

Notification of Ministry of Industry
Subject: Land Transportation of Hazardous Substance
B.E. 2546 (2003)

By the virtue of Section 5 paragraph two, Section 18, Section 20 (1) (2) and Section 44 (1) of the Hazardous Substance 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 31 and section 50 of the Constitution of the Kingdom of Thailand, the Minister of Industry, with the opinions of the Committee on Hazardous Substance, hereby issues the ministerial notification as follows:

Article 1 Hazardous substances listed in the list of hazardous substances under land transportation procedure annexed to the Announcement of the resolution of the Committee on Hazardous Substance, regarding land transportation of hazardous substance B.E. 2545 (2002) dated 15th August B.E. 2545 (2002), which are not listed as hazardous substance in accordance with the Ministerial Notification regarding the list of hazardous substance B.E. 2538 (1995), dated 17th March B.E. 2538 (1995), shall be designated as hazardous substance type 1 for the purpose of control on land transportation under the authorization of Department of Industrial Works.

Article 2 Hazardous substance in Article 1 shall be exempt from the provision of the Ministerial Notification regarding declaration of hazardous substance under the authorization of Department of Industrial Works by producer, importer, exporter or possessor B.E. 2543 (2000) dated 20th March B.E. 2543 (2000).

Article 3 Hazardous substance in this Notification shall mean hazardous substance under the authorization of Department of Industrial Works in accordance with the Ministerial Notification issued by the virtue of Section 18 paragraph 2.

Article 4 A producer, importer, exporter, transporter, driver, receiver and possessor of the hazardous substance shall comply with the provision of the Announcement of the resolution of the Committee on Hazardous Substance, regarding land transportation of hazardous substance B.E. 2545 (2002) dated 15th August B.E. 2545 (2002).

Article 5 A producer, importer, exporter, transporter and possessor of the hazardous substance in Article 4 shall be exempt from the provision under Article 2 and Article 3 of the Announcement of the resolution of the Committee on Hazardous Substance, regarding land transportation of hazardous substance B.E. 2545 (2002) for the period of 360 days from the day on which this Notification becomes enforceable.

Article 6 A producer, importer, exporter, transporter and possessor who use fixed tanks as container for hazardous substance under the authorization of Department of Industrial Works shall register such tanks to Department of Industrial Works. Registration application and registration card for fixed tank shall be as prescribed in the form annexed to this Notification.

Article 7 A producer, importer, exporter, transporter and possessor who uses fixed tanks to transport hazardous substance prior to the day on which this Notification becomes enforceable shall be allowed to continue such activity for three calendar year from the year of the announcement of this Notification. The condition of tank must be modify to meet safety criteria and what being prescribed in the Announcement of the resolution of the Committee on Hazardous Substance, regarding land transportation of hazardous substance B.E. 2545 (2002), except for the criteria on the thickness and the pressure resistant capacity of its structure wall. The modified tank shall be approved by Department of Industrial Works prior to be used.

Article 8 Safety equipments, openings, safety valves, pipeline, connections, safety measures and other equipments shall be in accordance with international standard, standard of industrial product, or other standards approved by Department of Industrial Works, including their installation.

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

Announced on the 8th October B.E. 2546 (2003)

(signed) _____

(Mr. Somsak Thepsutin)
Minister of Industry

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