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SOMCHAI ASAVALIKITPETCH, POL.MAJ. : LAWS FOR PROTECTION AND ELIMINATION OF ENVIRONMENTAL IMPACT FROM MINING. THESIS ADVISOR : ASSOC.PROF. SUNEEL MALLIKAMARL, Ph.D., 288 pp. ISBN : 974-334-807-7

The objective of this research is to study legal measures which provide environmental protection and reduction of impacts on environment related to and caused by mining activities.

The study reveals that impacts on other natural resources created by mining activities are inevitable. They include forestry, wildlife survival, natural water resources, soil, as well as safety and health. Environmental impact problems created by mining activities must be efficiently dealt with by protective and preventive legal measures.

It is thus proposed by this study that relevant legal measures be amended. It should be provided that mining project schedule and environmental impact assessment report be merged as mining and environmental management master plan. Reconditioning of the mined area should include the preparation of environmental rehabilitation and management plan in various stages for easy implementation. The authority of Minister of Industry permitting discharge of muddy water or sludge into certain public waterways should be repealed. The concessionaire who, by his act or omission thereof, causes harm to any person, animal, plant or property by hazardous ore or other substances, shall be liable to pay compensation for actual damage in which case a guarantee deposit should be required. Burden of proof for damage within and without the mine area should be imposed. Criminal penalty should be provided for the violation of the order of pollution control officer requiring the owner the person in possession of pollution point source to rectify or improve it in accordance with the required standards. The preparation of environmental impact assessment report for small size mine containing no hazardous ore should be exempted. For certain projects, the preparation of preliminary environmental impact assessment report should be required instead of the preparation of full environmental impact assessment report. With regard to the control and oversight measures, the Department of Mineral Resources should see to it that ore exploration be carried out seriously by the concessionaires and that tax or import duty be exempted or reduced for tools or equipment acquired for elimination of pollution by miner as well as their expenses for such purpose. It is also proposed that the people, the local tambol administration, and all concerned agencies in the area be entitled to the information and expression of their opinion prior to the implementation of mining project.

ภาควิชา นิติศาสตร์

สาขาวิชา นิติศาสตร์

ปีการศึกษา 2542

ลายมือชื่อนิสิต..... พ.ต.ท. กษิต ธีรสุวิทย์

ลายมือชื่ออาจารย์ที่ปรึกษา.....

ลายมือชื่ออาจารย์ที่ปรึกษาร่วม.....