

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

07 June 2021

PEPE INONG PIGGERY FARM
Purok 2, Binabaye, Merida, Leyte

Thru: **ALAIN A. BIYU**
Managing Head/Accredited Pollution Control Officer

DENR-PAB Case No. 08-000062 -21-W

ENVIRONMENTAL MANAGEMENT BUREAU
 RELEASED BY: 
 DATE: 06/16/2021
 TIME: 11:20am

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 desk review conducted by the Clearance and Permitting Division – Air and Water Permitting Section (CPD-AWPS) of this Office last **01 June 2021**, on your online application for wastewater discharge permit renewal filed on **25 May 2018**.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating a facility that discharges regulated water pollutants without a valid Discharge Permit since 17 October 2019 .	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 .

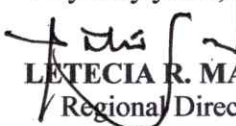
Pursuant to **Pollution Adjudication Board Resolution No. 02, Series of 2020**, otherwise known as the **Interim Guidelines of the Pollution Adjudication Board during the Public Health Emergency due to COVID-19**, you are hereby required to explain in writing, duly subscribed before a Notary Public, **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,


LETECIA R. MACEDA
 Regional Director

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Republic of the Philippines
Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU
Regional Office No. VIII
DENR Compound, Jones St., Tacloban City, Philippines



FOR : **THE DIVISION CHIEF**
Clearance and Permitting Division

FROM : **THE UNDERSIGNED STAFF**
Air & Wastewater Permitting Section

SUBJECT : **DESK REVIEW REPORT INVOLVING THE
PEPE INONG PIGGERY FARM LOCATED AT PUROK 2,
BINABAYE, MERIDA, LEYTE**

DATE : **1 JUNE 2021**

BACKGROUND/ PROCEEDINGS

On **25 May 2018**, PEPE INONG PIGGERY FARM filed an online application (Application No. 10984) for the renewal application of its Wastewater Discharge Permit. The Discharge Permit issued was only valid until **16 October 2019** and no renewal for the said permit has been made. This Desk Report is prepared on 1 June 2021 for the purpose of recommending for the issuance of Notice of Violation for the said firm.

FINDINGS/OBSERVATIONS

Based on the aforementioned application, the following findings were observed:

1. PEPE INONG PIGGERY FARM has been issued a Discharge Permit on 16 October 2018, with Permit No. DP-R08-18-00566 which was only valid until 16 October 2019. *Copy of the said Discharge Permit is attached;*
2. PEPE INONG PIGGERY FARM is represented by ALAIN A. BIYU (0918-2236007 / alainbiyu2005@yahoo.com) as the Managing Head and Accredited Pollution Control Officer;
3. Apparently, PEPE INONG PIGGERY FARM has been in operation without a valid Discharge Permit since **17 October 2019**;

REMARKS

1. **Section 14 of Republic Act No. 9275 or the Philippine Clean Water Act of 2004** provides that the Department shall require owners or operators of facilities that discharge regulated effluents pursuant to the same Act to secure a permit to discharge;
2. In relation thereto, **Rule 14.1 of DENR Administrative Order No. 2005-10** explicitly provides that **any person** that shall discharge in any manner into Philippine Waters and/or Land shall secure a Discharge Permit;

3. This is further reiterated in a Memorandum dated 20 June 2018 issued by the EMB Director which clarifies that in the implementation and issuance of Discharge Permits, **all establishments** must secure a Discharge Permit **regardless of volume of wastewater**.
4. One of the Permit Conditions provided for under the expired Discharge Permit issued to **PEPE INONG PIGGERY FARM** requires the permit holder **to renew the discharge permit at least one (1) month before expiry date**;
5. **Paragraph (c) of Section 27, R.A 9275** or the Philippine Clean Water Act of 2004 prohibits the operation of facilities which discharges regulated water pollutants **without the valid required permits**, as in this case, the Wastewater Discharge Permit;
6. Any establishment found to have violated the foregoing provisions shall be liable under **Section 28 of Republic Act 9275**, in relation to **Pollution Adjudication Board Resolution No. 01, Series of 2019**.

RECOMMENDATIONS

1. To issue a Notice of Violation against **PEPE INONG PIGGERY FARM** for operating without a valid Discharge Permit, in violation of **Paragraph (c), Section 27 of R.A 9275** which, IF found guilty, shall be liable under **Section 28 of R.A 9275**, in relation to **Pollution Adjudication Board Resolution No. 01, Series of 2019**;
2. Pursuant to **PAB Resolution No. 01-2019**, to defer from the issuance of a Discharge Permit until resolution of the case or payment of the corresponding fine, if warranted;
3. For further appropriate actions as may be determined after due process.

Prepared by:


LAURENCE G. DENZON
Engineer II

Concurred by:


HENNENCY G. HAYAG, PME
OIC-Chief, AWPS

Approved by:


MARIBEL B. MUNSAYAC
Chief, CPD

Noted by:


LETECIA R. MACEDA
Regional Director





Republic of the Philippines
Department of Environmental and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU
Region VIII
DENR Compound, Jones Street, Barangay 2, Tacloban City
Tel No: (053) 832-10-88

Date: Oct 16, 2018

Permit No.: DP-R08-18-00566

Wastewater Discharge Permit

Pursuant to Section 14, Article 2, of the RA 9275 otherwise known as the "Philippine Clean Water Act of 2004", this permit is hereby granted to **Pepe Inong Piggery Farm** with office address at Binabaye Merida Leyte for its establishment:

Pepe Inong Piggery Farm	Purok 2 Binabaye MERIDA
TIN No. 144-061-344	

To discharge Domestic Sewage into subject to the following:

1. The discharge volume of the effluent wastewater shall not exceed the **8.97 m3/day** , Wastewater Treatment Facility (WTF) and shall comply with the following standard

Parameter	Standard	Parameter	Standard
BOD	100 mg/L	Ammonia	0.5 mg/L
TSS	100 mg/L	Phosphate	1 mg/L

** Reference for effluent parameters: DAO 2016-08; PSIC Code - 014*

2. Institute measures on the operation of your **WTF** so as to have effluent conforming with the prescribed standard.
3. The maximum wastewater generation of **4.0** m3/day shall be from the washing/cleaning activities.
4. The maximum wastewater generation of **2.0** m3/day shall be from the domestic activities.
5. The maximum wastewater generation of **2.97** m3/day shall be from the other activities (e.g. gardening, leaks, etc.).
6. Submit Self-Monitoring (SMR) based on the following schedule:

Quarter	Coverage	Submission	Quarter	Coverage	Submission
First	Jan-Mar	1-15 Apr.	Third	Jul-Sep.	1-15 Oct.
Second	Apr-Jun.	1-15 Jul.	Fourth	Oct-Dec.	1-15 Jan.

7. Include effluent analysis on the above parameters, conducted by Third Party Laboratory duly recognized by EMB, at least **two (2) months** prior to the expiration of this permit.
8. Submit **BOD & TSS** analysis of the abstracted water or source of your water supply. (e.g. deep well water, tap water, water distributed by peddlers, etc.) at least **two (2) months** prior to the expiration of this permit.
9. Provide accessible sampling port at the effluent side of your WTF within **thirty (30) days** after the date of issuance of this permit. Submit proof of compliance.
10. Allow the entry of our duly authorized representative(s) to conduct inspection within your premises.
11. This permit, together with the corresponding Official Receipts of Payment, shall be adequately framed and posted in a conspicuous place at the plant/establishment.
12. This permit shall be renewed at least **thirty (30) days** prior to its expiration.

This permit is valid up to Oct 16, 2019, unless revoked or suspended by this Office in writing.


Non-compliance with the above conditions and/or any pertinent provisions of RA 9275 otherwise knows as "Clean Water Act", a corresponding penalty in the amount of P10,000-P200,000 per violation shall be imposed.



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Recommended by:

Approved by:


REYNALDO B. BARRA, PME
Chief, Clearance and Permitting Division


Letecia R. Maceda
Regional Director

Filing Fee	: Php 55.00	O.R. No. :	7153019/7150694	Date :	Nov. 14, 2017
PD1856	: Php 10.00	O.R. No. :	7153019/7150694	Date :	Nov. 14, 2017
Documentary Stamp Tax	: Php 30.00	O.R. No. :	7153019/7150694	Date :	Nov. 14, 2017
Documentary Stamp Tax	: Php 30.00	O.R. No. :	7153019/7150694	Date :	Nov. 14, 2017
Filing Fee	: Php 55.00	O.R. No. :	7153019/7150694	Date :	Nov. 14, 2017
Permit Fee	: Php 2000.00	O.R. No. :	7152876/7154759	Date :	Oct. 12, 2018
Water Discharge Fee	: Php 1146.37	O.R. No. :	7152876/7154759	Date :	Oct. 12, 2018



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