



## NOTICE OF VIOLATION

MAY 12 2022

DENR-PAB Case No. 08-000035-22-A

### ROCKSTAR MICRO FUEL STATION PROJECT

Brgy. Baras, Palo, Leyte

Thru: **ENGR. ALEXANDER D. RABUYA**  
Managing Head

**PERLA CAJEFE ODAL**  
Pollution Control Officer

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

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-WAQMS) of this Office last **07 April 2022**.

### ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating three (3) units Underground Fuel Tanks; one (1) unit 30 KVA Superhulk standby generator set, without the required <b>Permit to Operate</b> for Air Pollution Source and Control Installations since <b>07 April 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





ENVIRONMENTAL MANAGEMENT BUREAU REGION 8

**SURVEY/INSPECTION FOR AIR QUALITY MANAGEMENT**

ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION

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

Date of Survey/Inspection: **April 07, 2022**Mission Order No.: **EMBR8-2022-009444****1. GENERAL INFORMATION**Name of Establishment: **ROCKSTAR MICRO FUEL STATION PROJECT**Address: **Brgy. Baras, Palo, Leyte**

Geo Coordinates:

**11.16219 N, 125.00231 E**Nature of Business: **Retail of Automotive Fuels**PSIC Code: **4661**Product: **N/A**Year Established: **2020**Operating hours/day: **12**Operating days/week: **7**Operating days/year: **365**

Product Lines	Production Rate as Declared in the ECC (unit/day)	Actual Production Rate (unit/day)
	<b>Storage capacity= 60 KL</b>	
Name of Managing Head:	<b>ENGR. ALEXANDER D. RABUYA</b>	
Name of PCO:	<b>PERLA CAJEFE ODAL</b>	
PCO Accreditation No.:	<b>2017-RVIII-0029</b>	Date of Effectivity: <b>April 3, 2017</b>
Phone/Fax:	<b>09752111434</b>	Email: <b>pearlco15@gmail.com</b>

**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 \_\_\_\_\_

Name of Contact Person	<b>ENGR. ALEXANDER D. RABUYA</b>
Position / Designation	<b>Owner</b>





3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1	ECC-OL-R08-2020-0101	73-28-2020	
	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.	1
Type (Brand/Model)	Three (3) units UGT
Rated Capacity	Premium, Unleaded, Diesel
Fuel Type & Quantity	60 KL
Operating Capacity	
Control Facility	
Notes	

Emission Source Data Information	
Emission Source No.	2
Type (Brand/Model)	One (1) unit Super Hulk Genset
Rated Capacity	30 KVA
Fuel Type & Quantity	Diesel
Operating Capacity	Standby
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		√		
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.			√	
<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>					
<ul style="list-style-type: none"> <li>- Engr. Alexander D. Rabuya was granted an Environmental Compliance Certificate with reference code ECC-OL-R08-2020-0101 by this Office on 28 July 2020 for the Rockstar Micro Fuel Station Project located in Brgy. Baras, Palo Leyte with a total underground tank capacity of 60KL.</li> <li>- The Gasoline station was operational during the monitoring. Upon validation, the firm was named as Power Fuel Gasoline Station.</li> <li>- No Permit to Operate for Air Pollution Source Installation for the UGTs and one (1) unit 30KVA Superhulk Standby was secured from this Office.</li> <li>- The station provided comfort rooms for employees and customers. A septic tank was provided for domestic wastewater generation. No application filed for Wastewater Discharge Permit issuance.</li> <li>- ECC billboard was posted at the site.</li> <li>- Pollution Control Officer accreditation of Ms. Perla Cajefe Odal was expired on April 3, 2020.</li> <li>- No records of CMRs submission through the EMB Online System.</li> </ul>					
<b>Remarks and Recommendation:</b>					





- For issuance of Notice of Violation for operating without a valid Permit to Operate Air Pollution Source and Control Installation in violation to 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.
- To secure Permit to Operate and Wastewater Discharge Permit.
- Regular and timely submission of CMR thru EMB online system.
- For Ma'am Perla Cajefe Odal to secure renewal of PCO accreditation
- To apply for amendment of ECC for change of establishment name.

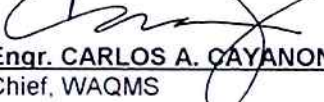
**List of Documents Reviewed:**

ECC


Submitted by:

  
**JANETT T. POLEA**  
 Engr. IV

Recommending Approval:

  
**Engr. CARLOS A. CAYANONG**  
 Chief, WAQMS

Approved by:

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

Noted by:

  
**REYNALDO B. BARRA, PME.**  
 OIC-Regional Director

