E. 2540 (1997) or the Notification of Ministry of Industry No.1 (B.E. 2540 (1998)), issued pursuant to the Factory Act B.E. 2535(1992), regarding disposal of waste, dated 26th May B.E. 2541 (1998) and the Notification of Ministry of Industry regarding disposal of waste (amendment) B.E. 2547 (2004), dated 17th May B.E. 2547 (2004), shall declare the information regarding types, quantity, and name of waste processor via the Internet as follows:

(1) Shall report on types, quantity, and name of waste processor concurrently for every waste shipment destined to be treated offsite. The information shall be reported electronically to Department of Industrial Works via the Internet using the form prescribed by Department of Industrial Works.

Where there is no device available for submitting information via the Internet, facsimile machine may be used as a mean to submit such report using the form prescribed by Department of Industrial Works.

(2) In using a service of any waste processor, a factory shall take capacity and reputation of such waste processor into consideration. A factory shall be required to consider new service provider for waste disposal if being notified by the authority of such misconduct of the currently employed waste processor.

(3) A factory who declare the information on wastes according to article 1 shall be exempt from reporting requirement under the provision of article 3 of the Notification of Ministry of Industry No.6 (B.E. 2540 (1997)), issued pursuant to the Factory Act B.E. 2535(1992), regarding disposal of waste.

Article 2 A factory shall be required to sign a service agreement with a waste processor indicating the responsibility of such waste processor in concurrently reporting the information on name of waste generator of that shipment, waste type, waste quantity, treatment or disposal methods, and waste transportation for every shipment of waste received from the waste generator. The information shall be reported electronically to Department of Industrial Works via the Internet using the form prescribed by Department of Industrial Works.

Where there is no device available for submitting information via the Internet, facsimile machine may be used as a mean to submit such report using the form prescribed by Department of Industrial Works.

Article 3 Department of Industrial Works shall be required to provide a system for inspecting the information reported by the waste generator in article 1 and by the waste processor in article 2 to compare and analyze the data to ensure the compliance with the law.

Announced on the 17th December B.E. 2547 (2004)

(signed)_____

(Mr.Pongsak Raktapongpisarn)

Minister of Industry

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