



# Environmental Laws and Regulation

*covered by the Environmental Management Bureau*



PHILIPPINE TECHNOLOGICAL COUNCIL



# Environmental Laws and Regulation

RA 8749 (Clean Air Act of 1999)

RA 9275 (Philippine Clean Water Act)

PD 1586 (Environmental Impact Statement System)

RA 6969 (Toxic Substances and Hazardous Waste Control Act)

RA 9003 (Ecological Solid Waste Management Act)

RA 9512 (Environmental Education Act of 2008)

## PD 1586 (Environmental Impact Statement System)

- ✦ **ENVIRONMENTAL IMPACT ASSESSMENT (EIA)**
  - is a PROCESS involving predicting and evaluating the likely impacts of a project on the environment during construction, commissioning, operation and abandonment.
- ✦ Section 4 of PD 1586 provides that no person, partnership or corporation shall undertake or operate any such declared environmentally critical project (ECP) or area (ECA) without first securing an **Environmental Compliance Certificate (ECC)**.

# Environmental Compliance Certificate (ECC)



is a document issued by the DENR/EMB after a positive review of an ECC application, certifying that based on the representations of the proponent, the proposed project or undertaking has complied with all the requirements of the EIS System and has committed to implement its approved Environmental Management Plan, EMP to address the environmental impacts.

# Content of an ECC

- Proponent's Information
- List of conditions within EMB mandate
- List of recommendation pertaining compliance/ satisfaction to concerned LGUs/ agencies/ stakeholders.

# ECC Validity

ECC is valid through out the entire project lifetime provided:

1. There is no significant project expansion
2. There is no change in technology
3. There is no change in location
4. Project was implemented within five (5) years from the date of issuance

# Certificate of Non-Coverage

- refers to the document issued by DENR stating that the proposed project is not covered by the Philippine Environmental Impact Assessment System, therefore, the proponent is not required to secure an ECC prior to commencement of operation.
- The issuance of this certificate shall not exempt the grantee from compliance with applicable environmental laws, rules and regulations including permitting requirements of other government agencies.

# ECC/CNC Coverage

See Annex A, MC 2014-005: *Revised Guidelines for Coverage Screening and Standardized Requirements*

**ANNEX A Project Thresholds for Coverage Screening and Categorization**

Projects/Description	Covered (Required to secure ECC)			Not covered (may secure CNC)	Project size parameters / Remarks
	Category A:ECP	Category B: Non-ECP		Category D	
	EIS	EIS	IEE Checklist	PD (Part I only)	
<b>1. HEAVY AND OTHER PROCESSING/MANUFACTURING INDUSTRIES</b>					
<b>1.1 Non-Ferrous Metal Industries</b>	≥ 30,000 MT	≥ 10,000 MT but < 30,000 MT	> 200 MT but < 10,000 MT	≤ 200 MT annually	Annual production rate
<b>1.2 Iron and Steel Mills</b>					
<b>1.3 Petroleum and Petrochemical Industries (This category includes hydrocarbon products such as LNG/CNG, etc.)</b>					
<b>1.3.1 Petrochemical or petroleum-based projects</b>	≥ 30,000 MT	≥ 10,000 MT but < 30,000 MT	> 200 MT but < 10,000 MT	≤ 200 MT annually	Annual production rate
<b>1.3.2 Refineries</b>	≥ 30,000 barrels	≥ 10,000 barrels but < 30,000 barrels	> 200 barrels but < 10,000 barrels	≤ 200 barrels annually	Annual production rate
<b>1.3.3 Recycling of oil and other petroleum-based chemicals</b>	≥ 10 MT	≥ 5 MT but < 10 MT	> 1 MT but < 5 MT	≤ 1 MT	Daily production rate
<b>1.3.4 LPG/LNG/CNG/similar product storage and refilling</b>	None	≥ 10 MT	< 10 MT	None	Total storage capacity
<b>1.3.5 Storage of petroleum, petrochemical or related products (including blending)</b>	None	≥ 20,000 kL	> 20 kL but < 20,000 kL	≤ 20 kL	Total storage capacity
<b>1.3.6 Refilling station projects/gasoline station projects</b>	None	≥ 20,000 kL	> 20 kL but < 20,000 kL	≤ 20 kL	Total storage capacity
<b>1.4 Smelting Plants</b>	≥ 15,000 MT	≥ 10,000 MT but < 15,000 MT	> 200 MT but < 10,000 MT	≤ 200 MT annually	Annual production rate
<b>1.5 Chemical Industries</b>					
<b>1.5.1 Manufacturing, processing and/or use of substances included in the Priority Chemical List (PCL) and Chemical Control Order (CCO) per RA 6969 IRR</b>	None	≥ 1.0 MT	< 1.0 MT	None	Annual production rate
<b>1.5.2 Manufacture of agri-chemicals, industrial chemicals and other substances not in the PCL or CCO</b>	None	≥ 30,000 MT	> 200 MT but < 30,000 MT	≤ 200 MT annually	Annual production rate
<b>1.5.3 Manufacture of explosives, propellants and industrial gases</b>	None	≥ 5 MT	< 5.0 MT	None	Annual production rate
<b>1.5.4 Pharmaceutical industries and manufacture of soap and detergents, health and beauty products, and other consumer products.</b>	None	≥ 50,000 MT	> 200 MT but < 50,000 MT	≤ 200 MT annually	Annual production rate



# DENR Permit Fees

See DAO 2016-28: *New fees and charges for various services of EMB*



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ADMINISTRATIVE ORDER  
 No. 2016 - 28

DEC 0 1 2016

SUBJECT: PROVIDING FOR NEW FEES AND CHARGES FOR VARIOUS SERVICES OF THE ENVIRONMENTAL MANAGEMENT BUREAU

Pursuant to Executive Order No. 197 dated 13 January 2000, the following fees and charges for services rendered by the Environmental Management Bureau (EMB) are hereby revised and/or updated:

	Fees and Charges (in Philippine Pesos, unless otherwise provided)
<b>1.0 ENVIRONMENTAL IMPACT ASSESSMENT</b>	
1.1 ECC Application - Requiring:	
1.1.1 Programmatic EIS	15,000.00
1.1.2 EIS	10,000.00
1.1.3 Programmatic Environmental Performance Report & Management Plan (PEPRMP)	10,000.00
1.1.4 Environmental Performance Report & Management Plan (EPRMP)	5,000.00
1.1.5 IEE Checklist	5,000.00
1.2 CNC Application (CAT. C) (CAT. D)	1,000.00 1,210.00
1.3 Post-ECC processing Service	
1.3.1 Major Amendment	2,000.00
1.3.2 Minor Amendment	1,000.00
1.3.3 Relief of ECC Commitments	1,000.00
1.4 Other Services	
1.4.1 Request for Miscellaneous Certifications	200.00
1.4.2 Request for Certified True Copy of Documents	200.00
<b>2.0 TOXIC SUBSTANCES AND NUCLEAR AND HAZARDOUS WASTE CONTROL ACT</b>	
2.1 Pre-Manufacturing and Pre-Importation Notification for new chemicals (Detailed Form)	4,500.00/chemical
2.2 Pre-Manufacturing and Pre-Importation Notification for new chemicals (Abbreviated Form)	2,600.00/chemical
2.3 Registration for chemicals under Chemical Control Order (CCO)	2,800.00
2.4 Renewal of registration for chemicals under CCO	2,000.00
2.5 Importation Clearance for chemicals under CCO	1,700.00/chemical
2.6 PCL Compliance Certificate	1,000.00/chemical
2.7 PCL Compliance Certificate Exemption	600.00/chemical
2.8 Small Quantity Importation (SQI) Clearance	600.00/chemical
2.9 CD ROM for PICCS	500.00
2.10 License to Purchase, Store and Use (LPSU)	1,000.00
2.11 License to Purchase, Store and Distribute (LPSD)	1,000.00
2.12 General Amendments of Permits, Clearances, Certificates and Licenses (new)	500.00
2.13 Polymer Exemption	500.00
2.14 Registration of Hazardous Waste Generator	1,000.00
2.15 Annual registration of transporters	1,000.00

# Pollution Control Officer

A technical person competent in pollution control and environmental management, performing the duties and responsibilities in a particular establishment and officially accredited by the Environmental Management Bureau Regional Office to perform such responsibilities

**See DAO 2014-02: *Revised Guidelines for Pollution Control Officer Accreditation***

When is a PCO required?

Establishment that discharge solid, liquid or gaseous wastes to the environment or whose activities, products or services are actual and/or potential sources of land, air, water or air pollution

Local Government Units Development Authorities  
Government owned and controlled corporations,  
and Other public establishments

## PCO not required:

- Ambulant vendors and stall owners as defined under RA 6977 (An act to promote, develop and assist small and medium enterprises through the creation of the Medium Enterprise Development Council;
- MRF operated by Barangays that do not handle hazardous wastes

# Categorization of PCO

Depends on the following criteria:

- Chemical Usage
- Hazardous waste generated/handled
- Air emission
- Waste water discharge
- Solid waste generated/handled
- Sludge generated/handled

# Duties and Responsibilities of PCO

- Ensure compliance with the requirements of PD 1586, RA 6969, RA 8749, RA 9003, RA 9275, their respective implementing rules and regulations, and other pertinent rules and regulations;
- Attend to all permitting and registration requirements of the establishment prior to the construction, installation, or operation sources and control facilities;
- Attend technical conferences, hearings, and meetings especially on matters pertaining to pollution cases of the establishment where he/she is employed;
- Initiate and intensify environmental management activities including awareness campaign within their organization.

# RA 9275 - Philippine Clean Water Act of 2004

- ✦ *Water Quality Standards*
- ✦ *General Effluent Standards*
- ✦ *Designation of Water Quality Management Area*

# Water Quality Standards

<b>Class</b>	<b>Use</b>	<b>Class</b>	<b>Use</b>
<b>AA</b>	<i>water source - disinfection</i>	<b>SA</b>	<i>Protected Area Fisheries for direct human consumption</i>
<b>A</b>	<i>water source - conventional treatment</i>	<b>SB</b>	<i>Fisheries for Commercial Production Tourist zone, Recreation</i>
<b>B</b>	<i>Recreation (bathing, swimming)</i>	<b>SC</b>	<i>Recreation, Marshy and Mangrove Area</i>
<b>C</b>	<i>Recreation (boating, fishing) Irrigation</i>	<b>SD</b>	<i>Navigable water</i>
<b>D</b>	<i>Navigable water</i>		



# General Effluent Standard

- See Table 8. Significant Effluent Quality Parameters per Sector, DAO 2016-08 - Water Quality Guidelines and General Effluent Standards

**Table 8. Significant Effluent Quality Parameters per Sector**

PSIC Code	Industry Category	Significant Parameters
<b>A. Agriculture, Forestry and Fishing</b>		
014	Animal production	BOD, Total Suspended Solids, Total Coliform (for Class B and SB), Ammonia, Phosphate
032	Aquaculture (excluding fish pens)	BOD, Total Suspended Solids, Ammonia, Nitrate, Phosphate, Sulfate
<b>B. Mining and Quarrying</b>		
05	Mining of coal and lignite	Color, pH, Total Suspended Solids, Nitrate, Sulfate, Manganese, Iron, Arsenic, Cadmium, Mercury, Lead
06	Extraction of crude petroleum and natural gas, and support activities	pH, Total Suspended Solids, Sulfate, Fluoride, Barium, Chromium, Nickel, Copper, Zinc, Mercury, Oil and Grease, Phenol & Phenolic Substances, Benzene, Toluene, Ethylbenzene, Xylenes, Benzo(a)pyrene
07100	Mining of iron ores	Color, pH, Total Suspended Solids, Nitrate, Manganese, Iron, Arsenic, Cadmium, Lead
0722	<b>Mining of precious metal ores</b>	
	Gold ore mining	pH, Total Suspended Solids, Nitrate, Cyanide, Copper, Zinc, Arsenic, Mercury, Lead
	Silver ore mining	pH, Total Suspended Solids, Nitrate, Cyanide, Copper, Zinc, Arsenic, Mercury, Lead
	Platinum ore mining	pH, Total Suspended Solids, Nitrate, Sulfate, Cyanide, Manganese, Iron, Copper, Zinc, Arsenic, Cadmium, Mercury, Lead
07291	Copper ore mining	pH, Total Suspended Solids, Nitrate, Sulfate, Cyanide, Iron, Copper, Zinc, Arsenic, Cadmium, Mercury, Lead
07292	Chromite ore mining	pH, Total Suspended Solids, Nitrate, Chromium, Arsenic, Cadmium, Mercury, Lead
07293	Manganese ore mining	pH, Total Suspended Solids, Nitrate, Manganese, Arsenic, Cadmium, Lead
07294	Nickel ore mining	pH, Total Suspended Solids, Manganese, Arsenic, Cadmium, Lead, Nickel
08913	Pyrite mining	pH, Total Suspended Solids, Sulfate, Manganese, Iron, Copper, Arsenic, Lead

# Who may apply for discharge permit?

- Any person that shall discharge in any manner wastewater into Philippine waters and/or land shall secure a wastewater discharge permit from the Regional Office of the Bureau.

EMB - NCR Jurisdiction	LLDA Jurisdiction
Makati City,	Manila
Mandaluyong City	Quezon City
San Juan City	Pasig City
Las Pinas City	Taquirg City
Paranaque City	Muntinlupa City
Navotas City	Pasay City
Malabon City	Caloocan City
Valenzuela City	Marikina City
	Pateros

# RA 9275 Prohibited Acts

- ❖ Discharging, depositing or causing to be deposited material of any kind directly or indirectly into water bodies or along the margin of any surface water
- ❖ Discharging regulated water pollutants without the valid required discharge permit
- ❖ Refusal to allow entry, inspection and monitoring as well as access to reports and records
- ❖ Disposal of potentially infectious medical wastes into seawater by vessels
- ❖ Refusal or failure to submit reports and/or designate Pollution Control Officer

# RA 8749 - Philippine Clean Air Act of 1999

- ✦ “Polluters must Pay”
- ✦ Air sampling Activities:
  - Source Sampling
  - Motor Vehicle Emission Test (DOTR thru LTO)
  - Continuous Ambient Air Quality Monitoring Stations
- ✦ All APSI / APCD/F must have a valid PTO
  - APSI: Boiler, Furnace, Generator Set, Gasoline Station, etc.
  - APCD/F: Cyclone, Scrubber, Filter Baghouse, Precipitator etc.
- ✦ DAO 2008-81 - installation of CCTVs on stacks of fuel-burning equipment

MC 2016-008:

## Compliance to Source Emission Test

Exempted from emission test:

Boiler  $\leq$  50 hp

Diesel Generator Set  $\leq$  300 kW

Sources  $\leq$  10T per year of air pollutant

Pollutants: *Particulates, SO<sub>x</sub>, NO<sub>x</sub>, Ozone, Carbon Monoxide, Lead, Volatile Organic Compound*

RA 6969 -

# Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990

- Chemical Management

PCL, PICCS, SQI, PMPIN, CCO

- Hazardous Waste Management

“from cradle to grave”

# Philippine Inventory of Chemicals & Chemical Substances

- It is a list of all existing chemicals & chemical substances used, sold, distributed, imported, processed, manufactured, stored, exported, treated or transported in the Philippines.

# Pre-Manufacturing & Pre-Importation Notification

- Purpose is to screen harmful substances before they enter the Philippine's commerce
- Polymer Exemption



## Priority Chemical List

- It is a list of existing & new chemicals that DENR has determined to potentially pose unreasonable risk to public health, workplace & the environment.

# Chemical Control Order

- Prohibits, limit, or regulate the use, manufacture, import, export, transport, processing, storage, possession, and wholesale of those priority chemicals that DENR determined to be regulated, phased-out, or banned due to the serious risks they pose to public health, workplace & environment.
- Hg, Pb, CN, PCB, ODS, AS, Cd\*, Vinyl Cl\*, Benzene\*, Chromium\*

DAO 2013-22:

***Revised Procedures and Standards for the Management of Hazardous Wastes***

- Classification of Hazardous Wastes (A-M)
- Online Manifest System
- Waste Management:
  - Proper Storage,
  - Packaging, Labelling,
  - Transport and
  - Treatment

# RA 9003:

## *Ecological Solid Waste Management Act of 2000*

- Creation of the National Solid Waste Management Commission (NSWMC), the National Ecology Center (NEC) and the Solid Waste Management Board in every province, city and municipality in the country.
- Formulation of the National Solid Waste Management Framework; 10-year solid waste management plans by local government units consistent with the National Solid Waste Management Framework;
- Establishment of Materials Recovery Facility in every barangay or cluster of barangays;
- Prohibition against the use of open dumps;
- Setting of guidelines/criteria for the establishment of controlled dumps and sanitary landfills

# RA 9003:

## *Ecological Solid Waste Management Act of 2000*

- Provision of rewards, incentives both fiscal and non-fiscal, financial assistance, grants and the like to encourage LGUs and the general public to undertake effective solid waste management;
- Mandatory segregation of solid waste to be conducted primarily at the source such as household, institutional, industrial, commercial and agricultural sources;
- Setting of minimum requirements to ensure systematic collection and transport of wastes and the proper protection of the health of garbage collectors;



Isang maka-kalikasang  
araw sa ating lahat!

A pro-nature day to all of us!



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