



## NOTICE OF VIOLATION

MAY 12 2022

DENR-PAB Case No. 08-000037-22-A

**TACLOBAN GAS STATION**  
**(RIVER VALLEY DISTRIBUTION, INC.)**  
Brgy. 91, Abucay, Tacloban City

ENVIRONMENTAL MANAGEMENT BUREAU  
RELEASED BY: *[Signature]*  
DATE: 5/13/2022  
TIME: 8:24am

Thru: **ANDREW P. NG**  
Managing Head

**JOBEN GESTA**  
Pollution Control Officer

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 survey/inspection conducted by the technical personnel of the Environmental Monitoring and Enforcement Division – Water Air Quality Monitoring Section (EMED-WAQS) of this Office last **03 March 2022**.

### ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating four (4) units Underground Fuel Tanks for Premium and Unleaded gasoline (16 KL capacity each), and diesel fuel (with 22 and 24 KL capacity); one (1) unit 77 KW “POWERCITY” brand standby generator set with muffler, without the required <b>Permit to Operate</b> for Air Pollution Source and Control Installations since <b>03 March 2022</b> .	Violation of <b>Section 1, Rule XIX of DENR Administrative Order 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 **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 **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: March 3, 2022

Mission Order No.: EMBR8-2022-007138

**1. GENERAL INFORMATION**

Name of Establishment: **TACLOBAN GAS STATION (RIVER VALLEY DISTRIBUTION, INC.)**

Address: Brgy. 91, Abucay, Tacloban City

Geo Coordinates:

11.238482°N, 124.988081°E

Nature of Business: Fuel Refilling Station

PSIC Code: 4661

Product:

Year Established: 2016

Operating hours/day:  
12 hours

Operating days/week:  
6 days

Operating days/year:  
288 days

Product Lines

Production Rate as Declared  
in the ECC (unit/day)

Actual Production Rate (unit/day)

Name of Managing Head:

MR. ANDREW P. NG

Name of PCO:

MR. JOBEN GESTA

PCO Accreditation No.:

-NONE-

Date of Effectivity:

Phone/Fax:

Name of Contact Person

(0905) 619 2972

MR. JOVEN GESTA

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

☐☐

Hazardous Waste Transporter Registration

☐☐

Hazardous waste TSD Registration

☐☐

Permit to Operate Air Pollution Control Installation

☐☐

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 \_\_\_\_\_

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01-01-21

- ☐ Others \_\_\_\_\_





Position / Designation	Designated PCO
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3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1	ECC-RO8-1306-0068	07-03-2013	
	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 SHEETFOR EMISSION SOURCES

Emission Source Data Information	
Emission Source No.	1
Type (Brand/Model)	"POWERCITY" Generator Set
Rated Capacity	77 KVA
Fuel Type & Quantity	Diesel
Operating Capacity	
Control Facility	Muffler
Notes	

Emission Source Data Information	
Emission Source No.	2
Type (Brand/Model)	Underground Tanks (4 units)
Rated Capacity	
Fuel Type & Quantity	
Operating Capacity	
Control Facility	
Notes: Premium Gasoline (16 KL), Unleaded Gasoline (16 KL) and Diesel (22 KL & 24KL)	

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		✓		The establishment has no valid Permit to Operate.
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			✓	
<b>DAO 2000-81</b>					
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.			✓	
<b>EMB DAO 2007-22</b>					
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			✓	
<b>Other Observations:</b>					
<ol style="list-style-type: none"> <li>1. The gasoline station was operational during the time of monitoring.</li> <li>2. Four (4) units underground fuel storage tanks with a capacity of 16KL for premium gasoline, 16KL for unleaded gasoline, 22 KL and 24 KL for diesel fuel were observed on-site. These products were provided with four(4) units dispensing machine.</li> <li>3. The establishment was also provided with one (1) unit 77 KW "POWERCITY" brand standby generator set provided with muffler.</li> <li>4. All air pollution source equipments and control facilities has no valid Permit to Operate from this Office.</li> <li>5. No Accredited Pollution Control Officer.</li> </ol>					
<b>Remarks and Recommendation:</b>					
<ol style="list-style-type: none"> <li>1. Issuance of Notice of Violation is hereby recommended pursuant to Section 1, Rule XIX of the DAO 2004-26 amending the DAO 2000-81, in relation to Section 1, Rule LVI of DAO 2000-81 and in relation further to PAB Resolution 1-2019 for operating without valid Permit to Operate from this Office.</li> <li>2. Designated Pollution Control Officer to attend training and apply for PCO Accreditation.</li> </ol>					
<b>List of Documents Reviewed:</b>					
Copy of ECC.					

Submitted by:

  
**VILMA C. FABILLO**  
Senior EMS

Recommending Approval:

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

Approved by:

  
**MANUEL J. SACEDA, JR.**  
OIC, Chief, EMED

Noted by:

  
**ENGR. REYNALDO B. BARRA**  
OIC, Regional Director

