
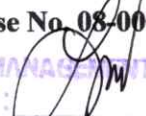
	Republic of the Philippines Department of Environment and Natural Resources <b>ENVIRONMENTAL MANAGEMENT BUREAU</b> DENR Compound, Jones St. Tacloban City, Philippines	
	<b>NOTICE OF VIOLATION</b>	

15 June 2021

**FREDERICK FULACHE PIGGERY**  
Brgy. Liberty, Hilongos, Leyte

Thru: **FREDERICK V. FULACHE**  
Managing Head

DENR-PAB Case No. **08-000060 -21-W**

ENVIRONMENTAL MANAGEMENT BUREAU  
RELEASED BY:   
DATE: 06/16/2021  
TIME: 1:30 pm

**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 on the table monitoring conducted by the technical personnel of the Provincial Environmental Monitoring Unit (PEMU) – Leyte last **10 February 2021**.

**ACTS CONSTITUTING THE VIOLATION**

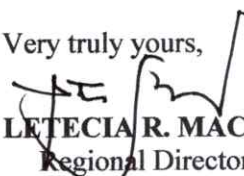

Finding/s	Prohibited Act/s
Operating a facility that discharges regulated water pollutants without a valid <b>Discharge Permit</b> since <b>16 October 2020</b> .	Violation of <b>Paragraph (c), Section 27 of R.A 9275</b> , in relation to <b>Section 28</b> thereof and in relation further to <b>Pollution 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,  
  
**LETECIA R. MACEDA**  
Regional Director  






## COMPLIANCE INSPECTION FOR WATER QUALITY MANAGEMENT



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

Report Control Number: WATER-02-18Date of Inspection: Feb.10, 2021Mission Order No.: Table Monitoring

## 1. GENERAL INFORMATION

Name of Establishment: <b>FREDERICK FULACHE PIGGERY</b>		
Address: <b>Brgy. Liberty, Hilongos, Leyte</b>		Geo Coordinates:
Nature of Business: <b>Piggery</b>		<b>10.392408 124.759326</b>
PSIC Code:	Product:	Year Established: <b>1977</b>
Operating hours/day:	Operating days/week:	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:	<b>FREDERICK V. FULACHE</b>	
Name of PCO:	<b>NONE</b>	
PCO Accreditation No.:	<b>NONE</b>	Date of Effectivity:
Phone/Fax:	<b>NONE</b>	Email:

## 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 TABLE MONITORING**

Name of Contact Person	<b>Frederick V. Fulache</b>
Position / Designation	<b>Proprietor</b>





### 3. COMPLIANCE STATUS

#### 3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits	Date of Issue	Expiry Date
PD 1586	ECC1	NONE	
	ECC2		
	ECC3		
RA 6969	DENR Registry ID	NONE	
	PCL Compliance Certificate		
	CCO Registry		
	Permit to Transport		
RA 8749	POA No.	NONE	
RA 9003	ECC for Sanitary Landfill		
RA 9275	DP No.	DP-RO8-19-03234	Oct.16, 2019 Oct.16, 2020

### 4. Water Supply and Wastewater Generation

#### D. 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			
Water utilities	0.52	189.8	
Others (specify)			

#### E. 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	0.2		
Cooling Water			
Maintenance	0.32		
Storm drain			
Others (specify)			

#### F. Quality of Abstracted Water

Sources of Water Supply	BOD/ COD	TSS	AVFP	Heavy Metals	Specify if Others
NONE					

### 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	Not determined since evaluation is conducted thru table monitoring
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			
		<input type="checkbox"/> V-weir	Other (specify) _____
6. Flow Metering Device Use		<input type="checkbox"/> Flow Meter	
7. Flow Rate		Influent	Effluent
			Others (specify) _____
<b>C. Components of WWTP</b>			
<b>Primary</b>	<b>Biological</b>	<b>Chemical</b>	<b>Others</b>
<input type="checkbox"/> Screening	<input type="checkbox"/> Activated Sludge	<input type="checkbox"/> pH Adjustment	
<input type="checkbox"/> Primary Treatment	<input type="checkbox"/> Anaerobic Digestion	<input type="checkbox"/> Disinfection	
<input type="checkbox"/> Grit Removal	<input type="checkbox"/> Tricking Filter	<input type="checkbox"/> Oxidation/Reduction	
<input type="checkbox"/> Oil/Water Separator	<input type="checkbox"/> Oxidation/Stabilization Pond	<input type="checkbox"/> Flocculation/ Coagulation	
<input type="checkbox"/> Equalization Tank	<input type="checkbox"/> Sequencing Batch Reactor	<input type="checkbox"/> Others (specify) _____	
<input type="checkbox"/> Others (specify) _____	<input type="checkbox"/> Others (specify) _____		
<b>D. Condition of the WWTP</b>			
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 <b>Not determined since evaluation is conducted thru table monitoring</b>	
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?			
5. Estimated date of completion			
6. Treatment units utilized to treat wastewater			

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

<b>Water Quality Field Date</b>						
<b>Sampling Point No. 2</b>						
Sampling Station	N/A			Sampling Time:	AM/PM	
Type of Sample						
<b>Result Analysis</b>						





Parameter	Value	Unit	DENR Effluent Standards	Compliant		Remarks
				Yes	No	
N/A						

Information Summary of the previous or recent inspection/sampling:

Date of Sampling						
Sampling Station		N/A		Sampling Time:		AM/PM
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 13.1	1. Does the establishment pay the required wastewater charge?	/			
DAO 2005-10 Rule 14.1	2. Does the establishment have a Discharge Permit?	/			
DAO 2005-10 Rule 14.5	3. Does the establishment pay the required discharge permit fee?	/			
DAO 2005-10 Rule 14.9	4. Is the permit available and valid?		/		DP-RO8-19-03234 valid until Oct.16, 2020 only
DAO 2005-10 Rule 14.11	5. Do the discharge points correspond to those declared in the discharge permit?	/			
	6. Is the volume discharged within the allowable volume declared in the discharge permit?	/			
	7. Is the permit posted in a proper area?	/			
DAO 2005-10 Rule 14.16	8. Are the SMRs submitted quarterly and on time?		/		No online SMR submissions
DAO 1990-35 Section 4-6	9. Are the effluent parameters compliant with the standards in DENR existing effluent standards?			/	



DAO 1990-35 Section 8	10. Does the establishment comply with the additional requirements stated in DAO 1990-35?	/			
DAO 1990-35 Section 9	11. Are the pollution control facilities properly and continuously operated?	/			
DAO 1990-35 Section 10	12. Are the methods of analysis used for effluent samples in accordance with the prescribed methods of the Department?			/	
Other Requirements	13. Are the copies of water analysis reports available?			/	
	14. Are the correspondence between the establishment and EMB documented?			/	
	15. Are the establishment's compliance violations and exceedances documented?			/	
	16. Are there any pending litigation/PAB cases?		/		
	17. Are there spill prevention contingency plans?			/	
	18. Are there spill containment facilities available?			/	

**Other Observations:**

- 1.The establishment has been evaluated through table monitoring with previous investigation report and Discharge Permit only as the reference.
2. It has been issued with Discharge Permit with reference no. DP-RO8-19-03234 issued on October 16, 2019 and valid until Oct.16, 2020.
3. As per office records there is no SMRs submitted hence, lacking relevant details for reporting especially when SMR serves as the reference for table monitoring.

**Remarks and Recommendation:**

- 1.To submit Self Monitoring Report on a quarterly basis through EMB online system.
- 2.To issue a Notice of Violation for operating without valid Discharge Permit in violation of paragraph (c) , section 27 of RA 9275.


**List of Documents Reviewed:**

Discharge Permit and previous investigation report (2017)

Submitted by:

  
**CYRIL ANN B. BADEO**  
EMS II/ PEMU Leyte

Reviewed by:

  
**JOSEPHINE L. FUENTES**  
Senior EMS/ OIC, PEMU Leyte

Recommending Approval:

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

Approval:

  
**REYNALDO B. BARRA, PME**  
Chief, EMB

Noted:

  
**LETICIA R. MACEDA**  
Regional Director

