



## NOTICE OF VIOLATION

MAR 18 2022

**RIVER VALLEY DISTRIBUTION (FUEL STATION)**  
Brgy. 110 Utap, Tacloban City

Thru: **JUVE GESTA**  
Managing Head

DENR-PAB Case No. 08-000020-22-A

**ENVIRONMENTAL MANAGEMENT BUREAU**  
**RELEASED BY:**   
**DATE:** 3/21/22  
**TIME:** 2:01 PM

Sir/Madame:

This notice is being served upon you for alleged violation of the provisions of **R.A 8749** otherwise known as the Philippine Clean Air Act of 1999 based upon the survey/inspection conducted by the technical personnel of the Environmental Monitoring and Enforcement Division – Water Air Quality Monitoring Section (EMED-WAQMS) of this Office last **15 February 2022**.

### ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating one (1) unit 77 KW Diesel-Type "POWERCITY" Generator and 74 KL Underground Tanks, without the required <b>Permit to Operate</b> for Air Pollution Source and Control Installations since <b>15 February 2022</b> .	Violation of <b>Section 1, Rule XIX of DENR Administrative Order (DAO) No. 2004-26</b> , amending DAO 2000-81, in relation to <b>Section 1, Rule LVI of DAO 2000-81</b> , in relation further to <b>Pollution Adjudication Board Resolution No. 01, Series of 2019</b> .

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 **Twenty-Three Thousand Five Hundred Pesos (P23,500.00) 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 **embr8\_legal@emb.gov.ph**, 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

**SURVEY/INSPECTION FOR AIR QUALITY MANAGEMENT**

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

Report Control Number: \_\_\_\_\_

Date of Survey/Inspection: FEBRUARY 15, 2022

Mission Order No.: EMBR8-2022-004348

**1. GENERAL INFORMATION**

Name of Establishment: RIVER VALLEY DISTRIBUTION (FUEL STATION)

Address: BRGY. 110 UTAP, TACLOBAN CITY

Geo Coordinates:

11.238482 N, 124.988081 E

Nature of Business: Retail of Gasoline, Diesel Fuel

PSIC Code: 4661

Product: Gasoline,  
Kerosene, Diesel

Year Established: 2016

Operating hours/day: 12

Operating days/week: 6

Operating days/year:

Product Lines	Production Rate as Declared in the ECC (unit/day)	Actual Production Rate (unit/day)
	N/A	
Name of Managing Head:	JUVE GESTA	
Name of PCO:	NONE	
PCO Accreditation No.:	N/A	Date of Effectivity: -
Phone/Fax:	0905-619-2972	Email: -

**2. PURPOSE OF INSPECTION**

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

\_\_\_\_\_ New Renewal

New

Renewal

\_\_\_\_\_ PMPIN Application

☐☐

\_\_\_\_\_ Hazardous Waste ID Registration

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\_\_\_\_\_ Hazardous Waste Transporter Registration

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\_\_\_\_\_ Hazardous waste TSD Registration

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\_\_\_\_\_ Permit to Operate Air Pollution Control Installation

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\_\_\_\_\_ Discharge Permit

☐☐

\_\_\_\_\_ Others \_\_\_\_\_

☐☐

- ☐
- 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 SURVEY

Name of Contact  
Person

JUVE GESTA

Position / Designation

Station Supervisor



3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1	ECC-R08-1208-0104	10/15/2012	
	ECC2			
	ECC3			
RA 6969	DENR Registry ID			
	PCL Compliance Certificate			
	CCO Registry			
	Permit to Transport			
RA 8749	POA No.			
RA 9003	ECC for Sanitary Landfill			
RA 9275	DP No.			

MODULE AQM01: PRE-INSPECTION INFORMATION SHEET FOR EMISSION SOURCES

Emission Source Data Information	
Emission Source No.	
Type (Brand/Model)	POWERCITY
Rated Capacity	77 KW
Fuel Type & Quantity	Diesel
Operating Capacity	
Control Facility	
Notes Stand-by generator	

Emission Source Data Information	
Emission Source No.	
Type (Brand/Model)	NONE
Rated Capacity	
Fuel Type & Quantity	One (1) UNIT of Regular; One (1) UNIT of Premium; One (1) UNIT of Diesel
Operating Capacity	16 KL; 16 KL; 22KL
Control Facility	
Notes UGT's	

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		/		
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			/	

	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 Sulfur Dioxide and Nitrogen Oxide is compliant with: USEPA 40 CFR Part 60 Appendix B, Performance Specification 2			/	
	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:

1. This Office issued Environmental Compliance Certificate (ECC) with reference number R08-1208-0104 to River Valley Distribution, Inc. for the proposed River Valley Distribution (Fuel Station) project to be located at Barangay 110 Utap Tacloban City on October 15, 2012. The project has the following components/facilities:
  - a. Guard House
  - b. Four (4) Units Diesel Storage Tank
  - c. Four (4) Units Dispensing Pumps
  - d. Generator Set
  - e. Office Building
2. The gasoline station was operating at the time of inspection.



3. The gasoline station has six (6) functional dispensing pumps and four (4) units of Underground Tanks (UGTs) which is comprised of: One (1) unit of 22 KL Diesel, One (1) unit of 20 KL Diesel, One (1) unit of 16 KL of Unleaded and One (1) unit of 16 KL Premium.
4. The Gasoline station has a one (1) unit of 77 KW Diesel-type Powercity Generator
5. The establishment has one comfort room for public use.
6. The gasoline station is headed by their Station Supervisor, Mr. Juve Gesta.
7. No CMR submission was received by the office.

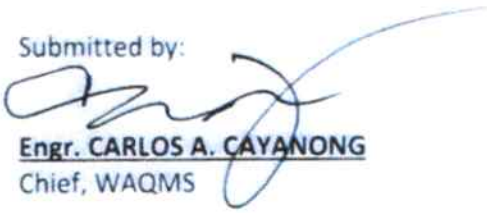
**Remarks and Recommendation:**

1. It is recommended for the proponent to apply for Permit to Operate for the underground tanks and stand-by generator.
2. The proponent must designate an accredited Pollution Control Officer (PCO) for the gasoline station.
3. For this office to issue Notice of Violation (NOV) to **RIVER VALLEY DISTRIBUTION (FUEL STATION)** for failure to secure a Permit to Operate Air Pollution Source and Control Installation for One(1) UNIT 77 KW Diesel-type "POWERCITY" Generator and 74 KL Underground Tanks, in violation of Section 1, Rule XIX, DENR Administrative Order No 2004-26 (Implementing Rules and Regulations of R.A. 8749), amending Section 1, Rule XIX of DAO No. 2000-81, in relation to Section 1, Rule LVI of DAO No. 2000-81, and in relation further to PAB Resolution No. 01-2019.


**List of Documents Reviewed:**

ECC

Submitted by:

  
Engr. CARLOS A. CAYANONG  
Chief, WAQMS

Approved by:

  
FOR. MANUEL J. SACEDA, JR.  
OIC Chief, EMBD

Noted by:

  
REYNALDO B. BARRA, PME  
OIC Regional Director