



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
ENVIRONMENTAL MANAGEMENT BUREAU REGION 8
DENR Compound, Brgy. 2, Tacloban City

EIA SURVEY MONITORING CHECKLIST
(Legal Reference PD. 1586 / DAO 2003-30)

1. Name of Project: **MOUNTAIN QUARRY**
2. Project Location: **BARANGAY BARAYONG, PALO, LEYTE**
3. Name of Identified Proponent: **DIOSDADO MARCA / VERLIN KONSTRUK, INC.**
4. Proponent Address: **BARANGAY SAN JOSE, PALO, LEYTE**
5. Date Surveyed: **January 30, 2020**
6. Project Type or Undertaking: **MINING AND QUARRYING PROJECTS**
7. Project Status: **NO OPERATION**

	New
	Existing for Modification (with or without expansion)
/	Operating without ECC
	Not previously covered
	Not covered (Category D-Online & Category C-Environmental Enhancement Project)

8. Project Group

	Group I - ECP
/	Group II – Non-ECP in ECA

9. Percentage of Project Completion

/	Project is 25% complete
	Project is > 25% but < 50% complete
	Project is > 50% complete

10. Estimated Project Cost

/	Project is \leq ₱ 5.0 M
	Project is > ₱ 5.0 M

11. Project Applied ECC before Survey

	Yes
/	No

12. Project Impact on the Environment

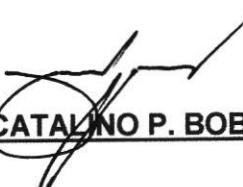
/	Yes
	No

13. Recommendations / Remarks:

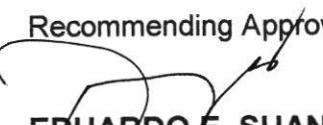
- No mountain quarry operation and heavy equipment's were present during the conduct of inspection but traces of Mountain quarry operation were visible at the project site. Based on the information from LGU Palo, Leyte, quarry operations were reported to them from residents living near the area. As per Office record, no Environmental Compliance Certificate (ECC) was issued to Mr. Marca for his quarrying operation nor was any pending ECC online application received by this Office.
- Per MC 2014-005, Revised Guidelines for Coverage Screening and Standardized Requirements under the Philippine EIS System, the said project is covered by the Philippine EIS System and is required to secure an Environmental Compliance Certificate (ECC). The proposed project is under 2. Resource extractive Industries Projects – 2.1.3 Extraction of Non-Metallic Minerals such as Limestone / shale / silica clay / placer and other non-metal minerals/ores with less than or equal to 20,000 MT and area is less than 20,000 hectares (Annual extraction rate or/and project area).
- In accordance with **Presidential Proclamation No. 2146**, series of 1981, Table 1, **Section 3-b of EMB Memorandum Circular No. 2014-005** enumerates Twelve (12) Main categories of **Environmentally Critical Areas**. Based on these categories, an area is environmentally critical if it exhibits any of the characteristics described therein and/or falls within the ECA as mapped by the EMB. One of the ECA Categories described are areas that are frequently visited and or hard-hit by natural calamities such as typhoons, among other conditions. For purposes of coverage, depressions, storms and typhoons will be covered in such a category. This shall also refer to all provinces in the country affected by a tropical cyclone in the past.
- Section 4 of P.D. 1586 states that "**No person, partnership or corporation shall undertake or operate any such declared environmentally critical project or area without first securing an Environmental Compliance Certificate (ECC).**"
- To issue a **Notice of Violation** to **Mr. DIOSDADO MARCA / VERLIN KONSTRUK, INC.** for violation of Sec. (4) of PD 1586 for operating the project without first securing an Environmental Compliance Certificate (ECC).

Prepared by:


DAVE EDEN C. NIELO
Inspector


JULIUS CATALINO P. BOBON, III
Inspector

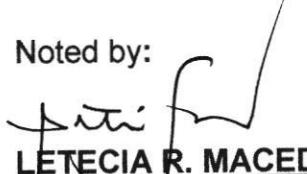
Recommending Approval:


EDUARDO E. SUAN
Chief, EIA Section

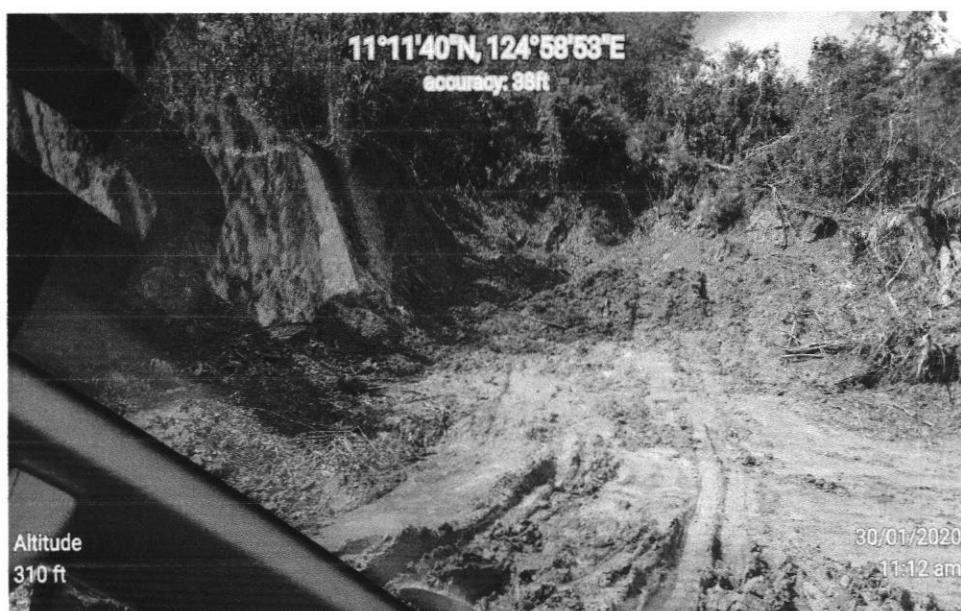
Approved by:


MARIBEL B. MUNSAYAC
Chief, Clearance & Permitting Division

Noted by:


LETECIA R. MACEDA
Regional Director

**PHOTOS OF MOUNTAIN QUARRY PROJECT
BARANGAY BARAYONG, PALO, LEYTE**





DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
ENVIRONMENTAL MANAGEMENT BUREAU REGION 8
DENR Compound, Brgy. 2, Jones Street, Tacloban City

emb8 emb8@gmail.com
(053) 832-2319

EMB R08 LEGAL

NOTICE OF VIOLATION

MAR 11 2020

DIOSDADO MARCA/ VERLIN KONSTRUK, INC. MOUNTAIN QUARRY PROJECT

Brgy. Barayong, Palo, Leyte

Thru: Mr. DIOSDADO MARCA
Brgy. San Jose, Palo, Leyte

ENVIRONMENTAL MANAGEMENT BUREAU 8
RELEASED BY: *[Signature]*
DATE: 3/12/2020
TIME: 9:09 AM

NOTICE OF VIOLATION

Dear Sir:

This notice is being served upon you for violation of P.D 1586 based on the survey/inspection conducted by our technical staff last **30 January 2020**.

ACTS CONSTITUTING THE VIOLATION

Findings	Prohibited Acts
Operation of a mountain quarry project in Brgy. Barayong, Palo, Leyte, without first securing an Environmental Compliance Certificate (ECC).	Section 4 of P.D 1586 (Philippine Environmental Impact Statement System) provides that " No person, partnership or corporation shall undertake or operate any such declared environmentally critical project or area without first securing an Environmental Compliance Certificate... (ECC) ".

The foregoing considered, you are hereby required in writing, duly subscribed before a Notary Public, within ten (10) days from receipt hereof why you should not be penalized in the amount of not less Ten Thousand Pesos (P10, 000.00) nor more than Fifty Thousand Pesos (P50, 000.00) for the *cited* violation and to show cause why no Order should be issued against you, directing immediate cessation of the project operation.

In connection to the above findings, you are hereby invited to a Technical Conference for the following purposes:

1. Simplification of the issues and stipulation of facts;
2. Execution of a commitment to abate or mitigate the pollution, including the implementation of the remedial measures, within a period that shall not exceed ninety (90) days.

The Technical Conference will be held on March 30, 2020 3:00 PM at this Office. Failure to appear and submit your explanation shall be construed as waiver of your right to be heard and this Office shall institute appropriate legal action against you based on the evidence on record.

Please be guided accordingly.

Very truly yours,

[Signature]
LETICIA R. MACEDA
Regional Director

[Signature]
PN



Republic of the Philippines
Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU
DENR Compound, Jones St. Tacloban City
Tel.No. (053) 832-1088

JUL 07 2020

ENVIRONMENTAL MANAGEMENT BUREAU
RELEASED BY: *[Signature]*
DATE: 07/07/2020
TIME: 3:07pm

MR. DIOSDADO MARCA

Managing Head

Diosdado Marca/Verline Konstruk Inc. Mountain Quarry Project
Brgy. Barayong, Palo Leyte/Brgy. San Jose, Palo Leyte

SECOND NOTICE

Sir/Madame:

Please take notice that this Office has issued a Notice of Violation dated **11 March 2020**, a copy of which is attached, for alleged violation of certain provision/s of P.D 1586, committed by **DIOSDADO MARCA/VERLINE KONSTRUK INC. MOUNTAIN QUARRY PROJECT** located in Brgy. Barayong, Palo Leyte. This Office postponed the conduct of a technical conference scheduled last **30 March 2020** for the said purpose, in view of the implementation of a restrictive community quarantine by the City Government of Tacloban as a precautionary measure to combat the COVID-19 Disease.

Relative to the same NOV above-mentioned, you or your authorized representative are hereby directed to make yourself present before this office on August 11, 2020 @ 3:00pm. Resched to Nov. 10 @ 3 pm (2nd attempt)

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 8 as a measure to combat the COVID-19 Disease, **you may also opt 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 legalunitemr8@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 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.

Respectfully,

[Signature]
LETICIA R. MACEDA

Regional Director

DEPARTMENT OF ENVIRONMENT AND NATURAL
RESOURCES

Environmental Management Bureau
DENR Compound, Brgy. 2, Jones Street
Tacloban City

The Regional Director

Through: The Clearance and Remitting Division

ENVIRONMENTAL MANAGEMENT BUREAU
RECEIVED BY _____
DATE: 4-3-21
TIME: 9:57 AM

**RE: Verified Answer for Alleged Violation of Section 4 of
Presidential Decree No. 1586**

Madam:

Last May 20, 2021, I received the Notice of Violation for violation of section 4 of Presidential Decree No. 1586 or the operation of a mountain quarry project in Brgy. Barayong Palo, Leyte without securing the necessary Environmental Compliance Certificate.

I admit to the extent that I own a parcel of land by way of inheritance from my grandfather Jose Barrido. To prove this fact, attached herewith as **Annex "A"** is the photocopy of Tax Declaration No. 1833 in the name of Jose Barrido.

As the owner of the said land, I had initiated the land preparation of the property in order for it to be conducive for the intended chicken layers and broiler farm. Thus I endeavored to flatten out the property however I lacked the necessary funding, so I sought the help of some workers of Verlin Konstruct, Inc.

Out of this circumstance, an arrangement was made between me and a couple of workers of Verlin Konstruk, Inc. The Agreement was that workers of Verlin Konstruct, Inc. shall flatten a portion of the property and dispose of the mountain soil as they see fit. At first, the mountain soil which was excavated as the result of flattening a portion of the property was dumped to the adjoining of Felimon Ronda. However seeing that this might cause later a problem with Felimon Ronda, the workers of the Verlin

Konstruct, Inc. proposed to send it to the existing housing project of the company. However I was advised to secure a quarry permit.

I countered that since I will not be engaging in the business of quarrying, I will not securing the permit. However after thinking it over, I then decided to secure the requirements for the issuance of the ECC. Upon inquiry with the concerned offices, I was given a list of requirements. To prove this fact, attached herein as **Annexes "B" and series** are the handwritten list of documents I was supposed to collect and submit to the Environmental Management Bureau.

I endeavored to secure the requirements, in fact I was able to secure a Barangay Resolution from the office of the Sangguniang Barangay of Barayong Palo, Leyte last October 2018. To prove this fact, attached herein as **Annex "C"**, is the photocopy of the Barangay Resolution No. 300 series of 2018.

I did not however continue without the other documents considering that I was faced the obstacle of lack of money. I was supposed to have the land surveyed and the most burdensome of all, was the fact that I was instructed to prepare a cash bond, and if I can still recall, I was instructed to prepare a bond in the amount of Forty Thousand Pesos (Php. 40, 000.00) to Fifty Thousand Pesos (Php. 50, 000.00) an amount which I sorely lack.

Faced with this lack of finances, I did not anymore proceeded to secure the ECC. It was my view that since I will not be engaging in the business of mountain quarry, as I was just flattening out portions of the property plus the fact that I lack the finances, going through the process will be counter-intuitive. Thus I forgo the application of an ECC, and leave out the property us to its condition, further, I requested these workers from Verlin to refrain from further flattening the property.

Unfortunately, during the occasion of the one of the ocular visits of this office, inspectors of this office saw the abandoned state of my property on the occasion of the ocular inspection of the property of Bernardo Dolina. They instructed me later on to desist from continuing, of which I complied. To prove this fact attached herewith as **Annexes "D" and series** are the photocopy/pictures of

5. That this Letter-Response is not filed to harass, to cause unnecessary delay, or needlessly increase the cost of litigation; and
6. That the factual allegations therein have evidentiary support or, if specifically so identified, will likewise have evidentiary support after a reasonable opportunity for discovery.

IN WITNESS WHEREOF, I hereunto set my hand this 1st day of June 2021 at Tacloban City, Leyte, Philippines.



DIOSDADO R. MARCA

Affiant

Senior Citizens ID No. 5081

Issued by: OSCA - Palo, Leyte

SUBSCRIBED AND SWORN to before me this 1st day of June 2021 at Tacloban City, Leyte, Philippines.



ATTY. LUNINGNING M. SORO

*Notary Public within the Territorial Jurisdiction of the
Regional Trial Courts of Tacloban City, Leyte*

NC No. 2020-06-79/Until December 31, 2021

Roll of Atty. No. 70374

IBP No. 151057/01-13-2021/Tacloban City

PTR No. PL3863882/01-07-2021/Palo, Leyte

2nd Floor LF&V Fatima Bldg., Real St., Tacloban City

Tel Nos. 09276347987/09487491483/Landline No. 839-5321

Doc. No. 477

Page No. 97

Book No. II

Series of 2021.

Annex

'A'

Owner of property		<i>José Barilo</i>	Residence	<i>Silva</i>	
Municipality		<i>Palo</i>	Province	<i>Cagayan</i>	
Administrator of property			Residence		
Municipality			Province		
DESCRIPTION AND OTHER PARTICULARS OF PROPERTY					
Location of property		<i>Arabong</i>	<i>Palo</i>	<i>Sept.</i>	
		(barangay)	(municipality)		
Certificate of Title No.			Cadastral Lot No.	Assessor's No.	
Boundary		<i>Banity River & Bencabang River</i>	<i>South</i>	<i>Block No.</i>	
North		<i>Emilio Navarro</i>	<i>W.E.</i>		
East					
(Other streets or boundaries by which bounded, or names of owners of adjoining lands)					
I.—LAND (RURAL)					
PER OWNER'S DECLARATION IN			AS ASSESSED BY THE ASSESSOR		
KIND OF LAND (As follows, etc., etc.)	AREA (In square meters)	AVERAGE ANNUAL YIELD PER HECTARE	VALUE	KIND OF LAND	AREA
			<i>100000</i>	<i>Corn</i>	
				<i>Land 31860</i>	<i>c 89500</i>
TOTAL				<i>318601</i>	<i>c 77500</i>
II.—LAND (URBAN)					
PER OWNER'S DECLARATION			AS ASSESSED BY THE ASSESSOR		
KIND OF LAND (As residential, commercial, etc.)	AREA (In square meters)	VALUE	KIND OF LAND	AREA	CHARGES PER MONTH
		<i>F</i>			
		<i>F</i>			
TOTAL		<i>F</i>			
III.—IMPROVEMENTS, INCLUDING MACHINERY					
(If more space is needed, attach separate sheet)					
PLANTS AND TREES					
PER OWNER'S DECLARATION			AS ASSESSED BY THE ASSESSOR		
KIND AND NUMBER OF PLANT AND TREE	ANNUAL PRODUCT (CROPS, GARDEN, ETC.)	VALUE (OF IMPROVED PROPERTY)	KIND AND NUMBER OF PLANTS AND TREES	ANNUAL PRODUCT	CHARGES PER MONTH
		<i>F</i>			
		<i>F</i>			
		<i>F</i>			
TOTAL		<i>F</i>			
* OWNERSHIP RELATES WITH THE EXCLUSION OF THE ENTIRE PERIOD IF THE VALUE OF THIS PROPERTY DURING THE PAST FIVE YEARS IS					

IMPORTANT.—Issued for taxation purposes only and should not be considered as title to the property.

CHIQUETE AROMATICO

卷之三

331-3615



Q UANAH / APPLICATION

Annex B

1. BAG. RESettlement (INTERIM & ONGOING)
2. DEPT. OF AGRICULTURE (INTERIM & ONGOING)
MUN. ISSUES (SAFDE) UPROMINING SET STRATEGIC INITIATIVES
3. KAUSWAGAN RESETTLEMENT PROJECT (Urgent)
4. ZONING (PAW) (MONITORING & ASSESSMENT)
5. PROV. AGRICULTURE (GIRD)
6. CENTRAL FUND SET DAWA
7. INFLU (LAI) FINANCIAL MISC. FUND (Urgent)
DAWA

PROV CAPTION WILDLIFE
OFFICE OF THE GOVERNOR

1. PROV DECISIONS (WILDLIFE)
2. APPLICATION WITH
SAMPLES (signed off, DELIVERED GEOPAK BY
MGB)

Annex B-1

**(FOR INDUSTRIAL / COMMERCIAL / SAND AND GRAVEL /
QUARRY, GOVERNMENT / PRIVATE GRATUITOUS AND
EXCLUSIVE SAND AND GRAVEL APPLICATION FOR MGB AREA CLEARANCE)**

Letter of Intent

Endorsement from the Municipal Mayor (Interposing No Objection)

5 copies Survey Plan duly approved by deputized Geodetic Engineer of MGB

Barangay Resolution (Interposing No Objection the Extraction Operation)

Municipal Resolution (Interposing No Objection the Extraction Operation)

Provincial Agriculture Certification (land is not suitable for agriculture)

Municipal Agriculture Certification (land is not suitable for agriculture)

Zoning Certification from MPDO

Quarry Application

Annex B

1. BAG. MEDULLOR (INTERIM TO 2010)
2. DEPT. OF AGRICULTURE (INTERIM TO 2010)
MUN. (1990-2002) APPROXIMATELY
SEARCHED
3. KANSWAGA RESETTLEMENT PROJECT (LATERAL)
SEARCHED
4. ZONING (PASO) (SEARCHED IN SECTION)
5. PROV. AGRICULTURE (1990-)
6. CIVIL ENGINEERING (SEARCHED)
7. LAND SURVEY (CUSTODIAL
DRAFT)

SEARCHED AND INDEXED

1. PWD
2. LIP
3. SMC

Annex B-1

(FOR INDUSTRIAL / COMMERCIAL / SAND AND GRAVEL /
QUARRY, GOVERNMENT / PRIVATE GRATUITOUS AND
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Provincial Agriculture Certification (land is not suitable for agriculture)

Municipal Agriculture Certification (land is not suitable for agriculture)

Zoning Certification from MPDO

Annex

"C"

RECEIVED
LAW OFFICES

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF PALO
BARANGAY BARAYONG

OFFICE OF THE SANGGUNIANG BARANDAY

EXCERPT FROM THE MINUTES OF THE SANGGUNIANG BARANGAY
REGULAR SESSION DATED OCTOBER 21, 2016 AT 2:00 O'CLOCK
IN THE AFTERNOON HELD AT KASAWAGAN MULTI-PURPOSE HALL Brgy. Ba-
RAYONG PALO, LEYTE.

Present:	Hon. Feliciano A. Dolina Jr.	Punong Barangay
	Hon. Joel J. Damora	Barangay Kagawad
	Hon. Ely I. Edejer	-do-
	Hon. Clarita B. Abdon	-do-
	Hon. Maribel A. Abrantes	-do-
	Hon. Bonatila C. Bato	-do-
	Hon. Gresilda S. Dolina	-do-
	Hon. Milaric B. Murillo	-do-
	Lea O. Camarines	Barangay Secretary

Excuse: Hon. Ma. Alicia Amor S. Murillo SK Chairperson

Barangay Resolution No. 300
Series of 2016

A BARANGAY RESOLUTION AUTHORIZING DIOSDADO MARCA TO OPERATE
A QUARRY PROJECT AT THE PROPERTY LOT OWNERS NAME OF JOSE BARREDO w/
TAX DECLARATION OF REAL PROPERTY NO. 1933, THE LOCATION OF PROPERTY
IS LOCATED AT SITIO ARABONOG LIBAS, Brgy. BARAYONG PALO, LEYTE.

WHEREAS, during the Sangguniang Barangay Regular Session it
was agreed by the members of the council to make a Barangay Resolu-
tion Authorizing Diosdado Marca to operate a Quarry Project at the
property lot owners name of Jose Barredo w/ Tax Declaration of Real
Property No. 1933, The location of property is located at Sitio Arabo-
nog Libas, Brgy. Barayong Palo, Leyte.

WHEREAS, as per supporting documents attached and it was signed
by the Municipal Agrarian Reform Officer of the Municipality of Palo,
Leyte. The Sangguniang Barangay of Barangay Barayong Palo, Leyte has no
objection for the said Quarry project for their purpose as filing ma-
terials. However if the said project will caused any damages to the
other properties of the Barangay or of any individuals the said op-
erator/contractor will be the one responsible and liable.

NOW THEREFORE, on motion of Kagawad Milaric B. Murillo and du-
ly seconded by the other member present, be it;

RESOLVED AS IT IS HEREBY RESOLVED, to Authorized Diosdado Mar-
ca to operate a Quarry project at the aforementioned location of pro-
perties and to their purpose of filing Materials.

RESOLVED FIRMLY, that copy/copies of this resolution must be
furnished to the office of the Department of Environment and Natural
Resources (DENR) and to the other offices concerned for their Infor-
mation and Appropriate action.

Annex

"C"

CONFIDENTIAL OFFICIAL

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF PALO
BARANGAY BARAYONG

OFFICE OF THE SANGGUNIANG BARANGAY

SECRET FROM THE MINUTES OF THE SANGGUNIANG BARANGAY
SECOND REGULAR SESSION DATED OCTOMER 21, 2016 AT 2:00 O'CLICK
IN THE AFTERNOON HELD AT KAUNWAGAN MULTI-PURPOSE MALL BRGY. BR
RAYONG PALO, LEYTE.

Present:	Non. Feliciano A. Bolina Jr.	Punong Barangay
	Non. Joel J. Amora	Barangay Kagawad
	Non. Ely I. Edejer	-do-
	Non. Clarita B. Abdon	-do-
	Non. Maribel A. Abrantes	-do-
	Non. Donatila C. Bato	-do-
	Non. Gresilda S. Bolina	-do-
	Non. Milaric D. Murillo	-do-
	Lea O. Camarines	Barangay Secretary

Excuse: Non. Ma. Alicia Amor S. Murilio SK Chairperson

Barangay Resolution No. 500
Series of 2016

A BARANGAY RESOLUTION AUTHORIZING DIOSDADO MARCA TO OPERATE
A QUARRY PROJECT AT THE PROPERTY LOT OWNERS NAME OF JOSE BARREDO w/
TAX DECLARATION OF REAL PROPERTY NO. 1933, THE LOCATION OF PROPERTY
IS LOCATED AT SITIO ARABONOG LIBAS, BRGY. BARAYONG PALO, LEYTE.

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objection for the said Quarry project for their purpose as filing ma-
terials. However if the said project will caused any damages to the
other properties of the Barangay or of any individuals the said op-
erator/contractor will be the one responsible and liable.

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ca to operate a Quarry project at the aforementioned location of pro-
perties and to their purpose of filing Materials.

RESOLVED FIRMLY, that copy/copies of this resolution must be
furnished to the office of the Department of Environment and Natural
Resources (DENR) and to the other offices concerned for their Infor-
mation and Appropriate action.

Page 2.
Rec. No.
Series of 2018

UNANIMOUSLY APPROVED: October 21, 2018.

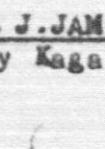
ATTESTED:


HON. FELICIANO A. DOLINA JR.
PUNONG BARANGAY

CERTIFIED CORRECT:

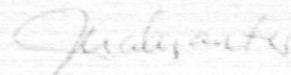

LEA O. CAMARINES
BRGY. SECRETARY

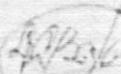
CONCURRED:


HON. JOEL J. JAMORA
Barangay Kagawad


HON. ELY I. EDEJER
Barangay Kagawad


HON. CLARITA D. ABDON
Barangay Kagawad


HON. MARIBEL A. ABRANTES
Barangay Kagawad


HON. DONATILA C. BATO
Barangay Kagawad


HON. GRESILDA S. DOLINA
Barangay Kagawad


HON. MIRARIO D. MURILLO
Barangay Kagawad

Annex D

CONTINUOUS



Annex D-1
100000000



Annex D-2
SEARCHED



Annex

D-3

CONFIDENTIAL



Annex

SEARCHED INDEXED

D-4



Annex D-5
CONFIDENTIAL



Annex

D-6

~~SECRET~~



Annex D

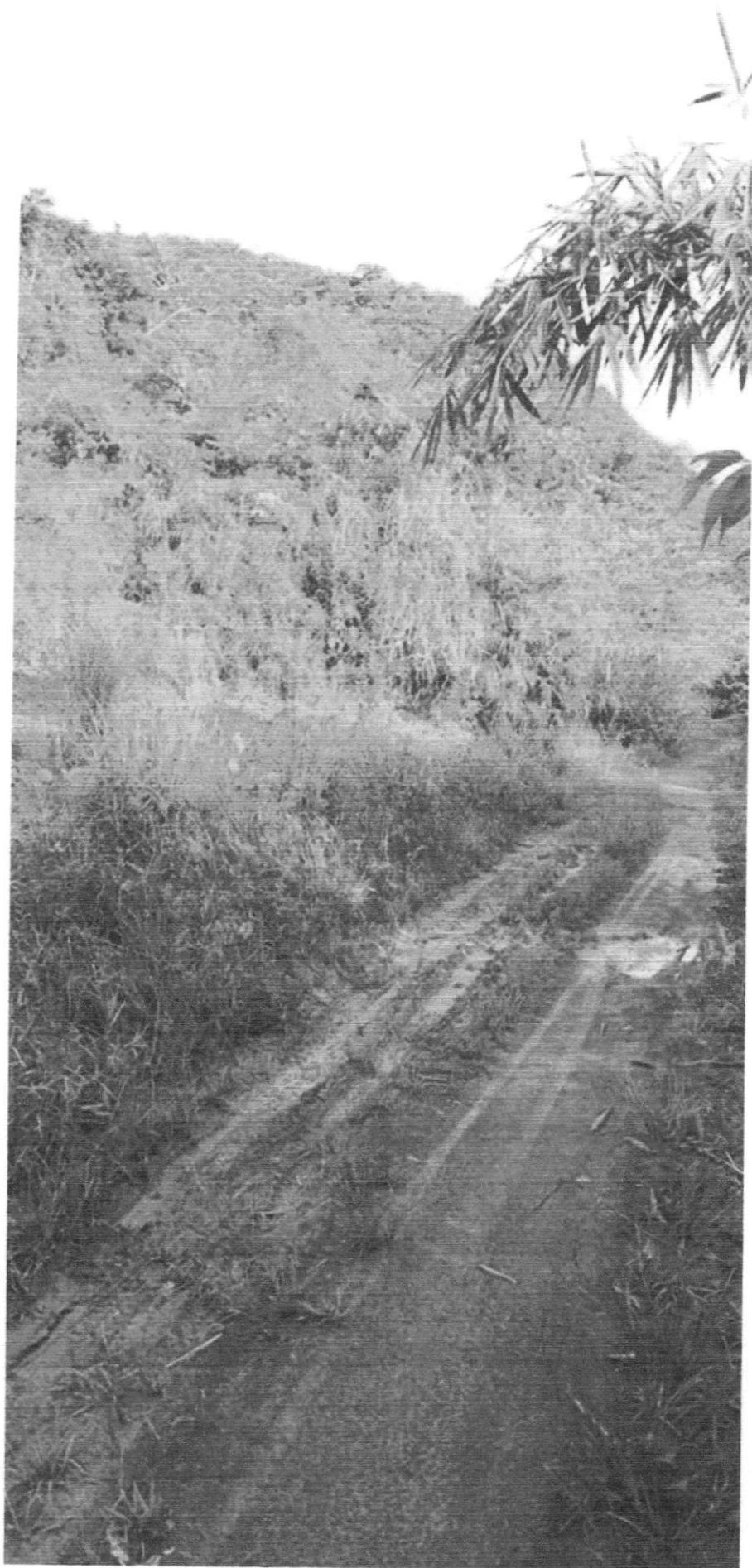
NEW YORK



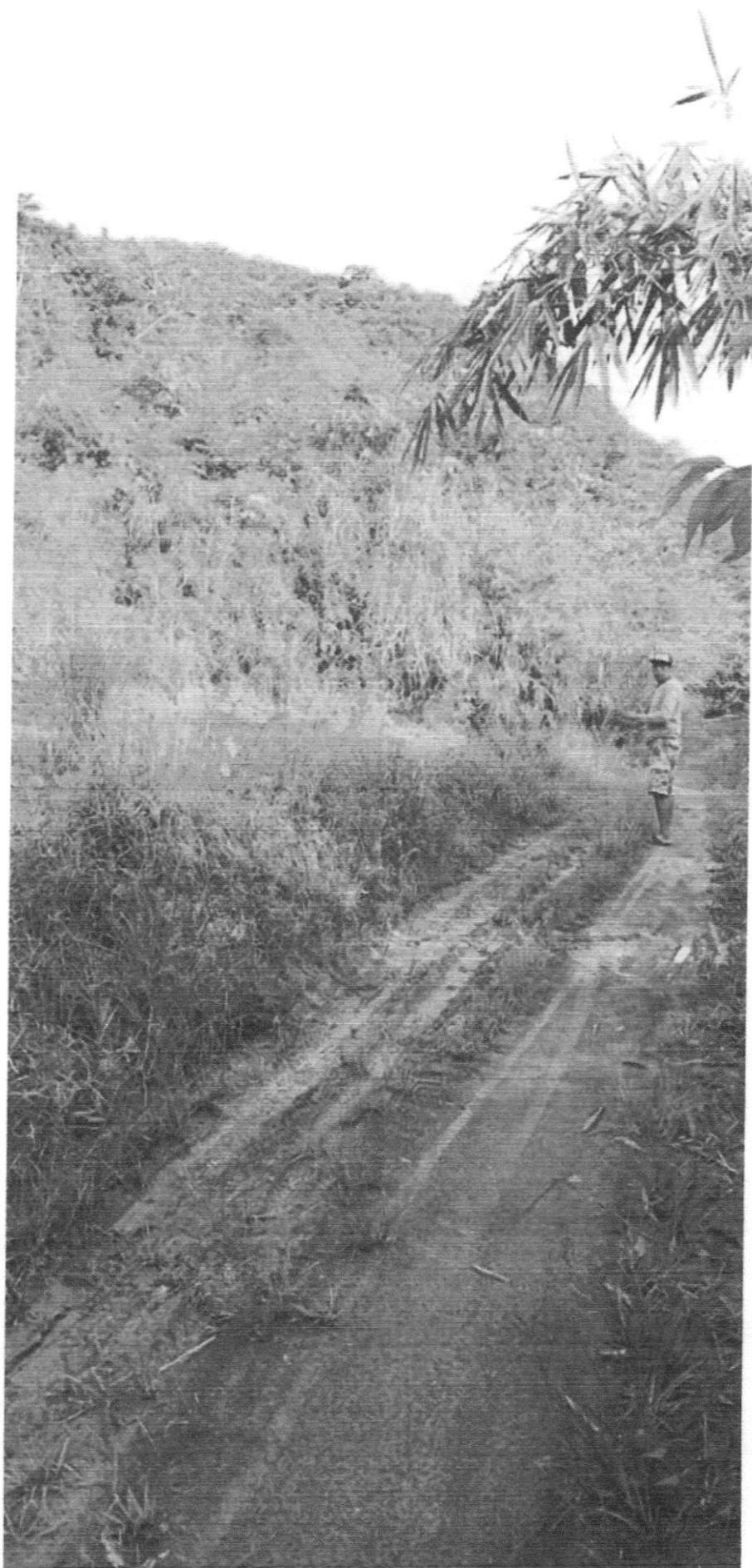
Annex D-1



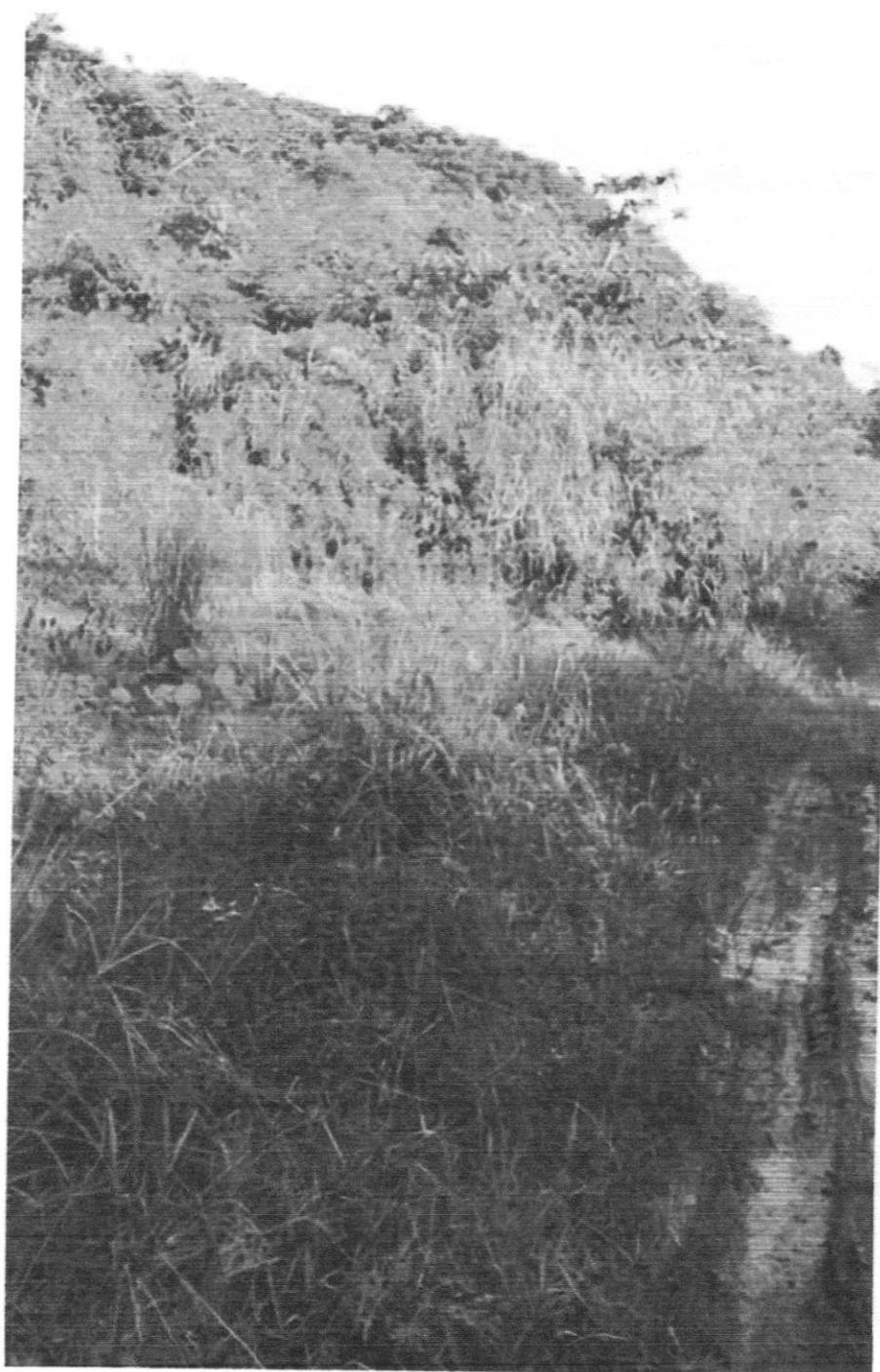
Annex D-2



Annex D-3



Annex D-4



Annex D-5



Annex

D-6





DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
ENVIRONMENTAL MANAGEMENT BUREAU REGION 8
DENR Compound, Brgy. 2, Jones Street, Tacloban City

emb8 emb8@gmail.com

(053) 832-2319

EMB R08 RECORDS

NOTICE OF VIOLATION

MAR 11 2020

DIOSDADO MARCA/ VERLIN KONSTRUK, INC. MOUNTAIN QUARRY PROJECT

Brgy. Barayong, Palo, Leyte

Thru: Mr. DIOSDADO MARCA
Brgy. San Jose, Palo, Leyte

ENVIRONMENTAL MANAGEMENT BUREAU 8
RELEASED BY: [Signature]
ATR: 3/12/2020
9:00am

NOTICE OF VIOLATION

Dear Sir:

This notice is being served upon you for violation of P.D 1586 based on the survey/inspection conducted by our technical staff last 30 January 2020.

ACTS CONSTITUTING THE VIOLATION

Findings	Prohibited Acts
Operation of a mountain quarry project in Brgy. Barayong, Palo, Leyte, without first securing an Environmental Compliance Certificate (ECC).	Section 4 of P.D 1586 (Philippine Environmental Impact Statement System) provides that " No person, partnership or corporation shall undertake or operate any such declared environmentally critical project or area without first securing an Environmental Compliance Certificate...(ECC) ".

The foregoing considered, you are hereby required in writing, duly subscribed before a Notary Public, within ten (10) days from receipt hereof why you should not be penalized in the amount of not less Ten Thousand Pesos (P10, 000.00) nor more than Fifty Thousand Pesos (P50, 000.00) for the cited violation and to show cause why no Order should be issued against you, directing immediate cessation of the project operation.

In connection to the above findings, you are hereby invited to a Technical Conference for the following purposes:

1. Simplification of the issues and stipulation of facts;
2. Execution of a commitment to abate or mitigate the pollution, including the implementation of the remedial measures, within a period that shall not exceed ninety (90) days.

The Technical Conference will be held on JUNE 7, 2021 10:00AM at this Office. Failure to appear and submit your explanation shall be construed as waiver of your right to be heard and this Office shall institute appropriate legal action against you based on the evidence on record.

Please be guided accordingly.

Very truly yours,

LETICIA R. MACEDA
Regional Director

Rm

JENNELYN M. MARCA
06/20/2021