

	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>	

SEP 21 2021

DENR-PAB Case No. 08-000127-21-W

**HIMANGLOS POULTRY FARM**  
Sitio Nasunugan, Brgy. Tutug-an, Barugo, Leyte

Thru: **JESUS B. CABANACAN**  
Managing Head

ENVIRONMENTAL MANAGEMENT BUREAU 8  
RELEASED BY:   
DATE: 9/23/2021  
TIME: 10:32am

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 survey/inspection conducted by the technical personnel of the Environmental Monitoring and Enforcement Division – Water Air Quality Monitoring Section (EMED-WAQMS) of this Office last **13 July 2021**.

ACTS CONSTITUTING THE VIOLATION	
Finding/s	Prohibited Act/s
Operating a facility that discharges regulated water pollutants without the valid required <b>Discharge Permit</b> since <b>13 July 2021</b> .	Violation of <b>Paragraph (c), Section 27</b> of DENR Administrative Order No. <b>2005-10</b> , Implementing Rules and Regulations of <b>RA 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,

  
**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 - 01 - 12  
Date of Survey/Inspection: July 13, 2021  
Mission Order No.: EMBR8-2021-010521

**1. GENERAL INFORMATION**Name of Establishment: **HIMANGLOS POULTRY FARM**

Address: Sitio Nasunugan, Brgy. Tutug-an, Barugo, Leyte

Geo Coordinates:

Nature of Business: Poultry Farm

11.30682°N, 124.75332°E

PSIC Code: 014

Product:

Year Established: 2013

Operating hours/day:  
24 hoursOperating days/week:  
7 daysOperating days/year:  
365 days

Product Lines

Production Rate as Declared  
in the ECC (unit/day)

Actual Production Rate (unit/day)

Name of Managing Head:

MR. JESUS B. CABANACAN

Name of PCO:

PCO Accreditation No.:

Date of Effectivity:

Phone/Fax:

(0947) 144 4389

Email:

**2. PURPOSE OF INSPECTION**

- ☐ Verify accuracy of information submitted by the establishment pertaining to new permit applications, renewals, or modification

☐ 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 \_\_\_\_\_

New

Renewal

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- ☒ 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 \_\_\_\_\_

Name of Contact Person

MR. PATRICK CAMARINES

Position / Designation

Caretaker



3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1	RO8-1006-0073	06-23-2010	
	ECC2			
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.			

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			
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			
Cooling Water			
Maintenance			
Storm drain			
Others (specify)			

C. Quality of Abstracted Water

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 checked="" 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			
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	
	<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			
Primary	Biological	Chemical	Others
<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) _____	<input type="checkbox"/> Activated Sludge <input type="checkbox"/> Anaerobic Digestion <input type="checkbox"/> Tricking Filter <input type="checkbox"/> Oxidation/Stabilization Pond <input type="checkbox"/> Sequencing Batch Reactor <input type="checkbox"/> Others (specify)_____	<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. Condition of the WWTP			
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	
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			

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

III. SUMMARY OF FINDINGS					
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?			✓	



DAO 2005-10 Rule 14.6	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?			✓	
	8. Does the establishment use its effluent for Agricultural Purposes?			✓	(If yes, proceed to succeeding items)
	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.				

**Other Observations:**

- 1). The poultry farm was in normal operation during the time of monitoring. However, due to Avian Flu restrictions, access inside and near the poultry houses was not allowed.
- 2). The ECC holder and owner of the property, including the poultry houses, is Mr. Jesus B. Cabanacan, while the operator is Mr. Nelson Peñaranda since April 2021,
- 3). It is equipped with two (2) units conventional poultry houses with a capacity of 6,000 heads per house. The poultry farm is engaged in layer production.
- 4). Cleaning of the poultry houses is done twice a week and the fresh/dry chicken dung is usually requested or sold to farmers for use as fertilize. The remaining unwanted solidwastes are buried inside their property.
- 5). Floor washings is directly discharged into a vacant lot nearby, thru a non-concrete drainage canal.
- 6). The poultry farm is operating without valid Discharge Permit from this Office.

**Remarks and Recommendation:**

For issuance of Notice of Violation pursuant to Section 27(c) of DAO 2005-10 (Implementing Rules And Regulations of RA 9275) for operating without valid Discharge Permit from this Office.

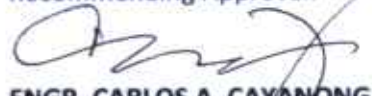
**List of Documents Reviewed:**

Environmental Compliance Certificate No. RO8-1006-0073 issued on June 23, 2010.

Submitted by:

  
**VILMA C. FABILLO**  
Senior EMS

Recommending Approval:

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

Approved by:

  
**MANUEL J. SACEDA, JR.**  
OIC, Chief, EMED

Noted by:

  
**ENGR. REYNALDO B. BARRA**  
OIC, Regional Director