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

DEC 10 2021

DENR-PAB Case No. 08-000132-21-A

EXCEL OIL GASOLINE REFILLING STATION/STALLION FUELS

Brgy. Nato, Taft, Eastern Samar

Thru: STELLA MARIS E. LIBANAN
Managing Head

ROSALIE E. CAJIPO
Pollution Control Officer

ENVIRONMENTAL MANAGEMENT BUREAU
RELEASED BY: [Signature]
DATE: 12-13-21
TIME: 12:10

Sir/Madame:

This notice is being served upon you for alleged violation of R.A 8749 otherwise known as the Philippine Clean Air Act of 1999 based upon the compliance inspection conducted by the technical personnel of the Provincial Environmental Monitoring Unit (PEMU) – Eastern Samar last **28 July 2021**.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating without the required Permit to Operate of the following Air Pollution Source Installations: one (1) unit 45 KVA standby generator set and four (4) units underground fuel tanks (for Diesel, Premium, Unleaded and Kerosene since 28 July 2021 .	Violation of Section 1, Rule XIX of DENR Administrative Order (DAO) No. 2004-26 , amending DAO 2000-81, in relation to Section 1, Rule LVI of DAO 2000-81, 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 five (5) years 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



ENVIRONMENTAL MANAGEMENT BUREAU REGION 8
SURVEY COMPLIANCE INSPECTION FOR AIR QUALITY MANAGEMENT



ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION

Report Control Number: AS-08-08

Date of Inspection: **July 28, 2021**

Mission Order No.: EMBR8-2021-011594

1. GENERAL INFORMATION

Name of Establishment: Excel Oil Gasoline Refilling Station/Stallion Fuels		
Address: Brgy. Nato, Taft, Eastern Samar		Geo Coordinates: 11.90681, 125.42219
Nature of Business: Fuel Refilling Station		
PSIC Code: 47300/4661	Product: Automotive Fuels	Year Established: 2020
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: STELLA MARIS E. LIBANAN		
Name of PCO: ROSALIE E. CAIJO		
PCO Accreditation No.:	On process,	Date of Effectivity: July 11, 2021
Phone/Fax:	0966-351-7553	Email: rosalie_ellado@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"/>	<input type="checkbox"/>
<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 **AIR QUALITY SURVEY**

Name of Contact Person	ROSALIE E. CAIJO
Position / Designation	Bookkeeper

3. COMPLIANCE STATUS
3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1	ECC-OL-R08-2019-0200	11/14/2019	
	ECC2	N/A		
	ECC3	N/A		
RA 6969	DENR Registry ID	NONE		
	PCL Compliance Certificate	N/A		
	CCO Registry	N/A		
	Permit to Transport	N/A		
RA 8749	POA No.	NONE		
RA 9003	ECC for Sanitary Landfill	N/A		
RA 9275	DP No.	NONE		

MODULE AQM01: PRE-INSPECTION INFORMATION SHEET FOR EMISSION SOURCES

Emission Source Data Information		Emission Source Data Information	
Emission Source No.	1	Emission Source No.	2
Type (Brand/Model)	SDG 455 Generator Set	Type (Brand/Model)	4 UNDER GROUND TANKS
Rated Capacity	45 KVA	Rated Capacity	
Fuel Type & Quantity	Diesel	Fuel Type & Quantity	24000 kl UGT for Premium 24000 kl UGT for Diesel 24000 kl UGT for Unleaded 8,000 kl UGT for Kerosene
Operating Capacity			
Control Facility			
Notes			
		Operating Capacity	
		Control Facility	
		Notes	

Legal Provision	Regulatory Requirements	Compliant			Notes
		Y	N	N/A	
DAO 2004-26					
Rule 19 Section 1	Application for Permit to Operate has been filed for new or modified emission sources		√		No valid 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		√		

DAO 2000-81				
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.			v
	Facility is petroleum refinery / petrochemical industry installed with CEMS for particulates, sulfur oxide, and NOx			v
	Facility is primary copper smelter installed with CEMS for particulates, sulfur oxide, and NOx.			v
	Facility is steel plant installed with CEMS for particulates and sulfur oxide.			v
	Facility is ferro-alloy production facility installed with CEMS for particulates.			v
	Facility is cement plant installed with CEMS for particulates			v
Section 3a #1	Facility has the potential to emit at least 750 tons/year of regulated pollutant. Facility has CEMS and COMS.			v
	Facility has the potential to emit at least 750 tons/year of particulate matter. Facility has COMS.			v
EMB DAO 2007-22				
Section 5	CEMS/COMS Specifications for Opacity is compliant with: USEPA 40 CFR Part 60 Appendix B, Performance Specification 1			v
	CEMS/COMS Specifications for Sulfur Dioxide and Nitrogen Oxide is compliant with: USEPA 40 CFR Part 60 Appendix B, Performance Specification 2			v
	CEMS/COMS Specifications for Carbon Dioxide and Oxygen is compliant with: USEPA 40 CFR Part 60 Appendix B, Performance Specification 3			v
	CEMS/COMS Specifications for Carbon Monoxide is compliant with: USEPA 40 CFR Part 60 Appendix B, Performance Specification 4 and 4A.			v
	CEMS/COMS Specifications for Hydrogen Sulfide is compliant with: USEPA 40 CFR Part 60 Appendix B, Performance Specification 7.			v

Other Findings/Observations:

- It has been issued with ECC with reference no. **ECC-OL-RO8-2019-0200** issued on **November 14, 2019**.
- As per information from the Ms. Stella Maris S. Libanan, Manager, Excel Oil Gasoline Station/Stallion Fuels, the establishment resumed its normal operation this year and they are on the process of completing the required documents for PTO and other required environmental permits applications.
- The establishment has no valid Permit to Operate Air Pollution Source Installation for the One (1) unit 45 KVA Standby generator set and four (4) units UGT (Diesel, Premium, Unleaded and Kerosene).
- Application for PCO Accreditation still on process. The PCO designate already attended the 8-Hr Basic PCO training.

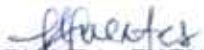
Remarks and Recommendations:

For issuance of Notice of Violation for Violation of Section 1, Rule XIX of DENR Administrative Order(DAO) No. 2004-26, amending DAO 2000-81, in relation to Section 1, Rule LVI of DAO 2000-81, in relation further to Pollution Adjudication Board Resolution No. 01, Series of 2019.

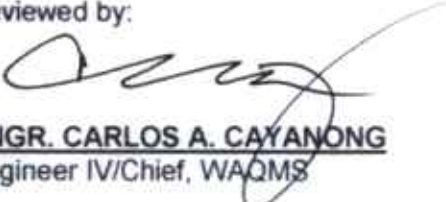
List of Documents Reviewed:

Copy of ECC

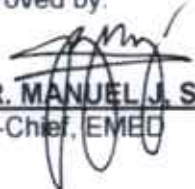
Monitored by:


JOSEPHINE L. FUENTES
Senior EMS/OIC, PEMU Eastern Samar


Reviewed by:


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

Approved by:


FOR. MANUEL J. SACEDA, JR.
OIC-Chief, EMED

Noted by:


ENGR. REYNALDO B. BARRA
OIC-Regional Director