

Part I. LEGAL DOCUMENTS**THE GOVERNMENT**

DECREE No. 21/2008/ND-CP OF FEBRUARY 28, 2008 AMENDING AND SUPPLEMENTING A NUMBER OF ARTICLES OF THE GOVERNMENT'S DECREE No. 80/2006/ND-CP OF AUGUST 9, 2006, DETAILING AND GUIDING THE IMPLEMENTATION OF A NUMBER OF ARTICLES OF THE LAW ON ENVIRONMENTAL PROTECTION

THE GOVERNMENT

Pursuant to the December 25, 2001 Law on Organization of the Government;

Pursuant to the November 29, 2005 Law on Environmental Protection;

Pursuant to the June 29, 2006 Law on Standards and Technical Regulations;

At the proposal of the Minister of Natural Resources and Environment,

DECREES:

Article 1.- To amend and supplement a number of articles of the Government's Decree No. 80/2006/ND-CP of August 9, 2006, detailing and guiding the implementation of a number of articles of the Law on Environmental Protection (below referred to as Decree No. 80/2006/ND-CP).

1. To amend and supplement Article 4 as follows:

" Article 4.- Transitional provisions, review

and conversion of environmental standards into environmental technical regulations

1. Environmental standards announced by the State for compulsory application shall be converted into environmental technical regulations as follows:

a/ Standards of surrounding environment quality shall be converted into technical regulations on surrounding environment quality;

b/ Standards of waste shall be converted into technical regulations on waste.

2. The Ministry of Natural Resources and Environment shall review and convert national standards of surrounding environment quality and national standards of waste promulgated before January 1, 2007, into national technical regulations on surrounding environmental quality and national technical regulations on waste.

3. The review and conversion of standards of surrounding environment quality and standards of waste into technical regulations on surrounding environment quality and technical regulations on waste shall be conducted in accordance with the current provisions of law on standards and technical regulations."

2. To amend and supplement Article 5 as follows:

"Article 5.- Responsibilities, order and procedures for formulation, promulgation and stipulation of application of environmental technical regulations

1. The Ministry of Natural Resources and Environment shall formulate and promulgate national technical regulations on surrounding environment quality and national technical regulations on waste and stipulate roadmaps and coefficients for application of national technical regulations on waste for regions, areas and sectors.

2. Provincial-level People's Committees shall formulate and promulgate local technical regulations on waste to suit their local characteristics.

Local technical regulations on waste must be stricter than national ones and be applied according to corresponding roadmaps and coefficients of regions, areas or sectors prescribed in decisions promulgating national technical regulations on waste.

3. The order and procedures for formulation, evaluation and promulgation of environmental technical regulations comply with the provisions of law on standards and technical regulations.

4. Organizations and individuals are obliged to observe technical regulations on surrounding environment quality and technical regulations on waste promulgated by competent state agencies."

3. To amend and supplement Clause 1 of Article 6 as follows:

"1. To replace the list of projects subject to making of environmental impact assessment reports included in Appendix I to Decree No. 80/2006/ND-CP with the list included in the Appendix to this Decree.

For projects subject to making of environmental impact assessment reports emerging outside the list included in the Appendix to this Decree, the Minister of Natural Resources and Environment shall consider, decide and report them to the Prime Minister."

4. To add the following Article 6a:

"**Article 6a.**- Consultation of commune, ward or township People's Committees and community representatives in the process of making environmental impact assessment reports

1. Commune, ward or township Fatherland

Front Committees (below referred to as commune-level Fatherland Front Committees) shall represent communities in contributing opinions in the process of making environmental impact assessment reports of investment projects in their localities.

2. The project owner shall send a document on the project's major investment items, environmental issues and environmental protection measures and request the commune-level People's Committee and Fatherland Front Committee of the place where the project is to be executed to give opinions.

3. Within fifteen (15) working days after receiving a written request for opinions, the commune-level People's Committee and Fatherland Front Committee shall give their opinions in writing and make them public to local people.

Past this time limit, if they issue no written replies, the commune-level People's Committees and community representatives shall be considered having agreed with the project owner.

4. Consultation of commune, ward or township People's Committees and representatives of communities in the process of making environmental impact assessment reports is not required for the following projects:

a/ Investment projects located within industrial parks, export processing zones or hi-tech parks, if the projects on construction of infrastructure of these industrial parks, export processing zones or hi-tech parks have had their environmental impact assessment reports approved by competent state agencies.

If the environmental impact assessment reports of projects on construction of infrastructure of these industrial parks, export processing zones or hi-tech parks were approved after July 1, 2006,

inspection and certification by a competent state agency in charge of environmental protection of the strict implementation of the environmental protection contents of the approval decision and environmental impact assessment report is required.

b/ Projects in a sea area for which the administrative management responsibility of a commune People's Committee cannot be identified for consultation in the course of making environmental impact assessment reports;

c/ Investment projects in the domain of security or defense involving national secrets.”

5. To amend and supplement Article 11 as follows:

“Article 11.- Appraisal and approval of environmental impact assessment reports

1. People's Committees of provinces and centrally run cities (below referred to as provincial level People's Committees) shall organize an appraisal council or authorize a specialized environmental protection agency of the same level to organize an appraisal council or select an appraisal service organization to appraise environmental impact assessment reports of investment projects in their localities, except for projects specified at Points a and b, Clause 7, Article 31 of the Law on Environmental Protection

2. The time of submission of environmental impact assessment reports for appraisal and approval is prescribed below:

a/ Owners of investment projects on mineral exploitation shall submit environmental impact assessment reports for appraisal and approval before applying for mineral exploitation permits;

b/ Owners of investment projects on construction of works or involving construction

items shall submit environmental impact assessment reports for appraisal and approval before applying for construction permits, except for projects specified at Point a of this Clause;

c/ Owners of investment projects not falling into categories specified at Points a and b, of this Clause shall submit environmental impact assessment reports for appraisal and approval before commencing their projects.

3. Appraisal councils or appraisal service organizations have the function of giving advice to assist competent agencies in examining and assessing the quality of environmental impact assessment reports serving as the basis for consideration and approval according to regulations.

4. When necessary, before the opening of official meetings of appraisal councils, agencies responsible for conducting the appraisal may carry out the following support activities:

a/ Survey of the project's execution site and adjacent areas;

b/ Taking samples for analysis and verification;

c/ Consulting the community in the place where the project is to be executed;

d/ Collecting comments of related experts outside the appraisal council, related scientific and technological institutions, social and professional organizations, and non-governmental organizations;

e/ Holding appraisal seminars.

5. The Ministry of Natural Resources and Environment shall issue regulations on the operation of appraisal councils and appraisal service organizations appraising environmental impact assessment reports.

6. To amend Point b, Clause 1 of Article 13 as follows:

“b/ The project is executed only after 24 months following the date of approval of its environmental impact assessment report.

In case of no change in design capacity, technology and surrounding environment, it is not required to make an additional environmental impact assessment report but a written explanation must be submitted to the approving agency.”

7. To amend and supplement Article 17 as follows:

“**Article 17.-** Registration and certification of written environmental protection commitments

1. The time of registration and certification of written environmental protection commitments is specified as follows:

a/ Owners of investment projects on mineral exploitation shall register their written environmental protection commitments for certification before applying for mineral exploitation permits;

b/ Owners of investment projects on construction of works or involving construction items shall register their written environmental protection commitments for certification before applying for construction permits, except for projects specified at Point a of this Clause;

c/ Owners of investment projects not falling into categories specified at Points a and b, of this Clause shall register their written environmental protection commitments for certification before commencing their projects

2. The registration of written environmental protection commitments for investment projects to be executed in two or more rural districts, urban districts, towns or provincial cities (below collectively referred to as districts) is prescribed as follows:

a/ Owners of investment projects shall register

written environmental protection commitments with the People’s Committee of the district where the environment will be most negatively affected by the project;

In case a project will exert the same negative impact on a number of localities, the project owner may select one of these localities for registering written environmental protection commitments.

b/ The district-level People’s Committees with which project owners register written environmental protection commitments shall consult district-level People’s Committees of other concerned districts before certifying written environmental protection commitments and notify their certification to these localities.

3. Owners of projects on a sea area in which the administrative management responsibility of a district-level People’s Committee cannot not be identified shall register written environmental protection commitments with People’s Committees of districts where they have registered for waste treatment and disposal.

For projects which do not generate any waste in a sea area for which the administrative management responsibility of a district-level People’s Committee cannot be identified, they are not required to register written environmental protection commitments.

4. The Ministry of Natural Resources and Environment shall guide the form and contents of certificates of written environmental protection commitments.”

8. To add the following Article 17a:

“**Article 17a.-** Appraisal and approval of environmental impact assessment reports, certification of written environmental protection commitments of investment projects in economic zones, industrial parks, export processing zones

and hi-tech parks

1. State agencies competent to conduct appraisal and approval of environmental impact assessment reports and certify written environmental protection commitments may authorize management boards of economic zones to appraise and approve environmental impact assessment reports and certify written environmental protection commitments of investment projects in economic zones provided that these management boards have units or sections specialized in environmental protection.

2. State agencies competent to conduct appraisal and approval of environmental impact assessment reports and certify written environmental protection commitments may authorize management boards of industrial parks, export processing zones or hi-tech parks to appraise and approve environmental impact assessment reports and certify written environmental protection commitments of investment projects in these industrial parks, export processing zones or hi-tech parks when the following conditions are fully met:

a/ These management boards have units or sections specialized in environmental protection,

b/ Projects on construction of infrastructure of these industrial parks, export processing zones or hi-tech parks have had their environmental impact assessment reports approved.

If the environmental impact assessment reports of projects on construction of infrastructure of industrial parks, export processing zones or hi-tech parks were approved after July 1, 2006, inspection and certification by a competent state agency in charge of environmental protection of the strict implementation of the environmental protection contents of the approval decision and environmental impact assessment report is required.

3. Authorized management boards of economic zones, industrial parks, export processing zones and hi-tech parks shall send reports on results of appraisal and approval of environmental impact assessment reports to provincial-level environmental protection agencies and results of certification of written environmental protection commitments to district-level environmental protection agencies of the localities where the economic zones, industrial parks, export processing zones or hi-tech parks are located."

9. To add the following Article 17b:

"Article 17b.- Elaboration and approval of environmental protection schemes and examination and inspection of environmental protection work in consolidated production, business and service zones and production, business and service establishments having operated since before July 1, 2006, without decisions on approval of environmental impact assessment reports or certificates of registration of satisfaction of environmental standards

1. Owners of consolidated production, business and service zones and owners of production, business and service establishments having operated since before July 1, 2006, without decisions on approval of environmental impact assessment reports or certificates of registration of satisfaction of environmental standards, shall elaborate environmental protection schemes and submit them before June 30, 2008, to state agencies in charge of environmental protection specified in Clause 2 of this Article for approval or certification.

2. The responsibility to approve and certify environmental protection schemes and examine and inspect environmental protection work of owners specified in Clause 1 of this Article is prescribed as follows:

a/ Provincial-level environmental protection agencies shall approve and certify environmental protection schemes and examine and inspect environmental protection work of consolidated production, business and service zones and production, business and service establishments of a nature and size corresponding to those required to make environmental impact assessment reports:

The provincial-level environmental protection agency of the place most negatively affected by a consolidated production, business and service zone or a production, business and service establishment shall consult provincial-level environmental protection agencies of concerned localities before approving an environmental protection scheme, for consolidated production, business and service zones and production, business and service establishments located in two or more provinces and centrally run cities.

b/ District-level environmental protection agencies shall approve and certify environmental protection schemes and examine and inspect environmental protection work of consolidated production, business and service zones and production, business and service establishments in their localities, except for those mentioned at Point a of this Clause.

The district-level environmental protection agency of the place most negatively affected by a consolidated production, business and service zone or a production, business and service establishment shall consult district-level environmental protection agencies of concerned localities before approving an environmental protection scheme, for consolidated production, business and service zones and production, business and service establishments located in two or more rural districts, urban districts, towns and provincial cities.

3. An environmental protection scheme of a consolidated production, business and service zone or a production, business and service establishment of a nature and size corresponding to those required to make environmental impact assessment reports has the following principal details:

a/ General information on the size, characteristics and major activities of the consolidated production, business and service zone or production, business and service establishment related to the environment;

b/ An overview of related natural, economic, social and environmental conditions;

c/ The current status of the environment in the area directly and negatively affected by the operation of the consolidated production, business and service zone or production, business and service establishment;

d/ Statistics on and assessments of sources negatively affecting the environment;

e/ Comprehensive solutions, environmental protection facilities and an implementation plan.

4. An environmental protection scheme of a consolidated production, business and service zone or a production, business and service establishment of a nature and size corresponding to those required to make environmental protection commitments has the following principal details:

a/ Statistics on and assessments of major waste sources;

b/ Solutions, environmental protection facilities and an implementation plan.

5. The Ministry of Natural Resources and Environment shall guide the elaboration and approval or certification of environmental protection schemes of those mentioned in Clause

1 of this Article.”

10. To add the following Article 17c:

“*Article 17c.-* Management of dossiers, examination and inspection of environmental protection work of consolidated production, business and service zones and production, business and service establishments which were granted certificates of registration of satisfaction of environmental standards before July 1, 2006

1. Provincial-level environmental protection agencies shall manage dossiers of certification of registration of satisfaction of environmental standards and examine and inspect environmental protection work of consolidated production, business and service zones and production, business and service establishments of a nature and size corresponding to those required to make environmental impact assessment reports in their localities.

2. District-level People’s Committees shall manage dossiers of certification of registration of satisfaction of environmental standards and examine and inspect environmental protection work of consolidated production, business and service zones and production, business and service establishments other than those mentioned in Clause 1 of this Article.

3. State management agencies in charge of environmental protection at all levels shall transfer dossiers of certification of registration of satisfaction of environmental standards of consolidated production, business and service zones and production, business and service establishments which they are keeping to agencies assigned to manage these dossiers under Clauses 1 and 2 of this Article before June 30, 2008.”

11. To add the following Article 17d:

“*Article 17d.-* Provisions on environmental protection applicable to investment projects and consolidated production, business and service zones and production, business and service establishments in the security and defense domain

1. Investment projects and consolidated production, business and service zones and production, business and service establishments in the security and defense domain must comply with environmental protection requirements and procedures in accordance with the law on environmental protection.

2. The Ministry of Public Security and the Ministry of Defense shall appraise and approve environmental impact assessment reports and certify written environmental protection commitments of investment projects and examine and inspect environmental protection work of consolidated production, business and service zones and production, business and service establishments in the security and defense domain.”

12. To add the following Article 21a:

“*Article 21a.-* Provisions on discharge of waste in the sea

1. It is strictly prohibited to discharge hazardous wastes in the sea of the Socialist Republic of Vietnam.

2. It is prohibited to discharge wastes in the sea areas of nature conservation zones, natural heritage areas, areas with new natural eco-systems, and regular or seasonal reproduction grounds of marine and aquatic species.

3. Ordinary wastes of means of transport and offshore oil rigs which have been treated in accordance with technical regulations on wastes may be discharged in the sea, except sea areas specified in Clause 2 of this Article.

4. The discharge of wastes from the mainland which have been treated in accordance with law and wastes dredged from canals and fairways in the sea is subject to consent of provincial-level environmental protection agencies.”

13. To amend and supplement Clause 3 of Article 22 as follows:

“ 3. The Ministry of Natural Resources and Environment shall guide the examination, evaluation and verification of waste treatment equipment and facilities before they are put into operation.”

14. To add the following Article 23a:

“The Ministry of Natural Resources and Environment shall guide the elaboration of environmental planning integrated into land use

planning, socio-economic development planning and branch or domain development planning.”

Article 2.- Implementation provisions

1. This Decree takes effect 15 days after its publication in “CONG BAO.”

2. Dossiers received before the effective date of this Decree shall be processed under the provisions of Decree No. 80/2006/ND-CP.

3. Ministers, heads of ministerial-level agencies, heads of government-attached agencies and presidents of provincial/municipal People’s Committees shall have to implement this Decree.

On behalf of the Government
Prime Minister
NGUYEN TAN DUNG

Appendix

LIST OF PROJECTS SUBJECT TO MAKING OF ENVIRONMENTAL IMPACT ASSESSMENT REPORTS

(Attached to the Government’s Decree No. 21/2008/ND-CP of February 28, 2008)

Ordinal number	Projects	Size
1	Important national projects and works in which investment guidelines are submitted to the National Assembly for decision under the National Assembly’s Resolution No. 66/2006/NQ11 of June 29, 2006	All
2	Projects using part or the whole of land areas of nature conservation zones, national parks, historical-cultural relic areas, world heritages, biosphere reserves, and famous scenic places, ranked or not yet ranked, which are protected under decisions of provincial/municipal People’s Committees	All

3	Projects involving risks of directly and badly affecting water sources in river basins, coastal areas and areas having protected eco-systems	All
Group of construction projects		
4	Projects to build infrastructures in urban centers or residential areas	Covering 50 ha or more
5	Projects to build infrastructures in industrial parks, hi-tech parks, industrial clusters, export-processing zones or trade village clusters	All
6	Projects to build supermarkets or markets	With 200 business places or more
7	Projects to build sports centers	Covering 10 ha or more
8	Projects to build hospitals	With 50 hospital beds or more
9	Projects to build hotels and rest homes	With 100 rooms or more
10	Projects to build tourist and entertainment resorts	Covering 10 ha or more
11	Projects to build tourist service establishments (infrastructure and physical foundations) in coastal areas and on islands	With a wastewater volume of 1,000 m ³ or more per day and night
12	Projects to build golf courses	With 18 holes or more
13	Projects to build cemeteries (burial, incineration or other forms)	All
14	Projects to build underground works	All
15	Projects to build houses with basements	Basement of 10 m or more deep
16	Projects to build combat works, military training centers, shooting grounds and defense ports	All
17	Projects to build military warehouses	All
18	Projects to build defense economic zones	All
19	Projects to build prisons and detention camps	All
Group of projects to manufacture construction materials		
20	Cement production projects	Design capacity of 300,000 tons or more of cement per year
21	Projects on grinding of clinker for cement production	Design capacity of 1 million tons or more of cement per year

22	Projects to produce bricks and roofing tiles	Design capacity of 10 million or more standard tiles and bricks per year
23	Projects to produce other construction materials	Design capacity of 10,000 tons or more of products per year
Group of traffic projects		
24	Projects to build underground traffic works (subways and tunnels)	500 m or more in length
25	Projects to build motorways, and roads of grades I to III	All
26	Projects to build, renovate and upgrade motorways, and roads of grades I to III	50 km or more in length
27	Projects to build grade-IV roads	100 km or more in length
28	Projects to build railways	50 km or more in length
29	Projects to build overhead railways	All
30	Projects to build telpher lines	500 m or more in length
31	Projects to build permanent road and railway bridges	200 m or more in length (excluding the length of access roads)
32	Projects to build traffic works	Requiring resettlement of 1,000 or more people
33	Projects to build river ports and seaports	Accommodating vessels of 1,000 DWT or more
34	Projects to build fishing wharves	Accommodating fishing vessels with 100 arrivals or more per day
35	Projects to build airports and airfields	All
36	Projects to build passenger car terminals	Covering 0.5 ha or more
37	Projects to produce hot asphalt concrete	Design capacity of 30,000 tons or more of products per year
Group of energy and radiation projects		
38	Projects to build nuclear reactors	All
39	Projects to build production, business and service establishments using radioactive substances or discharging radioactive wastes	All

40	Atomic power or thermal nuclear projects	All
41	Thermo power projects	Design capacity of 30 MW or more
42	Wind power projects	Covering an area of 100 ha or more
43	Solar power projects	Covering an area of 100 ha or more
44	Hydropower projects	With a reservoir of a capacity of 300,000 m ³ or more of water
45	Projects to build high voltage power lines	100 km or more in length
46	Projects to manufacture electric wires and cables	Capacity of 2,000 tons or more of aluminum per year (or equivalent)
Group of electronic and telecommunications projects		
47	Projects to build radio transmission and radio transmission-receipt stations	Design capacity of 2 kW or more
48	Projects to manufacture electric and electronic appliances	Design capacity of 10,000 or more appliances per year
49	Projects to manufacture electric and electronic components	Design capacity of 500 tons or more of products per year
50	Projects to build telecommunications lines	100 km or more in length
51	Projects to manufacture telecommunications cables	All
Group of projects on irrigation, forest exploitation and forestation		
52	Projects on reservoirs and irrigation lakes	With a reservoir of a capacity of 300,000 m ³ or more of water
53	Projects on irrigation works	Covering 200 ha or more
54	Seaward expansion projects	All
55	River and sea embankment projects	1,000 m or more in length
56	Projects involving exploitation or conversion of use purposes of headwater protection forests, breakwater forests or special-purpose forests	Covering 5 ha or more
57	Projects involving exploitation or conversion of use purposes of natural forests	Covering 20 ha or more

58	Forestation and forest exploitation projects	Forestation of 1,000 ha or more; exploitation of forests of 200 ha or more
59	Projects to build consolidated rubber, cassava, sugarcane, coffee, cocoa, tea and pepper growing areas	Covering 100 ha or more
60	Projects to build consolidated vegetable and flower growing areas	Covering 100 ha or more
Group of mineral exploitation projects		
61	Projects to exploit minerals on the mainland for use as construction materials	Exploitation capacity of 50,000 m ³ or more of materials per year
62	Projects to exploit minerals for use and ground fill-up materials	Exploitation capacity of 100,000 m ³ or more of materials per year
63	Projects to exploit, dredge and salvage- exploit minerals in river beds for use as construction materials	Capacity of 50,000 m ³ or more of materials per year
64	Projects to exploit solid minerals (without using chemicals)	A mined volume (including minerals and discharged earth and rock) of 100,000 m ³ or more per year
65	Projects to exploit and process solid minerals containing hazardous substances or involving use of chemicals	All
66	Projects to process solid minerals	- Design capacity of 50,000 tons or more of products per year - A volume of 500,000 tons or more of discharged earth and rock per year, for coal sorting
67	Projects to exploit groundwater	Exploitation capacity of 10,000 m ³ or more of water per day and night
68	Projects to exploit natural mineral water (underground or on surface) for hotting	Exploitation capacity of 120 m ³ or more of water per day and night
69	Projects to exploit natural mineral water (underground or on surface) for service purposes (bathing, medical treatment and other purposes)	Exploitation capacity of 500 m ³ or more of water per day and night

70	Projects to exploit surface water	Exploitation capacity of 50,000 m ³ or more of water per day and night
Group of oil and gas projects		
71	Projects to exploit oil and gas	All
72	Projects on petrochemical refineries (except projects on LPG extraction and lubricant preparation)	All
73	Projects to produce petrochemical products (surfactants, plasticizers, methanol)	All
74	Projects to build oil and gas pipelines	All
75	Projects to build oil and gas entrepots	Storage capacity of 1,000 m ³ or more
76	Projects to build oil and gas depot areas	All
Group of waste treatment projects		
77	Projects on re-processing and treating ordinary solid wastes	All
78	Projects to build dumping sites for industrial and hazardous wastes	All
79	Projects to build dumping sites for garbage	For 500 households or for use by people of a district or more
80	Projects to build concentrated industrial wastewater treatment systems outside industrial parks, export-processing zones and hi-tech parks	All
81	Projects to build concentrated daily-life wastewater treatment systems	Design capacity of 1,000 m ³ or more of wastewater per day and night
82	Projects on purchase and preliminary processing of scraps (including imported scraps)	Design capacity of 3,000 tons/year
83	Projects on vessel clean-up (all types of vessels)	All
84	Projects to dismantle old vessels (of all kinds)	All
Group of mechanical engineering and metallurgical projects		
85	Ferrous and non-ferrous metallurgy projects	Design capacity of 3,000 tons or more of products per year
86	Steel rolling projects	Design capacity of 5,000 tons or more of products per year
87	Vessel building and repair projects	Vessels of 1,000 DWT or more

88	Projects to manufacture, repair and assemble locomotives and cars	Design capacity of 500 units or more per year
89	Projects to manufacture, assemble and repair motorcycles	Design capacity of 10,000 units or more per year
90	Projects on mechanical engineering and manufacture of machines and equipment	Design capacity of 1,000 tons or more of products per year
91	Projects on metal plating, coating and polishing	Design capacity of 1,000 tons or more of products per year
92	Projects to manufacture shaped aluminum	Design capacity of 2,000 tons or more of products per year
93	Projects to manufacture and repair weapons and military materials and technical equipment	All
Group of timber processing and glass, ceramic and porcelain production projects		
94	Timber processing projects	Design capacity of 5,000 m ³ or more per year
95	Plywood processing projects	Design capacity of 100,000 m ² or more per year
96	Household woodwork manufacture projects	Design capacity of 10,000 or more products per year
97	Projects to produce fine art articles	Design capacity of 1 million or more products per year
98	Projects to produce glass, ceramic and porcelain	Design capacity of 1 million products or more per year
99	Projects to produce sanitary porcelain	Design capacity of 10,000 tons products or more per year
100	Projects to produce enameled tiles	Design capacity of 1 million m ² or more per year
101	Projects to produce bulbs and thermos flasks	Design capacity of 1 million or more products per year
Group of food processing and beverage projects		
102	Food processing projects	Design capacity of 5,000 tons or more of products per year
103	Cattle and poultry slaughter projects	Design capacity of 1,000 cattle or 10,000 poultry or more per day

104	Frozen aquatic product processing projects	Design capacity of 1,000 tons or more of products per year
105	Sugar production projects	Design capacity of 20,000 tons or more of sugar per year
106	Alcohol and spirit production projects	Design capacity of 100,000 liters or more of products per year
107	Beer and beverage production projects	Design capacity of 500,000 liters or more of products per year
108	Monosodium glutamate production projects	Design capacity of 5,000 tons or more of products per year
109	Milk processing projects	Design capacity of 10,000 tons or more of products per year
110	Edible oil processing projects	Design capacity of 10,000 tons or more of products per year
111	Confectionery production projects	Design capacity of 5,000 tons or more of products per year
112	Ice production projects	Design capacity of 3,000 ice bars or more per day and night (for 50 kg bars) or 150,000 kg or more of ice water per day and night
Group of agricultural product processing projects		
113	Cigarette production projects	Design capacity of 30,000 packs or more per year
114	Cigarette material processing projects	Design capacity of 1,000 tons or more of products per year
115	Cereals processing projects	Design capacity of 10,000 tons or more of products per year
116	Rice grinding and processing projects	Design capacity of 20,000 tons or more of products per year

117	Manioc starch processing projects	Design capacity of 1,000 tons or more of products per year
118	Cashew nut processing projects	Design capacity of 10,000 tons or more of products per year
119	Tea processing projects	Design capacity of 10,000 tons or more of products per year
120	Coffee processing projects	Design capacity of 5,000 tons or more of products per year, for the wet processing method; 10,000 tons or more of products per year for the dry processing method; 1,000 tons or more of products per year, for processing coffee powder and instant coffee
Group of feed processing and cattle, poultry rearing and aquaculture projects		
121	Cattle, poultry and aquatic animal feed processing projects	Design capacity of 5,000 tons or more of products per year
122	Projects to process aquatic by-products	Design capacity of 1,000 tons or more of products per year
123	Projects to process fish meal	Design capacity of 1,000 tons or more of products per year
124	Aquaculture projects (intensive/semi-intensive farming)	Water surface area of 10 ha or more
125	Extensive aquaculture projects	Water surface area of 50 ha or more
126	Projects on aquaculture on sand	All
127	Large-scale cattle raising projects	1,000 cattle heads or more
128	Large-scale poultry raising projects	20,000 poultry heads or more; 200 or more for ostriches; 100,000 or more for quails
Group of chemical fertilizer and plant protection drug projects		
129	Projects to produce chemical fertilizers	Design capacity of 2,000 tons or more of products per year

130	Projects on warehouses of chemicals and plant protection drugs	Storage capacity of 2 tons or more
131	Projects to produce plant protection drugs	All
132	Projects to bottle and pack plant protection drugs	Design capacity of 1,000 tons or more of products per year
133	Projects to produce organic fertilizers and micro-fertilizers	Design capacity of 1,000 tons or more of products per year
Group of chemical, pharmaceutical and cosmetic projects		
134	Projects to produce pharmaceuticals	Design capacity of 50 tons or more of products per year
135	Projects to produce vaccines	All
136	Projects to produce veterinary medicines	Design capacity of 50 tons or more of products per year
137	Projects to produce cosmetics	Design capacity of 50 tons or more of products per year
138	Projects to produce plastics and plastic products	Design capacity of 500 tons or more of products per year
139	Projects to produce plastic packages	Design capacity of 2 million or more products per year
140	Projects to produce paints and base chemicals	Design capacity of 500 tons or more of products per year
141	Projects to produce detergents and additives	Design capacity of 1,000 tons or more of products per year
142	Projects to produce projectile power, explosives and fire equipment	All
143	Projects to produce industrial explosives	All
144	Salt production projects	Covering 100 ha or more
Group of paper and stationery production projects		
145	Projects to produce pulp and paper (from raw materials)	Design capacity of 1,000 tons or more of products per year
146	Projects to produce paper from pulp and recycling	Design capacity of 5,000 tons or more of products per year
147	Projects to produce stationery	Design capacity of 1,000 tons or more of products per year

Group of dyeing textile and garment projects		
148	Projects on dyeing textiles	All
149	Projects on non-dyeing textiles	Capacity of 10 million m or more of fabric per year
150	Projects to produce and process garment products involving laundering and bleaching	Design capacity of 50,000 or more products per year
151	Projects on production and processing of garment products without laundering and bleaching	Design capacity of 2 million or more products per year
152	Industrial laundering projects	Design capacity of 50,000 or more products per year
153	Projects to produce silk and artificial yarn	Design capacity of 1,000 tons or more of products per year
Group of other projects		
154	Projects on rubber latex processing plants	Design capacity of 5,000 tons or more of products per year
155	Projects on rubber processing plants	Design capacity of 1,000 tons or more of products per year
156	Projects to manufacture footwear	Design capacity of 1 million or more of products per year
157	Projects on to manufacture car and tractor tires and tubes	Design capacity of 50,000 or more of products per year for cars and tractors; 100,000 or more products per year for bicycles and motorcycles
158	Projects to manufacture accumulators and batteries	Design capacity of 50,000 kWh per year or 100 tons or more of products per year
159	Projects on leather tanning plants	All
160	Projects to produce and extract liquefied CO ₂ gas	Design capacity of 30,000 tons or more of products per year
161	Projects to manufacture fire-fighting equipment and products	All
162	Other projects on renovation, upgrade and expansion	Of a nature, size and capacity equivalent to projects numbered 1 to 161, except for projects numbered 25 and 26 of this Appendix)