



## NOTICE OF VIOLATION

DEC 10 2021

### CHESSA DAWN POULTRY FARM

Brgy. San Juan, San Isidro, Northern Samar

Thru: **TOLSTOY GULFAN**  
Managing Head/Pollution Control Officer

DENR-PAB Case No. 08-000172-21/W

ENVIRONMENTAL MANAGEMENT BUREAU  
RELEASED BY: \_\_\_\_\_  
DATE: 12-13-21  
TIME: 11:55 AM

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 (PEMU) – Northern Samar last **07 October 2021**.

### ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating a facility that discharges regulated water pollutants without valid wastewater <b>Discharge Permit</b> , since <b>07 October 2021</b> .	Violation of <b>Section 27 (c)</b> of <b>R.A 9275</b> in relation to <b>Section 28</b> of the same Act, and 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 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



## SURVEY/INSPECTION FOR WATER QUALITY MANAGEMENT



## ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION

Report Control Number: WS-10-01Date of Survey/Inspection: October 7, 2021Mission Order No.: EMBR8-2021-016190**1. GENERAL INFORMATION**

Name of Establishment: CHEESA DAWN POULTRY FARM		
Address: Brgy. San Juan, San Isidro, Northern Samar		Geo Coordinates: 12.35121, 124.33744
Nature of Business: Animal production		
PSIC Code: 014	Product: N/A	Year Established: 2015
Operating hours/day: 8	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	N/A	N/A
Name of Managing Head: TOLSTOY GULFAN		
Name of PCO: TOLSTOY GULFAN		
PCO Accreditation No.:	PCO Designate	Date of Effectivity: N/A
Phone/Fax:	NONE	Email: gulfantolstoy@gmail.com

**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 SURVEY

Name of Contact Person	TOLSTOY GULFAN
Position / Designation	OWNER



### 3. COMPLIANCE STATUS

#### 3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits			Date of Issue	Expiry Date
PD 1586	ECC1	ECC-R08-1503-0037			N/A
	ECC2	N/A			N/A
RA 6969	DENR Registry ID	N/A			N/A
	PCL Compliance Certificate	NONE			N/A
	CCO Registry	N/A			N/A
	Permit to Transport	N/A			N/A
RA 8749	POA No.	N/A			N/A
RA 9003	ECC for Sanitary Landfill	NONE	DP on process	N/A	N/A
RA 9275	DP No.	N/A			N/A

#### 4. Water Supply and Wastewater Generation

##### A. Water Sources

Sources of Water Supply	Daily (m <sup>3</sup> /day)	Annual (m <sup>3</sup> /day)	Specify if Others
Surface water (river, lakes, etc.)			
Groundwater	2.0	24	
Water utilities			
Others (specify)			

##### B. Wastewater Sources

Water Use / Sources of Wastewater	Consumed (m <sup>3</sup> /day)	Generated (m <sup>3</sup> /day)	Specify if Others
Process Water			
Domestic Water	1.0	1.0	
Cooling Water			
Maintenance	1.0	1.0	
Storm drain			
Others (specify)			

##### C. Quality of Abstracted Water - no sampling done

Sources of Water Supply	BOD/ COD	TSS	AVFP	Heavy Metals	Specify if Others

#### 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		2015	
2. Design Capacity		-	
3. Cost of WWTP		40,000	
4. Annual Maintenance Cost (Php/year)		-	
5. Location of Discharge Point(s)		Receiving Water Body	Classification of Water Body
Within the facility		Septic Tank	
		<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			

<b>Primary</b> <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) _____	<b>Biological</b> <input type="checkbox"/> Activated Sludge <input type="checkbox"/> Anaerobic Digestion    x <input type="checkbox"/> Tricking Filter <input type="checkbox"/> Oxidation/Stabilization Pond <input type="checkbox"/> Sequencing Batch Reactor <input type="checkbox"/> Others (specify) _____	<b>Chemical</b> <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>Others</b>
<b>B. Condition of the WWTP</b>			
1. What is the general condition of the WWTP during sampling? No sampling done		<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 checked="" type="checkbox"/> No x	
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?			
5. Estimated date of completion			
6. Treatment units utilized to treat wastewater			

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

<b>III. SUMMARY OF FINDINGS</b>					
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?		/		
	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?			/	
DAO 2005-10 Rule 14.6	8. Does the establishment use its effluent for Agricultural Purposes?			/	<b>If yes, proceed to succeeding items</b>
	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.			/	

<b>Other Observations:</b> 1. The establishment is operational during the time of inspection; 2. No Discharge Permit for wastewater generated.
<b>Remarks and Recommendation:</b> 1. For issuance of Notice of Violation for operating facilities that discharge regulated water pollutants without the valid required permit in violation to Section 27(c) OR 27(i) of RA 9275 in relation to Section 28 of the same Act, and in relation further to PAB Reso 1-2019.
<b>List of Documents Reviewed:</b> ECC

GEOTAGGED PHOTOS OF THE POULTRY FARM



Prepared by:

ROWENA B. PABIA  
 SR. EMS/OIC PEMO

Approval:

MANUEL J. SACEDA, Jr.  
 OIC Chief, EMED

Recommending Approval:

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

Noted:

REYNALDO B. BARRA, PME  
 OIC Regional Director