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

AUG 19 2021

ENVIRONMENTAL MANAGEMENT BUREAU
RELEASED BY: [Signature]
DATE: 8/20/2021
TIME: 2:47pm

DENR-PAB Case No. 08-000082-21-W

ALLEN PETRON GASOLINE STATION
Magallanes St., Brgy Sabang 2, Allen, Northern Samar

Thru: **MR. ARTURO DUBONGCO, JR.**
Managing Head

Sir/Madame:

This notice is being served upon you for alleged violation of **RA 9275** otherwise known as the Philippine Clean Water Act of 2004, based upon the compliance monitoring conducted by the technical personnel of the Provincial Environmental Monitoring Unit (PEMU) – Samar last **18 March 2021**.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating a facility that discharges regulated water pollutants without wastewater Discharge Permit since 10 March 2021 .	Violation of Section 14, Part VI, Rule 14 of DENR Administrative Order No. 2005-10, IRR of RA 9275 in relation to Section 28 thereof and in relation further to Pollution Adjudication Board Resolution No. 01 Series of 2019 .

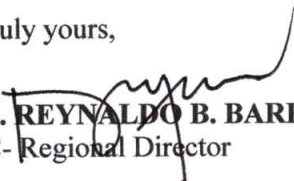
Pursuant to **Pollution Adjudication Board Resolution No. 02, Series of 2020**, otherwise known as the **Interim Guidelines of the Pollution Adjudication Board during the Public Health Emergency due to COVID-19**, you are hereby required to explain in writing, duly subscribed before a Notary Public, **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

	Republic of the Philippines Department of Environment and Natural Resources ENVIRONMENTAL MANAGEMENT BUREAU DENR Compound, Jones St. Tacloban City, Philippines	RB-2021-008661
	NOTICE OF VIOLATION	

AUG 19 2021

DENR-PAB Case No. 08-000035-21-A

ALLEN PETRON GASOLINE STATION
Magallanes Street, Brgy Sabang, Allen, Northern Samar

Thru: **MR. ARTURO DUBONGCO, JR.**
Managing Head

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 Provincial Environmental Monitoring Unit (PEMU) – Samar last **10 March 2021**.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating without valid required Permit to Operate for Air Pollution Installations: one (1) unit 25 KW – A.C. SYNCHRONOUS brand Generator Set , since 10 March 2021 .	Violation of Section 1, Part VI, Rule XIX of DENR Administrative Order No. 2004-26 , Implementing Rules and Regulations of RA 8749 , in relation to Section 47 of RA 8749 and in relation further to Pollution Adjudication Board Resolution No. 01, Series of 2019 .

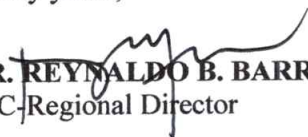
Pursuant to **Pollution Adjudication Board Resolution No. 02, Series of 2020**, otherwise known as the **Interim Guidelines of the Pollution Adjudication Board during the Public Health Emergency due to COVID-19**, you are hereby required to explain in writing, duly subscribed before a Notary Public, **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 **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 AIR QUALITY MANAGEMENT

Department: ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION

Report Control Number: 448
Date of Survey/Inspection: March 18, 2021
Mission Order No.: EMBR8-2021-004189

1. GENERAL INFORMATION		
Name of Establishment: ALLEN PETRON GASOLINE STATION – ARTURO T. DUBONGCO, JR.		
Address: Magallanes Street, Brgy. Sabang 2, Allen, Northern Samar		Geo Coordinates: 12.50347, 124.288
Nature of Business: Retail of Automotive Fuel		
PSIC Code: 47300	Product: N/A	Year Established: 2009
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: ARTURO DUBONGCO, JR.		
Name of PCO: NONE		
PCO Accreditation No.:	N/A	Date of Effectivity: N/A
Phone/Fax:	N/A	Email: NONE

2. PURPOSE OF INSPECTION		
<input type="checkbox"/> 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"/>

<input checked="" type="checkbox"/> Determine compliance status with the environmental regulations, permit conditions, and other requirements
<input type="checkbox"/> Investigate community complaints
<input type="checkbox"/> Check status of voluntary commitment
<input type="checkbox"/> Industrial Ecowatch
<input type="checkbox"/> Philippine Environmental Partnership Program (PEPP)
<input type="checkbox"/> Pollution Adjudication Board (PAB)
<input type="checkbox"/> Others
<input type="checkbox"/> Others AIR COMPLIANCE SURVEY

Name of Contact Person	ARTURO T. DUBONGCO, JR.
Position / Designation	OWNER

3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1	ECC-R08-0906-070-6281	8/10/2009	N/A
	ECC2	N/A		
	ECC3	N/A		
RA 6969	DENR Registry ID	NONE		
	PCL Compliance Certificate	N/A		
	CCO Registry	N/A		
	Permit to Transport	N/A		
RA 8749	POA No.	NONE		
RA 9003	ECC for Sanitary Landfill	N/A		
RA 9275	DP No.	NONE		

MODULE AQM01: PRE-INSPECTION INFORMATION SHEET FOR EMISSION SOURCES

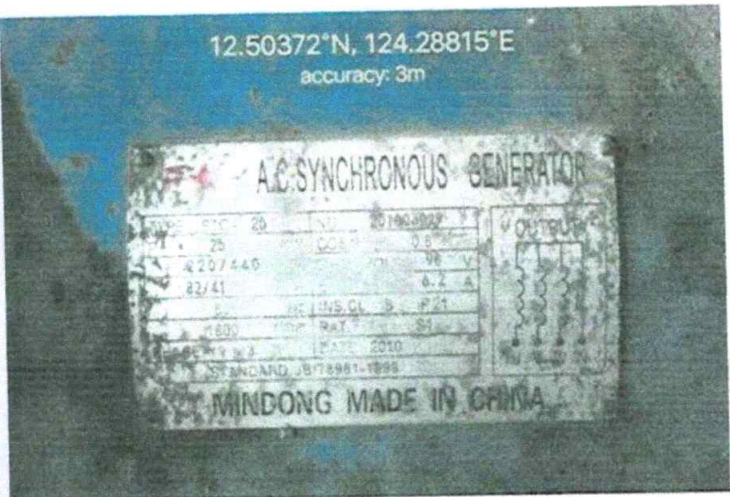
Emission Source Data Information	
Emission Source No.	1
Type (Brand/Model)	A.C.SYNCHRONOUS
Rated Capacity	25 KW
Fuel Type & Quantity	DIESEL
Operating Capacity	
Control Facility	MUFFLER
Notes	
Standby generator set	

Emission Source Data Information	
Emission Source No.	2
Type (Brand/Model)	
Rated Capacity	
Fuel Type & Quantity	
Operating Capacity	
Control Facility	
Notes	
2 unit UGTs at 20,000 KL each	

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.			/	
EMB DAO 2007-22					
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			/	
Other Observations:					
<ol style="list-style-type: none"> 1. The establishment is covered with ECC No. R08-0906-070-6281 issued on August 10, 2009 and it is operational at the time of inspection; 2. A standby generator set described as 25 KW – A.C. SYNCHRONOUS is used by the establishment which is not covered by Permit to Operate; 3. No Discharge Permit presented for its wastewater generated; 4. Non-submission of Compliance Monitoring Report; 					
Remarks and Recommendation:					
<ol style="list-style-type: none"> 1. For issuance of Notice of Violation for the above said findings particularly for operating without Permit to Operate Air Pollution Sources Installations & facilities as per Sec. 1, Part VI, Rule XIX IRR of RA 8749 (Clean Air Act of 1999), for failure to secure Discharge Permit as per Sec. 14, Rule 14 of DAO 2005-10 IRR of RA 9275 (Clean Water Act 2004), and Sec. 9.2 of DAO 2003-30, IRR of PD 1586 (Philippine EIS System) for non-submission of Compliance Monitoring Report (CMR); 					
List of Documents Reviewed:					
ECC					


GEOTAGGED PHOTOS OF THE ESTABLISHMENT




Submitted by:


For. ROWENA B. PABIA
SEMS/OIC PEMO

Approval:


REYNALDO B. BARRA, PME
Chief, EMED

Recommending Approval:


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

Noted:


LETECIA R. MACEDA
Regional Director