

# Strengthening Border Control Activities for Combating Illegal Traffic in Thailand

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## Problem experienced (to be discussed)

In Thailand, prosecution is apparently difficult

Case I : Importers' liability/ Government burden  
in relation to Customs regulations

Case II : Exporter's liability/ Government burden  
in relation to Customs regulations

Case III : Exportation/ Importation of EAFD for recycling  
still necessary (Recycling facilities require economy of scale)

Case IV : Common rules for Metal Scraps do not exist  
; burden to exporters/importers

# 1. Illegal shipment from Japan to Thailand

28 August 2014 : - Investigated suspected 7 containers at Laem Chabang Port

- Declared as “mixed metal scrap: steel, copper and aluminum”
- Founded “Scraped EEs”



# 1. Illegal shipment from Japan to Thailand

21 October 2014 : - Visited and Inspected importer: Long Bee Product Co., Ltd.

- Holding a factory license type 105 under the Factory Act B.E.2535
- Permitted for segregation of non-hazardous industrial waste specially for paper, plastic, wood and metal scraps



# 1. Illegal shipment from Japan to Thailand

- 3 December 2014 : Officially informed Office of Waste Disposal Management ,  
Ministry of the Environment, Competent Authority of Japan
- 19 November 2015 : Cooperate with Customs, Importer, intended carrier and  
port officer to take containers back to Japan.

## 2. Illegal shipment from Thailand to the Netherlands

14 July 2011: - Inspectorate of Housing, Spatial Planning and the Environment,  
Ministry of Infrastructure and the Environment (Competent Authority  
of the Netherlands) officially informed the illegal shipment from Thailand  
to the Netherlands

- Declared as “stainless steel 304 grade solid scrap for melting”
- Found to be “black powder”



## 2. Illegal shipment from Thailand to the Netherlands

- August 2011:
- Visited and inspected exporter (factory license type 64(11) for metal compression)
  - Checking export data
- 24 April 2012:
- Accusation (issued case to Natural Resources and Environmental Crime Suppression Division)
- 5 February 2015:
- Set up special task force (under Thailand's sub-committee of Basel Convention)
- 28 May 2015 :
- Assigned Minister Counsellor, Office of Industrial Affairs, Austria for waste collection
- 22-23 September 2015:
- Waste sampling at Winschoten, the Netherlands
  - Document certified

## 2. Illegal shipment from Thailand to the Netherlands

### Waste sampling





## 2. Illegal shipment from Thailand to the Netherlands

### Waste sampling



## 2. Illegal shipment from Thailand to the Netherlands



## 2. Illegal shipment from Thailand to the Netherlands



## 2. Illegal shipment from Thailand to the Netherlands



# 3. Import & Export of EAFD

- Electric Arc Furnace Dust (EAFD) is industrial waste generated in the collection of particulate material during steelmaking process via electric arc furnace
- Controlled by
  1. Basel Convention (A1020 and A4100)
  2. Hazardous Substance Act B.E.2535 (list 5.2 No.2.2 and 5.10)
  3. Factory Act B.E.2535 (waste code 10 02 07)
- Problem: declared as zinc concentrate, zinc oxide or zinc dust (non-basel)
- 46 containers (2,000 tons) was investigated and seized by customs (2012-2015)



# 4. Metal scraps

Classified as 3 types

## 1. Clean metal scrap



# 4. Metal scraps

## 2. Mixed metal scrap



# 4. Metal scraps

## 3. Contaminated metal scrap





# 4. Metal scraps

## Example of US non-ferrous scrap specifications following Bulletin's International Scrap Directory

1. Twitch: Fragmentizer Aluminum Scrap (from Automotive Shredders). The material, as received, must be dry and not to contain more than 3% maximum free zinc, 1% maximum free magnesium, and 1.5% maximum free iron and stainless. Not to contain more than a total 5% maximum of non-metallics, of which no more than 1% shall be rubber and plastics
2. Zorba: Recyclable Concentrates of Shredded Mixed Non-ferrous Scrap Metal in Pieces Derived from Fragmentizers for Further Separation for Contained Materials. Shall be made up of a combination of nonferrous metals: aluminum, copper, lead, magnesium, stainless steel, nickel, tin, and zinc, in elemental or alloyed (Solid) form

# 4. Metal scraps

Problem : Declared as specific material

Founded as mixed material, contaminated material or E-waste

Criterion for importation metal scrap to Thailand

1. Metal material scrap and metal alloy scrap including dispersible form which containing oil and grease more than 2% and combustible material more than 5%

2. Industrial product namely generator, adaptor, machinery, motor and wire which contaminated with PCB, PCT or electrical/ electronic assemblies including printed circuit board with accumulator, battery, mercury switches, glass from cathode-ray tubes and other activated glass and PCB-capacitor

Thank You

Q&A