



	Republic of the Philippines Department of Environment and Natural Resources ENVIRONMENTAL MANAGEMENT BUREAU DENR Compound, Jones St. Tacloban City, Philippines	  
	NOTICE OF VIOLATION	ENVIRONMENTAL MANAGEMENT BUREAU RELEASED BY: 

AUG 19 2021

DATE: 8/20/2021
TIME: 2:55pm

DENR-PAB Case No. 08-000104 -21-W

ALANG-ALANG GASOLINE STATION
(formerly **T.S. CAYANONG ENTERPRISES FUEL STATION EXPANSION**)
Real St. cor. Blumentritt, Poblacion, Alang-alang, Leyte

Thru: **JASON OMEGA COSTINIADO**
Managing Head/PCO

Sir/Madame:

This notice is being served upon you for alleged violation of **R.A 9275** otherwise known as the Philippine Clean Water Act of 2004, based upon the table compliance monitoring/evaluation conducted by the technical personnel of the Provincial Environmental Monitoring Unit (PEMU) – Leyte last **24 May 2021**.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating a facility that discharges regulated water pollutants without valid wastewater Discharge Permit since 10 February 2017 .	Violation of Paragraph (c), Section 27 of R.A 9275 , in relation to Section 28 thereof and in relation further to Pollution Adjudication Board Resolution No. 01 Series of 2019 .

Pursuant to **Pollution Adjudication Board Resolution No. 02, Series of 2020**, otherwise known as the **Interim Guidelines of the Pollution Adjudication Board during the Public Health Emergency due to COVID-19**, you are hereby required to explain in writing, duly subscribed before a Notary Public, **within fifteen (15) days from receipt hereof**, your defense/position to the alleged violation which is punishable by a fine of **Nineteen Thousand Five Hundred Pesos (P19,500.00) for every year of violation** of the above cited prohibited act and to show cause why no Order should be issued against you, directing immediate cessation of the project operation.

Please submit a hard copy of your written explanation to this Office, as well as an electronic copy of the same to **embr8_records@emb.gov.ph**, copy furnished **legalunitembr8@gmail.com**, to expedite the submission.

Please be informed that failure to submit the position paper on or before the period prescribed above shall mean a waiver of your right to contest the findings of the report and present evidence on your defense and the case may be decided based on evidence on record.

Please be guided accordingly.

Very truly yours,


ENGR. REYNALDO B. BARRA
OIC- Regional Director



MEMORANDUM

FOR : THE REGIONAL DIRECTOR
Environmental Management Bureau Region VIII

ATTENTION : LEGAL UNIT

FROM : THE UNDERSIGNED

SUBJECT : RECOMMENDATION FOR THE ISSUANCE OF NOTICE OF VIOLATION (NOV) TO ALANG-ALANG GASOLINE STATION).

DATE : July 6, 2021

This has reference to the conducted table compliance monitoring at ALANG-ALANG GASOLINE STATION located in Real St. cor. Blumentritt, Poblacion, Alang-alang, Leyte on MAY 24, 2021 to determine compliance status of firm with the environmental regulations, permit conditions, and other requirements. The following are the findings and recommendations formulated, to wit:

Findings and Observations:

No valid Discharge Permit.

Remarks and Recommendations:

For issuance of Notice of Violation for operating without a valid Discharge Permit, violation of Sec. 27 Par. C of RA9275 "The Philippine Clean Water Act of 2004".

Prepared by:


JOSEPHINE L. FUENTES
Inspector/OIC, PEMU Leyte

Recommending Approval:


ENGR. CARLOS A. CAYANONG
Chief, Water Air Quality Monitoring Section/
Engineer IV

Approved by:


REYNALDO B. BARRA, PME.
Chief, Environmental Monitoring and Enforcement Division



ENVIRONMENTAL MANAGEMENT BUREAU REGION 8
COMPLIANCE INSPECTION FOR AIR QUALITY MANAGEMENT



ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION

Report Control Number: AIR-05-19

Date of Inspection: May 24, 2021

Mission Order: (TABLE MONITORING)

1. GENERAL INFORMATION

Name of Establishment: **ALANG-ALANG GASOLINE STATION formerly T.S. CAYANONG ENTERPRISES FUEL STATION EXPANSION (TOMAS S. CAYANONG)**

Address: **Real St. cor. Blumentritt, Poblacion, Alang-alang, Leyte**

Geo Coordinates:
11.20802° N, 124.84345° E

Nature of Business: **Gasoline Station**

PSIC Code: **4661**

Product: **Automotive Fuels**

Year Established: **2010**

Operating hours/day:
16

Operating days/week:
7

Operating days/year:
365

Product Lines	Production Rate as Declared in the ECC (unit/day)	Actual Production Rate (unit/day)
N/A	N/A	N/A
Name of Managing Head:	JASON OMEGA COSTINIANO	
Name of PCO:	JASON OMEGA COSTINIANO	
PCO Accreditation No.:	COA-2018-RVIII-0135	Date of effectivity: September 12, 2018
Phone/Fax:	0917-9289385 0917-894-3905	Email add: j_omegacostiniano1127@yahoo.com

2. PURPOSE OF INSPECTION

- ☐ Verify accuracy of information submitted by the establishment pertaining to new permit applications, renewals, or modification

	New	Renewal
<input type="checkbox"/> New Renewal		
<input type="checkbox"/> PMPIN Application	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Hazardous Waste ID Registration	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Hazardous Waste Transporter Registration	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Hazardous waste TSD Registration	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Permit to Operate Air Pollution Control Installation	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Discharge Permit	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Others _____	<input type="checkbox"/>	<input type="checkbox"/>

- ☐ Determine compliance status with the environmental regulations, permit conditions, and other Requirements

- ☐ Investigate community complaints

- ☐ Check status of voluntary commitment

☐ Industrial Ecowatch
☐ Philippine Environmental Partnership Program (PEPP)
☐ Pollution Adjudication Board (PAB)
☐ Others _____

- ☒ Others **COMPLIANCE MONITORING FOR AIR**

Name of Contact Person	JASON OMEGA COSTINIANO
Position / Designation	Proprietor/PCO

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits	Date of Issue	Expiry Date
PD 1586	ECC1	ECC-RO8-1602-003	11/9/2017
	ECC2	N/A	
	ECC3	N/A	
	PCL Compliance Certificate	N/A	
RA 6969	CCO Registry	N/A	
	Permit to Transport	N/A	
	DENR ID	None	
RA 8749	POA No.	16-POA-B-0837-0010	02/15/2016 02/15/2021
RA 9003	ECC for Sanitary Landfill	N/A	
RA 9275	DP No.	16-DP-B-0837-0086	02/10/2016 02/09/2017

INFORMATION SHEET FOR EMISSION SOURCES

Emission Source Data Information			
Emission Source No.	1	Emission Source No.	2
Type (Brand/Model)	WELCHAI	Type (Brand/Model)	7 units UGT
Rated Capacity	15KVA(12KW)	Rated Capacity	
Fuel Type & Quantity	Diesel	Fuel Type & Quantity	Premium, Regular, Kerosene & Diesel
Operating Capacity		Operating Capacity	
Control Facility		Control Facility	
Notes: Three (3) Dispensing Pumps (Diesel, Premium & Kerosene)		Notes	

Legal Provision	Regulatory Requirements	Notes			
		Y	N	N/A	Remarks
Rule 19 Section 1	All emission sources have a valid Permit to Operate		✓		Expired PTO
Rule 19 Section 3	As built design of the installation conforms with submitted engineering plans and specifications	✓			
	Declared control facilities are installed and operational	✓			
	Installation is located as proposed in the vicinity map (plant and machinery layout)	✓			
	Facility design capacity is within the capacity declared in the application for permit to operate	✓			
Rule 19 Section 5	Temporary Permit is still valid		✓		Expired PTO
Part 7 Rule 25 Section 5 a# 3	Facility is fossil fuel-fired powerplant over 10 MW rating installed with CEMS for particulates, sulfure oxide, and NOx			✓	
	Facility is petroleum refinery / petrochemical industry installed with CEMS for particulates, sulfur oxide, and NOx			✓	
	Facility is primary copper smelter installed with CEMS for particulates, sulfur oxide, and NOx			✓	
	Facility is steel plant installed with CEMS for particulates and sulfur oxide			✓	
	Facility is ferro-alloy production facility installed with CEMS for particulates				

	Facility is cement plant installed with CEMS for particulates			✓	
Section 3a#1	Facility has the potential to emit at least 750 tons/year of regulated pollutant. Facility has CEMS and COMS.			✓	
	Facility has the potential to emit at least 750 tons/year of particulate matter. Facility has COMS.			✓	
EMB DAO 2007-22				✓	
Section 5	CEMS/COMS Specifications for Opacity is compliant with: USEPA 40 CFR Part 60 Appendix B, Performance Specification 1				
	CEMS/COMS Specifications for Hydrogen Sulfide is compliant with: USEPA 40 CFR Part 60 Appendix B, Performance Specification 7			✓	
	CEMS/COMS Specifications for Carbon Dioxide and Oxygen is compliant with: USEPA 40 CFR Part 60 Appendix B, Performance Specification 3			✓	
	CEMS/COMS Specifications for Carbon Monoxide is compliant with: USEPA 40 CFR Part 60 Appendix B, Performance Specification 4 and 4A			✓	
	CEMS/COMS Specifications for Hydrogen Sulfide is compliant with: USEPA 40 CFR Part 60 Appendix B, Performance Specification 7			✓	

Other Observations:

Operating with expired PTO with Reference No. 16-POA-B-0837-0010 issued on February 15, 2016, valid up to February 15, 2021 only.

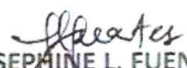
Remarks and Recommendation:

For issuance of NOV for operating without a valid PTO for the UGT and the newly installed generator set which is in violation of Section 1, Rule XIX of DAO No. 2000-81, in relation to Section 47 of RA 8749.

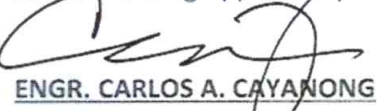
List of Documents Reviewed:

ECC

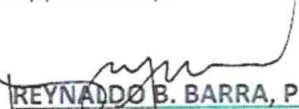
Monitored by:


JOSEPHINE L. FUENTES
 Senior EMS/OIC, PEMU Leyte

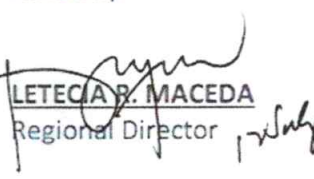
Recommending Approval by:


ENGR. CARLOS A. CAYANONG
 Engineer IV/Chief, WAQMS

Approved by:


REYNALDO B. BARRA, PME
 Chief, EMED

Noted by:


LETECIA R. MACEDA
 Regional Director