

Department: ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION

Report Control Number: _____
Date of Inspection: March 2, 2022
Mission Order No.: TABLE MONITORING

1. GENERAL INFORMATION		
Name of Establishment: Commercial Sand and Gravel Extraction – Paulland P. Garcia		
Address: BRGY. NAPO, PALAPAG, NORTHERN SAMAR		Geo Coordinates: 12.52541, 125.12558
Nature of Business: Resource Extractive		
PSIC Code: 081	Product: N/A	Year Established: 2006
Operating hours/day: N/A	Operating days/week: N/A	Operating days/year: N/A

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:	PAULLAND P. GARCIA	
Name of PCO:	NONE	
PCO Accreditation No.:	N/A	Date of Effectivity: N/A
Phone/Fax:	NONE	Email: NONE

2. PURPOSE OF INSPECTION		
<input type="checkbox"/> Verify accuracy of information submitted by the establishment pertaining to new permit applications, renewals, or modification		
<input type="checkbox"/> New	New	Renewal
<input type="checkbox"/> 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"/>

<input checked="" type="checkbox"/> Determine compliance status with the environmental regulations, permit conditions, and other requirements	
<input type="checkbox"/> Investigate community complaints	
<input type="checkbox"/> Check status of voluntary commitment	
<input type="checkbox"/> Industrial Ecowatch	
<input type="checkbox"/> Philippine Environmental Partnership Program (PEPP)	
<input type="checkbox"/> Pollution Adjudication Board (PAB)	
<input type="checkbox"/> Others _____	
<input type="checkbox"/> Others <u>ECC Monitoring</u>	
Name of Contact Person	PAULLAND P GARCIA/WILFREDO ALIMAN (PMRB)
Position / Designation	PROPONENT/PMRB STAFF

3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits	Date of Issue	Expiry Date
PD 1586	ECC1	ECC-08-061213-0126	12/20/2006
	ECC2	N/A	
	ECC3	N/A	
RA 6969	DENR Registry ID	N/A	
	PCL Compliance Certificate	N/A	
	CCO Registry	N/A	
	Permit to Transport	N/A	
RA 8749	POA No.	N/A	
RA 9003	ECC for Sanitary Landfill	N/A	
RA 9275	DP No.	N/A	

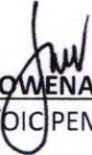
Legal Reference (Revised DAO 2003-30)	Compliance Requirements	Compliant?			Remarks
		Y	N	N/A	
Chapter 2-3 19) a) (i)	Does the establishment submit Compliance Monitoring Report (CMR) semi-annually to EMB?			/	
	Does the CMR include an assessment of the following:				
	a) Performance against the ECC conditions?			/	
	b) Performance against the Environmental Management Plan (EMP)			/	
	c) Performance against the monitoring of actual impacts (including residual impacts) as against predicted impacts in the Environmental Impact Assessment (EIA) Report and as related to current project operations?			/	
DAO 2003-30 Chapter 2-3 19) a) (ii) and DAO No. 2003-27	Does the establishment submit to the concerned EMB Regional Office detailed report on compliance to environmental standards specific to environmental laws through the quarterly Self-Monitoring Report (SMR)?			/	
Chapter 2-3 19) a) (iii)	Does the establishment submit semi-annual CMRs as part of Module 5 of the second and fourth quarter SMRs?			/	
	Does the second CMR include simple trend analysis of the environmental standards and a summary of the cumulative annual and historical performance/compliance analysis on key environmental and social parameters?			/	
Chapter 2-3 19) a) (iv)	Was the first CMR submitted mid-year after the start of project implementation (except for ECC commitments/conditions, which need to be submitted prior to project start-up)?			/	
	Did the establishment notify EMB on the start-up date of project implementation?			/	
	Is the establishment required a Multi-Partite Monitoring Team (MMT) (ECC condition)?			/	
	Has the MMT been established through a signed Memorandum of Agreement (MOA)?			/	

	Is the MMT MOA in accordance with the prescriptions?			/	
	Has the establishment facilitated the operationalization of an MMT Manual of Operations (MOO) based on prescribed Guidelines including the use of Compliance Monitoring and Validation Report (CMVR)			/	
	Has an Environmental Monitoring Fund (EMF) been established and operationalized based on prescribed guidelines?			/	
	Is the establishment required an Environmental Guarantee Fund (EGF) (ECC condition)?			/	
	Has an EGF been established?			/	
Chapter 2-3 19) b) (iii)	Does the establishment address complaints, exceedance of standards, and/or suspicious data?			/	

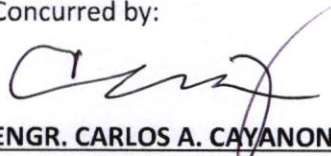
Compliance to ECC Conditions and EMP Commitments (Revised DAO 2003-30)						
ECC/EMP Condition/ Requirement Categorization	Relevant ECC Condition/s (if any)		Compliant			Proof of Compliance
	No.	Description	Y	N	N/A	
1) Project coverage/limits					/	
2) Components					/	
3) Other sectoral requirements mandated by other agencies to be complied with					/	
4) EMP and updates as deemed required					/	
5) Conduct of baseline, compliance and impact self-monitoring					/	
6) Multi-sectoral Monitoring (as may be required)					/	
7) Regular reporting					/	
8) Institutional arrangements necessary for implementation of environmental management measures					/	
9) Standard DENR requirement on transfer of ownership					/	
10) Standard DENR requirement on abandonment					/	
11) Impact Mitigation Plan or Construction/Contractor's Environmental Program					/	
12) Social Development Plan (SDP)					/	
13) Information, Education and Communication (IEC) Plan					/	
14) Contingency/Emergency Response Plan or equivalent Risk Management Plan					/	
15) Abandonment Plan (when applicable)					/	
16) Environmental Monitoring Plan (EMoP)					/	

Other Observations:
1. The project is a Commercial Sand and Gravel Extraction covered by ECC No. 08-061213-0126 issued on December 20, 2006 to Mr. Paulland P. Garcia located at Brgy. Napo, Palapag, Northern Samar;
2. An ECC cancellation Order dated February 11, 2022 has already been issued by this Office to the proponent for its non-operational status of the project for more than 5 years as per findings and recommendations from the previous monitoring.
Remarks and Recommendations:
1. It is recommended that the above-said project be removed from the universe monitoring list.
List of Documents Reviewed:
ECC/Cancellation Order

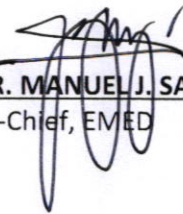
Prepared by:


FOR. ROWENA B. PABIA
SEMS/OIC PEMO

Concurred by:


ENGR. CARLOS A. CAYANONG
ENGINEER IV/CHIEF, WAQMS

Approved by:


FOR. MANUEL J. SACEDA
OIC-Chief, EMED

Noted by:


ENGR. REYNALDO B. BARRA
OIC-Regional Director



Republic of the Philippines
Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU
Regional Office No. VIII
Tacloban City, Philippines
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**IN RE: CANCELLATION OF
ENVIRONMENTAL
COMPLIANCE CERTIFICATE
(ECC-08-061213-0126) OF
PAULLAND GARCIA'S COMMERCIAL SAND AND GRAVEL
EXTRACTION PROJECT AT BARANGAY NAPO, PALAPAG,
NORTHERN SAMAR**

X-----X

ORDER

This Order is being issued in view of the on-site project validation conducted by technical personnel of this Office upon the **Environmental Compliance Certificate (ECC)**, with **Reference No. ECC-08-061213-0126**, issued to **Mr. Paulland P. Garcia** last **December 20, 2006** for its **Commercial Sand and Gravel Extraction Project** located at **Barangay Napo, Palapag, Northern Samar**.

The validation conducted was aimed at ascertaining the validity of the subject ECC vis-à-vis the requirements of existing and new policies.

Facts

On **March 10, 2021**, technical personnel from the **PEMU Northern Samar** of this Office conducted an on-site project validation upon the **Commercial Sand and Gravel Extraction Project** of **Mr. Paulland P. Garcia** located at **Barangay Napo, Palapag, Northern Samar**.

The validation revealed the following findings:

1. That the project has commenced implementation/operation since the ECC was issued.
2. That the project, however, has stopped operation for more than five (5) years. Not operational for more than 10 years, the project status was also confirmed by the Provincial Mining Regulatory Board attesting that as per records the proponent did not operate since the year 2012 and the area is already occupied by other permittees.
3. No reports were submitted per office records.

Based on the foregoing grounds, the validating personnel has recommended for the cancellation of the Environmental Compliance Certificate (ECC) issued by this Office for the said project.

Ruling

This Office finds that the ECC should be cancelled because the Project has stopped operation/implementation for more than five (5) years.

Under Paragraph (g), No. 4 of the Revised Guidelines for Coverage Screening and Standardized Requirements of the Philippine Environmental Impact Statement System, projects that have stopped operation for more than five years are not required to obtain a new ECC, provided ALL the following conditions are met:

1. CMR/CMVR had continuously been submitted or an official request for suspension of the CMR/CMVR had been approved by EMB.
2. No request for relief and/or cancellation of ECC had been approved.
3. The resumption of operation will not involve expansion of terms of production capacity (volume of output; number of product lines) or area.
4. The resumption of operation will not involve changes or medication in technology/ production method or manufacturing process/operation used.
5. There is no change in ownership or corporate dissolution.

Otherwise, an application for new ECC has to be filed and approved prior to resumption of operation.

Here, the findings reveal that the project has stopped operations for more than five (5) years. Although the proponent is yet to communicate an intention to resume operations, it is incumbent upon the proponent to show that all the above conditions are met if it intends to resume operations in the future. Accordingly, this Order presents an opportunity for the project proponent to prove that the said conditions were or will be met. Otherwise, the ECC Cancellation is in order.

WHEREFORE, premises considered, this Office finds that Environmental Compliance Certificate, with Reference ECC-08-061213-0126, issued to Mr. Paulland P. Garcia for its Commercial Sand and Gravel Extraction Project at Barangay Napo, Palapag, Northern Samar is hereby **CANCELLED**.

The Project Proponent, **Mr. Paulland P. Garcia**, is hereby given an opportunity within a period of **Fifteen (15) days** from receipt of this Order to submit its position/explanation on the matter, the failure of

ORDER

In re Cancellation of ECC-06-061213-0126

which to do the same shall be deemed a waiver of its right to contest the cancellation and the cancellation shall be deemed final and executory.

SO ORDERED. FEB 11 2022

Tacloban City, Philippines.

ENGR. REYNALDO B. BARRA
OIC-Regional Director

Copy furnished

Mr. Pauland P. Garcia
Palapag, Northern Samar



DISPOSITION FORM

Doc. Date : March 29, 2022
IIS No. : R8-2022-009553

Company Name : COMMERCIAL SAND AND GRAVEL EXTRACTION
– PAULLAND P. GARCIA



Subject / Title: COMMERCIAL SAND AND GRAVEL EXTRACTION - PAULLAND P. GARCIA

TO: All Officials/Personnel Concerned:

Please accomplish and route this properly with the corresponding attached communication/documents. The Official or employee in-charge to whom this document is routed shall act promptly and expeditiously without discrimination as prescribed in the SECSIME or within fifteen (15) working days from receipt thereof, failure to do is punishable by LAW under RA 6713 and negligence to Memorandum Circular No. 44 issued by the Office of the President of the Philippines "Directing all Government Agencies and Instrumentalities, including government-owned or controlled corporations to respond to all public requests and concerns within 15 days (15 from the receipt thereof)

For strict compliance.

ROUTED				
BY (Official Code/ Sender Initial)	DATE (mm/dd/yy)	TO (Official Code/ Receiver Initial)	TIME (AM/PM)	ACTION REMARKS STATUS
Rowena B. Pabia	03/29/2022	Ladylle B. Oledan	03:42 PM	For appropriate action.
Ladylle B. Oledan	03/30/2022	Rowena B. Pabia	10:52 AM	For appropriate action.
Rowena B. Pabia	03/30/2022	Ladylle B. Oledan	10:55 AM	For appropriate action. Resending report with corrected project address
Ladylle B. Oledan	03/30/2022	Sheilla Niña A. Peru	11:04 AM	For initial/signature.
Sheilla Niña A. Peru	03/31/2022	Vincent Philip A. Morastil	04:39 PM	For appropriate action. Please print the report and route to Ate Ledane for her review.
Vincent Philip A. Morastil	03/31/2022	Ledane Joy Y. Laurente	04:49 PM	Pls. study / evaluate.
by laurente	04/06/2022	CAC	08:06 AM	for signature.
CAV	4-6	MS	8:36	H
C. E. MED	04/06/22	OPD	1:38	I
"	4-7	V. Morastil	2:57	S

Use code for comment/instruction and desired action:

- | | | | |
|--|------------------------------------|-----------------------------------|----------------------------|
| A - For information / guidance / reference | B - For comments / recommendations | C - Pls. take up with me | D - Pls. draft answer memo |
| E - Pls. appropriate action | F - Pls. immediate investigation | G - Pls. Attach supporting papers | H - Pls. for approval |
| I - For initial/signature | J - For study/evaluation | K - Pls. release/file | L - Update stat of case |

Important Reminder !

Do not tamper. Continue on separate sheet if necessary. Attach this always with the document to be routed as this shall form an integral part of the document process.