
	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>	

03 June 2021

DENR-PAB Case No. 08-000058-21-W

BERNARDITA DE PAZ LERIOS/XHIN BOY GAS STATION  
(PROPOSED GASOLINE STATION)  
Brgy. Doña Brigida, Tolosa, Leyte

Thru: MA. BERNARDITA DE PAZ LERIOS  
Managing Head

DINA B. MONTEMAYOR  
Pollution Control Officer

ENVIRONMENTAL MANAGEMENT BUREAU  
RELEASED BY: *[Signature]*  
DATE: 06/16/2021  
TIME: 11:33am

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 compliance inspection conducted by the Provincial Environmental Monitoring Unit (PEMU) – Leyte last 24 March 2021.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating a facility that discharges regulated water pollutants without the valid required wastewater <b>Discharge Permit</b> , since 24 March 2021.	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](mailto:embr8_records@emb.gov.ph), copy furnished [legalunitembr8@gmail.com](mailto: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,

*[Signature]*  
**LETECIA R. MACEDA**  
Regional Director

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Republic of the Philippines  
Department of Environment and Natural Resources  
**ENVIRONMENTAL MANAGEMENT BUREAU**  
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## MEMORANDUM

**FOR :** **THE REGIONAL DIRECTOR**  
Environmental Management Bureau Region VIII

**ATTENTION :** **LEGAL UNIT**

**FROM :** **THE UNDERSIGNED**

**SUBJECT :** **RECOMMENDATION FOR THE ISSUANCE OF NOTICE OF VIOLATION (NOV) TO : PROPOSED GASOLINE STATION (BERNARDITA DE PAZ LERIOS)/XHIN BOY GAS STATION .**

**DATE :** **May 3, 2021**

Pursuant to Mission Order No. EMBR8-2021-004678 the undersigned conducted compliance monitoring at PROPOSED GASOLINE STATION (BERNARDITA DE PAZ LERIOS)/XHIN BOY GAS STATION located at Brgy. Dona Brigida, Tolosa, Leyte on MARCH 24, 2021 to determine compliance status of firm with the environmental regulations, permit conditions, and other requirements. The following are the findings and recommendations formulated, to wit:

### Findings and Observations:

1. No DENR ID Registration as Hazardous Waste Generator.
2. No Discharge Permit. As per information from Ms. Dina Montemayor, PCO, Xhin Boy Gas Station, the establishment is now on the process of preparing the required documents for DP application.

### Remarks and Recommendations:

1. To secure DENR-ID Registration as Hazardous Waste Generator through EMB online system <https://hwms.emb.gov.ph>. The system requires prior company registration through <https://iis.emb.gov.ph/crs>. by the applicant.
2. For issuance of Notice of Violation for operating without a valid Discharge Permit, violation of Sec. 27 Par. C of RA9275 "The Philippine Clean Water Act of 2004".

Prepared by:

  
**JOSEPHINE L. FUENTES**  
Inspector/OIC, PEMU Leyte

Recommending Approval:

  
**ENGR. CARLOS A. CAYANONG**  
Chief, Water Air Quality Monitoring Section/  
Engineer IV

Approved by:

  
**REYNALDO B. BARRA, PME.**  
Chief, Environmental Monitoring and Enforcement Division

