

27 May 2021

ANGELO IGNACIO L. VELOSO INDUSTRIAL SAND AND GRAVEL
(Without CRUSHING PLANT) PROJECT
Along Tinag-an River, Brgy. Mahayag, Albuera, Leyte and Brgy. Maybog, Baybay City

Thru: MR. ANGELO IGNACIO L. VELOSO
Managing Head

Sir/Madame:

This notice is being served upon you for alleged violation of P.D 1586 otherwise known as the Philippine Environmental Impact Statement System, based upon the investigation conducted by the technical personnel of this office last 06 April 2021.

ACTS CONSTITUTING THE VIOLATION

Findings	Prohibited Acts
Failure to submit Compliance Monitoring Report (CMR) to this Office semi-annually.	Violation of ECC General Condition No. 4, DENR Administrative Order 2003-30, Implementing Rules and Regulations of P.D 1586.

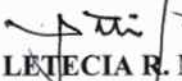

The foregoing considered, and in accordance with the relevant provisions of **EMB Memorandum Circular No. 2020-21¹**, you are hereby required to explain in writing, duly subscribed before a Notary Public, **within Fifteen (15) days from receipt hereof**, your defense/position to the alleged violation/s which is punishable by a fine of **not less than Ten Thousand Pesos (P10, 000.00) nor more than Fifty Thousand Pesos (P50,000.00)** for the above cited prohibited acts and to show cause why no Order should be issued against you, directing immediate cessation of the project operation.

To expedite the submission, you may send an electronic copy of your position paper thru e-mail address **embr8_records@emb.gov.ph**. Further, you or your authorized representative is hereby summoned to physically attend in a technical conference before this Office on JUNE 28, 2021 at 10:00 AM.

However, in light of **Proclamation No. 922, “Declaring a State of Public Health Emergency throughout the Philippines”**, and the implementation of Community Quarantine in Region VIII as a measure to combat the COVID-19 Disease, **you are also given an option to attend in the scheduled technical conference via internet video conference**. In case you choose for the latter mode, please submit an e-mail to legalunitembr8@gmail.com immediately upon receipt hereof, to signify such intention and an electronic internet address link shall then be provided to you.

Please be informed that pursuant to **Section 5, Item VII of EMB Memorandum Circular No. 2020-21**, your failure to appear during the scheduled technical video conference shall be construed as waiver of your right to contest the findings and the case shall be decided based on the available evidence on record.

Please be guided accordingly.

Very truly yours,

LETECIA R. MACEDA
Regional Director


¹ Supplemental Rules of the EMB Manual of Uniform Procedures for COVID-19 Pandemic



COMPLIANCE INSPECTION FOR EIA

ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION

Report Control Number: EIA-04-15Date of Inspection: April 06, 2021Mission Order No. 2021-005097

1. GENERAL INFORMATION

Name of Establishment: **ANGEL IGNACIO L. VELOSO INDUSTRIAL SAND AND GRAVEL EXTRACTION (WITHOUT CRUSHING PLANT) PROJECT**

Address: Along Tinag-an River, Brgy. Mahayag, Albueria, Leyte and Brgy. Maybog, Baybay City

Geo Coordinates:
10.84959 N, 124.75004 E

Nature of Business: Sand and gravel extraction

PSIC Code:

Product: aggregates

Year Established: 2011

Operating hours/day:
8Operating days/week:
5

Operating days/year: 240

Product Lines	Production Rate as Declared in the ECC (unit/day)	Actual Production Rate (unit/day)
	Annual extraction rate of less than 75,000MT	No operation

Name of Managing Head: **ANGELO IGNACIO L. VELOSO**Name of PCO: **NONE**PCO Accreditation No.: **NONE**

Date of Effectivity:

Phone/Fax: **09176200720**

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 environmental regulations, permit conditions compliance status with the, 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

GLEEN CALIZAR

Position / Designation

Project In Charge

3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits	Date of Issue	Expiry Date
PD 1586	ECC1	ECC-R08-1211-0163	12-28-2012
	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.		

Legal Reference (Revised DAO 2003-30)	Compliance Requirements	Compliant?			Remarks
		Y	N	N/A	
Chapter 2-3 19) a) (i)	Does the establishment submit Compliance Monitoring Report (CMR) semi-annually to EMB?		✓		
	Does the CMR include an assessment of the following:				
	a) Performance against the ECC conditions?		✓		
	b) Performance against the Environmental Management Plan (EMP)		✓		
	c) Performance against the monitoring of actual impacts (including residual impacts) as against predicted impacts in the Environmental Impact Assessment (EIA) Report and as related to current project operations?		✓		
DAO 2003-30 Chapter 2-3 19) a) (ii) and DAO No. 2003-27	Does the establishment submit to the concerned EMB Regional Office detailed report on compliance to environmental standards specific to environmental laws through the quarterly Self-Monitoring Report (SMR)?		✓		
Chapter 2-3 19) a) (iii)	Does the establishment submit semi-annual CMRs as part of Module 5 of the second and fourth quarter SMRs?		✓		
	Does the second CMR include simple trend analysis of the environmental standards and a summary of the cumulative annual and historical performance/compliance analysis on key environmental and social parameters?			✓	
Chapter 2-3 19) a) (iv)	Was the first CMR submitted mid-year after the start of project implementation (except for ECC commitments/conditions, which need to be submitted prior to project start-up)?			✓	
	Did the establishment notify EMB on the start-up date of project implementation?			✓	
	Is the establishment required a Multi-Partite Monitoring Team (MMT) (ECC condition)?			✓	
	Has the MMT been established through a signed Memorandum of Agreement (MOA)?			✓	

	Is the MMT MOA in accordance with the prescriptions?			v	
	Has the establishment facilitated the operationalization of an MMT Manual of Operations (MOO) based on prescribed Guidelines including the use of Compliance Monitoring and Validation Report (CMVR)			v	
	Has an Environmental Monitoring Fund (EMF) been established and operationalized based on prescribed guidelines?			v	
	Is the establishment required an Environmental Guarantee Fund (EGF) (ECC condition)?			v	
	Has an EGF been established?			v	
Chapter 2-3 19) b) (iii)	Does the establishment address complaints, exceedance of standards, and/or suspicious data?			v	

Compliance to ECC Conditions and EMP Commitments (Revised DAO 2003-30)

ECC/EMP Condition/ Requirement Categorization	Relevant ECC Condition/s (if any)		Compliant			Proof of Compliance
	No.	Description	Y	N	N/A	
1) Project coverage/limits		49,226 square meters	v			
2) Components			v			
3) Other sectoral requirements mandated by other agencies to be complied with				v		
4) EMP and updates as deemed required					v	
5) Conduct of baseline, compliance and impact self- monitoring					v	
6) Multi-sectoral Monitoring (as may be required)					v	
7) Regular reporting				v		
8) Institutional arrangements necessary for implementation of environmental management measures				v		
9) Standard DENR requirement on transfer of ownership					v	
10) Standard DENR requirement on abandonment					v	
11) Impact Mitigation Plan or Construction/Contractor's Environmental Program					v	
12) Social Development Plan (SDP)				v		
13) Information, Education and Communication (IEC) Plan			v			ECC billboard was observed posted at the site
14) Contingency/Emergency Response Plan or equivalent Risk Management Plan					v	
15) Abandonment Plan (when applicable)					v	
16) Environmental Monitoring Plan (EMoP)				v		
Other Observations:						

- Environmental Compliance Certificate with reference code: ECC-R08-1211-0163 was issued by this Office on December 28, 2012 to Mr. Angel Ignacio L. Veloso for the Industrial Sand and Gravel Extraction (without Crushing Plant) Project located along Tinag-an River, Brgy. Mahayag, Albueria, Leyte and Brgy. Maybog, Baybay City. It covers an area of 49,226 square meters.
- At the time of monitoring, extraction activity was observed in the extraction site. However, according to Project in Charge, Mr. Glen Calizar, no disposal of materials outside the site. Extracted materials were used for the development of the upland area near the site which also owned by Mr. Veloso.
- ECC billboard was observed posted at the entry point of the project site.
- Per information from Mr. Veloso, the Industrial Sand and Gravel Permit issued by the Provincial Government of Leyte to the project has already expired since in 2015. Application for the renewal of extraction permit is still in-process.
- No records that Compliance Monitoring Reports were submitted to this Office.
- Mr. Angel Ignacio Veloso acts as the designated Pollution Control Officer of the project.

Remarks and Recommendations:

- Industrial Sand and Gravel Permit shall be secured from the Provincial Government of Leyte prior to the resumption of the operation.
- Implement proper mitigating measures such as provision of adequate buffer zone on both banks, planting of appropriate tree species, rechanneling and others to avoid erosion and stabilize the area.
- For the designated PCO to attend the Basic Pollution Control Officer Training and apply for PCO accreditation to this Office.
- To submit Compliance Monitoring Reports semi-annually through the EMB online system which can be accessed through the EMB website or through <https://online.emb.gov.ph/cmr/>.
- For this Office to issue a Notice of Violation against Angel Ignacio L. Veloso ISAG without Crushing Plant Project for non-submission of Compliance Monitoring Reports as required by ECC General Condition No.4, DAO 2003-30, P.D 1586.

List of Documents Reviewed:

Copy of ECC

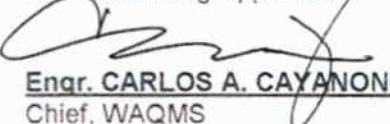
Submitted by:


JANET T. POLEA
Engr. IV

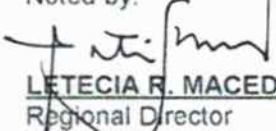
Approved by:


REYNALDO B. BARRA, PME
Chief, EMED

Recommending Approval:


Engr. CARLOS A. CAYANONG
Chief, WAQMS

Noted by:


LETECIA R. MACEDA
Regional Director