

# Transboundary Movements of Hazardous Wastes IN THAILAND



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**POLLUTION CONTROL DEPARTMENT**

**Joint Meeting of Asian Network and REN**  
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# Background

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- Thailand has become a party of the Basel Convention since 1998.
- Competent Authority: Department of Industrial Works (DIW/MoI)
- Focal Point : Pollution Control Department (PCD/MNRE)
- Involved agencies : Customs Department/  
Marine Department /Port Authority of Thailand/  
Ministry of Foreign Affairs, etc.
- Coordinating mechanism : National Committee on  
Basel Convention

# Customs Houses

Regional 1 = 11 Customs House  
 Regional 2 = 9 Customs House  
 Regional 3 = 9 Customs House  
 Regional 4 = 18 Customs House  
 Total = 47 Customs House



Mae Sai Customs House  
 Chiang Dao Customs House  
 Chiang Saen Customs House  
 Chiang Khong Customs House  
 Thung Chang Customs House

Mae Hong Son Customs House  
 Chiang Mai Airport Customs House  
 Mae Sariang Customs House  
 Mae Sot Customs House

Tha Li Customs House  
 Nong Khai Customs House  
 Chiang Khan Customs House  
 Bueng Kan Customs House  
 Nakorn Phanom Customs House  
 Mukdahan Customs House  
 Khemarat Customs House  
 Chong Mek Customs House  
 Chong Chom Customs House

Sangkhla Buri Customs House  
 Mae Klong Customs House  
 Prachuap Khiri Khan Customs House  
 Chumporn Customs House  
 Ranong Customs House

Aranyaprathet Customs House  
 Maptaphut Customs House  
 Chantaburi Customs House  
 Klong Yai Customs House  
 Ban Don Customs House  
 Ko Samui Customs House

Phuket International Airport Customs House  
 Phuket Customs House  
 Krabi Customs House  
 Kantang Customs House  
 Satun Customs House  
 Wang Prachan Customs House  
 Padang Besar Customs House  
 Sadao Customs House  
 Ban Prakoab Customs House  
 Betong Customs House

Sichon Customs House  
 Nakhon Si Thammarat Customs House  
 Songkhla Customs House  
 Hat Yai International Airport Customs House  
 Pattani Customs House  
 Tak Bai Customs House  
 Su-Ngai Kolok Customs House  
 Bukit Tal Customs House

# Airport / Seaport / ICD Bureau



Suvarnabhumi Airport Passenger Control Customs Bureau  
Suvarnabhumi Airport Cargo Clearance Customs Bureau  
Bangkok Port Customs Bureau  
Bangkok Customs Bureau (Don Muang Airport)  
Lad Krabang Cargo Control Customs Bureau



Laem Chabang Port Customs Bureau

# **National Legislations: import/export of hazardous wastes and other wastes**

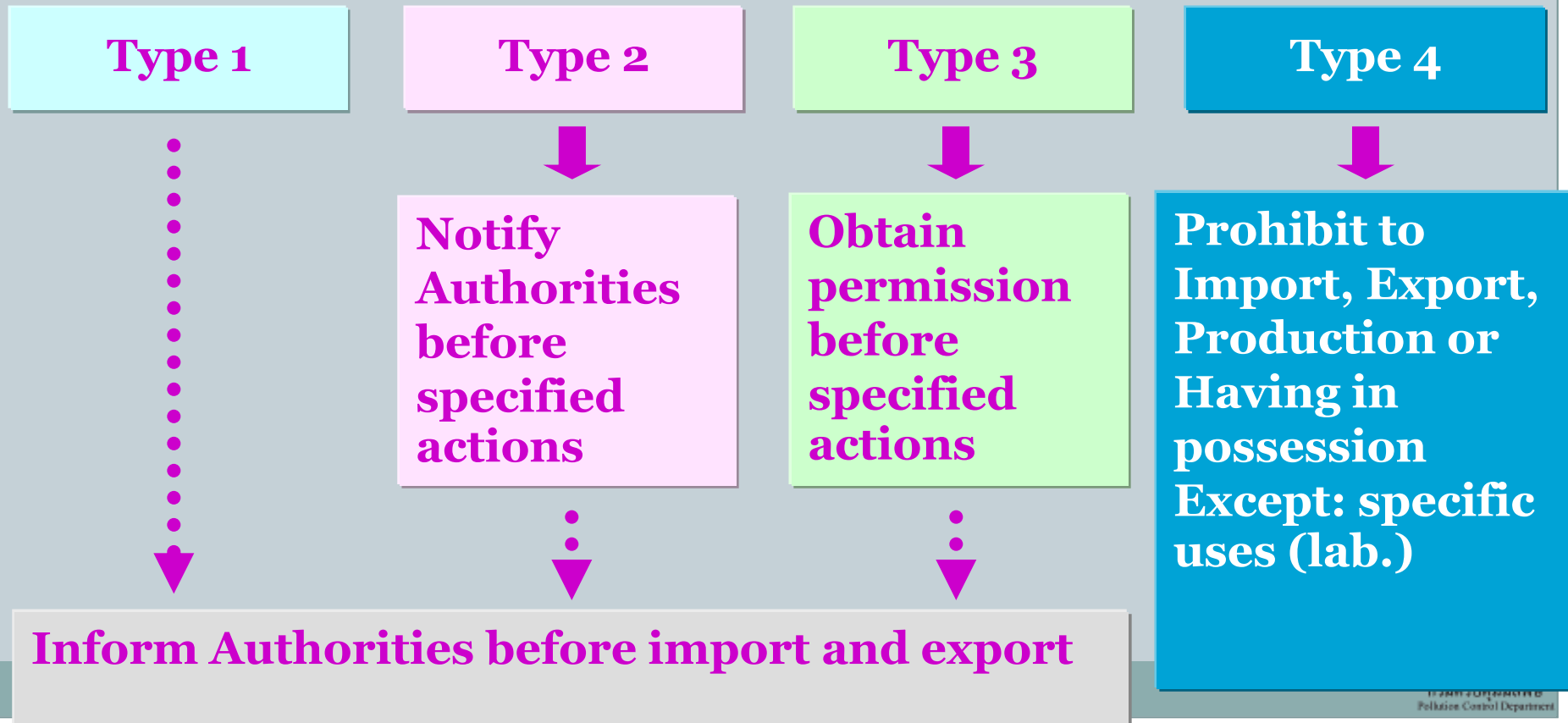
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- ✦ **Hazardous Substance Act B.E. 2535 (1992)**
- ✦ **Customs Act B.E. 2469 (1926)**
- ✦ **Export and Import of Goods Act B.E. 2522 (1979)**
- ✦ **The Navigation in Thai Waters Act, B.E.2456 (1913)**
- ✦ **The Enhancement and Conservation of National Environmental Quality Act B.E. 2535 (1992)**

# Hazardous Substance Act B.E. 2535 (1992)

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Classification of Hazardous Substances/HWastes into 4 types



# Hazardous Substance Act B.E. 2535 (1992) (cont')

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- Notification of Ministry of Industry (MoI) on the List of Hazardous Substance B.E. 2546 (2003)
  - Category of Chemical Wastes
    - : 61 items of Hazardous Waste in Annex VIII, list A of the *Basel Convention*
    - : 1 item (as Used lubricant oil)
    - : 1 item (as Dry cell batteries (Hg & Cd) (banned))

Type 3

Type 4
  - Category of Used Electrical and Electronic Equipment (EEE)
    - : 32 items of Used EEE
    - : 31 items of its parts

Type 3

# Hazardous Substance Act B.E. 2535 (1992) (cont')

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- Notification of DIW on The Import Condition of Used EEE and Its Parts/Components (No.3) B.E. 2550 (2007)

: must obtain a permit only for the following activities

- **Reuse**

- **Repair**

- **Refurbish** as its original purposes

- life span  $\leq$  5 yrs for photocopier & its parts, except toner cartridge and fuser module;

- life span  $\leq$  3 yrs for others

- **Dismantling and recycling/recovery**

- **comply with the BC's procedure**



# Legislation concerning import of other wastes

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- **Plastic scraps**
  - Prohibit unclean and unsorted plastic scraps
  - Allow cleaned plastic scraps which length is less than 2 cm. except plastic used as raw material in polyester factories and electronic and electrical factories.
- **Used tires and scraps**
  - Prohibit used tires and scrap, except import of used bus tires for retreading and then export.
- **Used acid-lead batteries**
  - Prohibit used acid-lead batteries (whole and parts)

# Customs Act B.E. 2469 (1926)

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Importers must comply with

- The laws and regulations of The Customs Department and other relevant agencies, including
  - The Food and Drug Administration
  - Ministry of Commerce
  - Department of Animal Husbandry
  - Department of Industrial Works (*in case of Hazardous wastes*) etc.
- Procedures and customs clearance on imported goods.

# Regulatory Procedure

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## Permission Procedure

- The Import and export of hazardous wastes and special wastes (i.e. plastic wastes) must obtain a permit from **Department of Industrial Works (DIW)** in accordance with the national law and the Basel Convention
- Sampling and analyzing waste compositions and physical inspection of waste container/packaging
- Annual report on the work plan for the importation of hazardous wastes
- Notify/declare the necessary documents before importation not less than 15 days

**Notification/  
Apply a Permit**

**Waste Samples  
Waste Compositions  
Container/Packing**

**Annual Work plan for  
importation/shipment**

# Customs Penalty

## Customs Act B.E. 2469 (1926)

### ➤ Section 27

- Any Person import or brings into the Kingdom any tax unpaid, **restricted, or prohibited goods**, or any goods which has not duly passed through the customs, or exports or takes such goods out of the Kingdom ... **shall be a fine of four times the amount of price of the goods including duty, or to imprisonment for a term not exceeding ten years, or to both.**

# Customs Penalty

## Customs Act B.E. 2469 (1926)

### ➤ Section 6(6)

In order that the collection of duties levied on hazardous goods be in accordance with the safety of loading, unloading or storing of such goods within any customs limit, the Director-General,...shall have the power to issue a Notification in the Government Gazette specifying types or categories of hazardous goods and the methods for the collection of duties for such goods as well as the conditions for loading, unloading, storing and removing such goods from such customs limit, in so far as it is not contrary to other related laws.

# Customs Penalty

## Customs Act B.E. 2469 (1926)



### ➤ Section 63 bis

Director-General has the power to order

- Immediately re-export the waste products by the agent of the importing vessel
- Prohibit the use of port or airport and their facilities by the importing vessel or all other vessels belonging to the same owner

# Customs Penalty

## Customs Act (No.9) B.E. 2482 (1939)

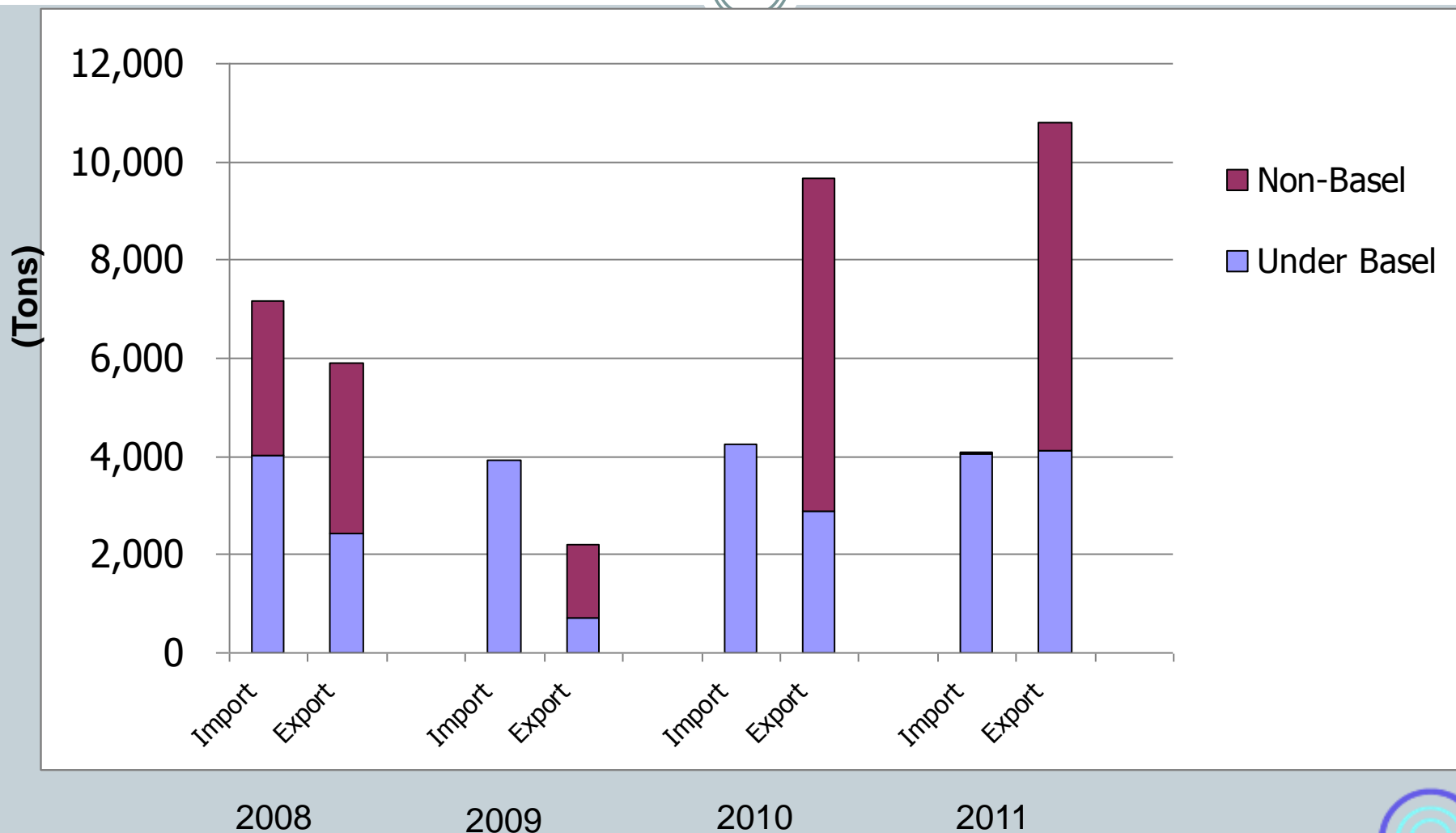
### ➤ Section 16

The execution of any acts provided in Section 27 and Section 99 of the Customs Law B.E. 2469 **shall be deemed to be an offence, irrespective of the existence or non-existence of any willful intent or negligence.**

### ➤ Section 17

Any goods shall in respect of which an offence has been committed under Section 27 of the Customs Law B.E. 2469 take in conjunction with Section 16 of the Customs Act (No.9) B.E. 2482 **shall be forfeited, irrespective of the conviction or non-conviction of any particular person.**

# Import & Export of Hazardous Wastes in 2008-2011



Ref : Department of Industrial Works Database, waste quota granted to be transferred out of factories in 2011



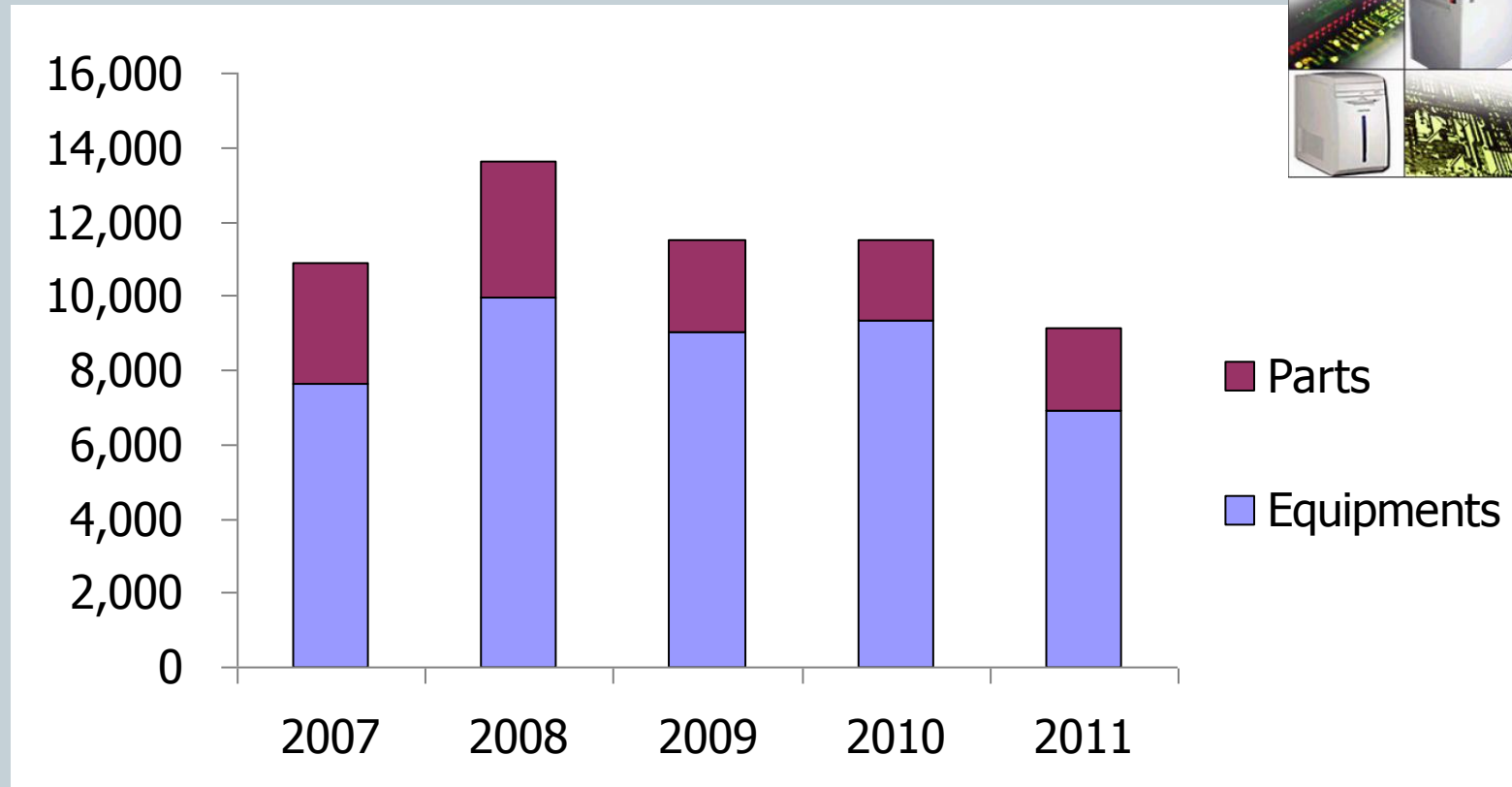
# Import and Export of Hazardous Wastes under Basel Convention in 2011

Import	Waste electrical and electronic assemblies or scrap contaminated with Cd, Hg, Pb, PCB (Used Xerox Office Equipments)
	Used Engine Oil
	Waste from the production, formulation and use of inks, pigments, paints, lacquers, vanish (Used Xerox Office Supplies Containing Residual Toner)
Export	Waste having as constituents or contaminants of heavy metal <ul style="list-style-type: none"> <li>- Solder dross/Tin alloy</li> <li>- Waste sludge (Sn, Pb scrap)</li> <li>- Mercury sludge</li> </ul>
	Galvanic sludge (Precious Metal)
	Unsorted batteries
	Waste electrical and electronic assemblies or scrap contaminated with Cd, Hg, Pb, PCB <ul style="list-style-type: none"> <li>- Printed circuit boards</li> <li>- IC scraps, Metal Lead Frames</li> <li>- Unsorted electronic component</li> </ul>
	Catalysts
	Used Ink & Toner Cartridges
	Waste Containing PCB oil

# Import of Used Electronic and Electrical Equipments/Parts in 2007 -2011



(Tons)



Ref. : Department of Industrial Works Database, waste quota granted to be transferred out of factories in 2011

# Offences in B.E. 2555 (2012)



## Import

- 9 offences
- Used computers/notebooks, used tires and used electronic circuits
- Countries of Origin - Madagascar\*, USA, Malaysia,

## Export

- 14 offences
- Used electronic circuits, metal scale, lead particles and stainless scarp
- Destinations – China\*, Hong Kong\*, Taiwan\*, Japan and the Netherlands

# Capacity Building on Transboundary Movement of hazardous wastes

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- Developing of Manual on import and export of hazardous wastes under Hazardous Substance Act and Basel Convention
- Establishing IT system/e-Customs/Paperless
- Providing training course on law and regulation for import and export of hazardous wastes by DIW
- Providing annual technical training workshop on identification and monitoring of hazardous waste transboundary movement by PCD : 10<sup>th</sup> TTWS (2013)





**10<sup>th</sup> TTWS (2013)**





กรมโรงงานอุตสาหกรรม  
DEPARTMENT OF INDUSTRIAL WORKS

**International Waste Management Division  
Industrial Waste Management Bureau  
Department of Industrial Works  
Ministry of Industry, THAILAND**

**Web site: <http://www.diw.go.th/iwmb>  
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กรมควบคุมมลพิษ  
Pollution Control Department

**Hazardous Waste Division  
Wastes and Hazardous Substances  
Management Bureau  
Pollution Control Department  
Ministry of Natural Resources  
and Environment, THAILAND**

**Web site: <http://www.pcd.go.th>  
<http://ptech.pcd.go.th/baselweb/>  
Tel: +66 2298 2433-35 Fax: +66 2298 2438**



กรมศุลกากร

**Investigation and Suppression Bureau  
The Customs Department  
Ministry of Finance, THAILAND**

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**Thank you**



กรมควบคุมมลพิษ  
Pollution Control Department