



NOTICE OF VIOLATION

JAN 28 2022

DENR-PAB Case No. 08-00008-22-W

V&A POULTRY AND LIVESTOCK PRODUCTS MARKETING

Brgy. Arado, Burauen, Leyte

Thru: **VALENTINO MASAYON**
Managing Head

KYLE MASAYON
Pollution Control Officer-Designate

ENVIRONMENTAL MANAGEMENT BUREAU
RELEASED BY [Signature]
DATE: 02/02/2022
TIME: 9:03am

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 survey/inspection conducted by the technical personnel of the Provincial Environmental Monitoring Unit – Leyte (PEMU-Leyte) last **15 October 2021**.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating a facility that discharges regulated water pollutants without the required wastewater Discharge Permit since 15 October 2021 .	Violation of Section 27 (c) of R.A 9275 in relation to Section 28 of the same Act, 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



ENVIRONMENTAL MANAGEMENT BUREAU REGION 8

SURVEY/INSPECTION FOR WATER QUALITY MANAGEMENT



ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION

Report Control Number: _____

Date of Survey/Inspection: **October 15, 2021**

Mission Order No.: _____

1. GENERAL INFORMATIONName of Establishment: **V&A POULTRY and LIVESTOCK PRODUCTS MARKETING**Address: **Brgy. Arado, Burauen, Leyte**

Geo Coordinates:

10.9794946,124.9251217Nature of Business: **Poultry and Livestock**

PSIC Code:

Product:

Year Established: **2020**Operating hours/day: **24**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		
Name of Managing Head:	Valentino Masayon	
Name of PCO:	Kyle Masayon – PCO designate	
PCO Accreditation No.:	NONE	Date of Effectivity: N/A
Phone/Fax:	09192120734	Email: None given

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 **Water Quality Compliance Survey**

Name of Contact Person

Valentino Masayon

Position / Designation

Owner

3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1	ECC-OL-R08-2018-0099	7/19/2018	
	ECC2			
RA 6969	DENR Registry ID	N/A		
	PCL Compliance Certificate			
	CCO Registry			
	Permit to Transport			
RA 8749	POA No.	NONE		
RA 9003	ECC for Sanitary Landfill			
RA 9275	DP No.	NONE		

4. Water Supply and Wastewater Generation					
A. Water Sources					
Sources of Water Supply	Daily (m ³ /day)		Annual (m ³ /day)		Specify if Others
Surface water (river, lakes, etc.)					
Groundwater	52		18,980		
Water utilities					
Others (specify)					
B. Wastewater Sources					
Water Use / Sources of Wastewater	Consumed (m ³ /day)		Generated (m ³ /day)		Specify if Others
Process Water					
Domestic Water	20				
Cooling Water					
Maintenance	32				
Storm drain					
Others (specify)					
C. Quality of Abstracted Water					
Sources of Water Supply	BOD/ COD	TSS	AVFP	Heavy Metals	Specify if Others
No tests conducted					
5. Information on Wastewater Pollution					
A. Does the Establishment have a Wastewater Treatment Plant?	<input type="checkbox"/> Yes <input type="checkbox"/> No				
B. What type of WWTP?	<input type="checkbox"/> Physical <input type="checkbox"/> Biological <input type="checkbox"/> Chemical <input type="checkbox"/> Others				
C. WWTP Detail					
1. Date Installed	2019				
2. Design Capacity					
3. Cost of WWTP					
4. Annual Maintenance Cost (Php/year)					
5. Location of Discharge Point(s)	Receiving Water Body		Classification of Water Body		
	Closed Septic Tank		N/A		
	<input type="checkbox"/> V-weir		Other (specify)		

6. Flow Metering Device Use		<input type="checkbox"/> Flow Meter		
7. Flow Rate		Influent	Effluent	Others (specify)
A. Components of WWTP				
Primary	Biological	Chemical		Others
<input type="checkbox"/> Screening <input type="checkbox"/> Primary Treatment <input type="checkbox"/> Grit Removal <input type="checkbox"/> Oil/Water Separator <input type="checkbox"/> Equalization Tank <input type="checkbox"/> Others (specify) _____	<input type="checkbox"/> Activated Sludge <input type="checkbox"/> Anaerobic Digestion <input type="checkbox"/> Tricking Filter <input type="checkbox"/> Oxidation/Stabilization Pond <input type="checkbox"/> Sequencing Batch Reactor <input type="checkbox"/> Others (specify) _____	<input type="checkbox"/> pH Adjustment <input type="checkbox"/> Disinfection <input type="checkbox"/> Oxidation/Reduction <input type="checkbox"/> Flocculation/ Coagulation <input type="checkbox"/> Others (specify) _____		
B. Condition of the WWTP				
1. What is the general condition of the WWTP during sampling?		<input type="checkbox"/> Properly maintained <input type="checkbox"/> Inadequately maintained <input type="checkbox"/> Poor maintenance <input type="checkbox"/> Others		
2. Is the WWTP under construction or undergoing rehabilitation?		<input type="checkbox"/> Yes <input type="checkbox"/> No		
3. If the answer is No. 2 is YES, has this been reported to EMB/LLDA?				
4. Which System or units are under construction or being modified?		None		
5. Estimated date of completion		N/A		
6. Treatment units utilized to treat wastewater				

Water Quality Field Date						
Sampling Point No. 1						
Sampling Station		N/A		Sampling Time:		
Type of Sample						
Result Analysis						
Parameter	Value	Unit	DENR Effluent Standards	Compliant		Remarks
				Yes	No	
N/A						

III. SUMMARY OF FINDINGS					
Legal Reference	Compliance Requirements	Compliant			Remarks
		Y	N	N/A	
DAO 2005-10 Rule 14.1	1. Has the establishment submitted two notarized copies of accomplished application form?		/	/	
DAO 2005-10 Rule 14.2	2. Has the establishment submitted Sewer and Drainage Plan Drawing of appropriate scale in as standard size sheet and in accordance with good engineering practice?		/		

DAO 2005-10 Rule 14.6	3. Has the establishment submitted water quality analysis of abstracted water and the appropriate bills?			/	
	4. Has the establishment submitted Pollution Prevention/Environmental Management System Plan or Program?		/		
	5. Has the establishment submitted copy of the Environmental Compliance Certificate or Certificate of Non-Coverage?	/			
	6. Does the establishment have a DENR ID Number as hazardous waste generator, as applicable?		/		
	7. Has the establishment designated or appointed a PCO?		/		
	8. Does the establishment use its effluent for Agricultural Purposes?		/		
	a. Has the establishment submitted certified true copy of land ownership or notarized copy of agreement between the owner of the land where the effluent is to be applied and the discharger/permittee?			/	
	b. Has the establishment submitted proof that wastewater to be used for land application does not contain toxic or substances (as defined in RA 6969)?			/	
	c. Does the establishment's wastewater applied for agricultural purposes directly or indirectly seep or drain into groundwater or nearby surface waters which will affect the quality of such ground and/or surface water?			/	
	d. Has the establishment submitted a Certification from the Department of Agriculture (DA) stating that the quantity, quality and distribution methodology of application are suited for agricultural purposes?			/	
	e. Does the establishment use land application only during periods of low surface water flow to enhance loading limits compliance?			/	
	f. Has the establishment submitted baseline groundwater quality data and self-monitoring report within the discharge areas, and installed at least one groundwater monitoring well which shall be drilled in each dominant direction of groundwater movement?			/	
	g. Has the establishment submitted an emergency plan – which shall respond to emergencies that can prevent or minimize damage to equipment, land,			/	

	groundwater, etc., and/or public health?				
	h. Does the plan highlight the design considerations, systems operation, treatment/monitoring of soil, crops, effluent and groundwater before/after irrigation? Such requirements shall be in addition to Section 14.2.			/	

Other Observations:

- 1. V and A Poultry and Livestock Marketing was operational during time of survey.
- 2. It is operating a Broiler Farm with more or less 25,000 broilers collected by Bounty Fresh company.
- 3. Water source is from underground (deep well) undergoing a filtration process.
- 4. Has started its operation only in 2020 and owner is a Contract Grower of Bounty Fresh.
- 5. Inspector was not allowed to go inside the premises due to limitations of the ASF protocols.
- 6. Per information from the PCO designate, with more or less 2,000 livestock in housed as well
- 7. With 50 KVA undetermined brand genset.
- 8. Discharge Permit is still under processing through online.


Remarks and Recommendation:

Recommended to issue Notice of Violation for operating without valid Discharge Permit in violation of Section 27(c) of DAO 2005-10 in relation to Section 28 of the same DAO, and in relation further to PAB Resolution No. 1 series of 2019.

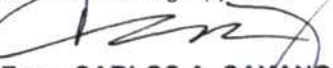
List of Documents Reviewed:

ECC

Submitted by:


CYRIL ANN B. BADEO
EMS II/ PEMU Leyte

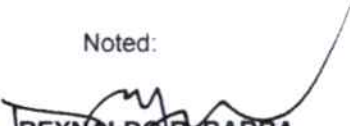
Recommending Approval:


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

Approval:


FOR: MANUEL J. SACEDA JR.
OIC Chief/EMED

Noted:


REYNALDO B. BARRA
OIC Regional Director