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

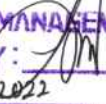
JAN 18 2022

DENR-PAB Case No. 08-000138-21-A

STAR OIL GASOLINE FILLING STATION

Brgy. Smo. Rosario, Naval, Biliran

Thru: **NICETO LIMPIADO**
Managing Head

ENVIRONMENTAL MANAGEMENT BUREAU
 RELEASED BY: 
 DATE: 01/19/2022
 TIME: 8:32Am

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 compliance inspection conducted by the technical personnel of the Environmental Monitoring and Enforcement Division – Water Air Quality Monitoring Section (EMED-WAQMS) of this Office last **29 September 2021**.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating without the required Permit to Operate of the following Air Pollution Source Installations: one (1) unit 35 KVA Denyo generator set and three (3) units underground fuel storage tanks since 29 September 2021	Violation of Section 1, Rule XIX of DENR Administrative Order (DAO) No. 2004-26 , amending DAO 2000-81, in relation to Section 1, Rule LVI of DAO 2000-81 , in relation further to Pollution Adjudication Board Resolution No. 01, Series of 2019 .

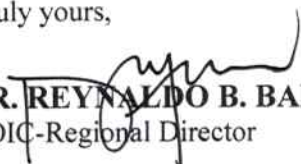
Pursuant to **Pollution Adjudication Board Resolution No. 02, Series of 2020**, otherwise known as the **Interim Guidelines of the Pollution Adjudication Board during the Public Health Emergency due to COVID-19**, you are hereby required to explain in writing, duly subscribed before a Notary Public,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

Date of Survey/Inspection: **29 September 2021**Mission Order No.: **EMBR8-2021-015273****1. GENERAL INFORMATION**

Name of Establishment: Star Oil Gasoline Filling Station (Proponent: <i>Niceto Limpiado</i>)		
Address: Brgy. Smo. Rosario Naval, Biliran		Geo Coordinates: 11.56319°N, 124.39394°E
Nature of Business: Gasoline Station		
PSIC Code: 4661	Product: Gas & Diesel	Year Established: 2005
Operating hours/day: 12 hrs	Operating days/week: 7 days	Operating days/year: 365 days

Product Lines	Production Rate as Declared in the ECC (unit/day)	Actual Production Rate (unit/day)
N/A		
Name of Managing Head: Niceto Limpiado		
Name of PCO:	-	
PCO Accreditation No.:	-	Date of Effectivity:
Phone/Fax:	-	Email:

2. PURPOSE OF INSPECTION

- ☐ 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"/> 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"/>

- ☒ 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	Joy Limpiado
Position / Designation	In-Charge

3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1	08-050523-0145	05/24/2005	N/A
	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.	-		

MODULE AQM01: PRE-INSPECTION INFORMATION SHEET FOR EMISSION SOURCES

Emission Source Data Information	
Emission Source No.	1
Type (Brand/Model)	UGTs
Rated Capacity	1 UGT with 12kl
	1 UGT with 13kl
	1 UGT with 5kl
Fuel Type & Quantity	Diesel and gasoline
Operating Capacity	
Control Facility	
Notes: UGTs as Fuel Storage	

Emission Source Data Information	
Emission Source No.	2
Type (Brand/Model)	Denyo generator set
Rated Capacity	35 KVA
Fuel Type & Quantity	Diesel
Operating Capacity	
Control Facility	Muffler
Notes: Standby generator set	

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:

- Star Oil Gasoline Filling Station of Niceto Limpiado has been issued an Environmental Compliance Certificate, 08-050523-0145, last May 24, 2005. The gas station was operational during the time of inspection.
- Air pollution source equipment in the gas station are three (3) unit UGTs having 12kL, 13kL and 5kL capacities (*for diesel and gasoline*) and one (1) unit 35 KVA Denyo generator set. These APSI/APSE has no valid Permit to Operate from this Office yet.
- ECC Notice to the Public was posted.

Remarks and Recommendation:

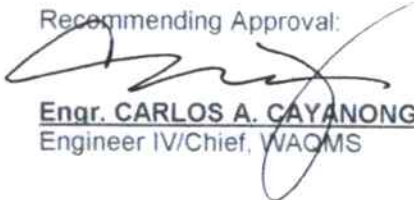
For issuance of Notice of Violation for Operating Underground Fuel Storage Tanks and one (1) 35 KVA Denyo generator set without the valid Permit to Operate which is non-compliance to Section 1, Rule XIX of DENR Administrative Order (DAO) No. 2004-26 amending DAO 2000-21, in relation to Section 1, Rule LVI of DAO 2000-81, in relation further to Pollution Adjudication Board Resolution No. 01, series of 2019," All sources of air pollution subject to his IRR must have a valid Permit to Operate..."

List of Documents Reviewed:
ECC Copy

Submitted by:


LEDANE JOMY. LAURENTE
Engineer II


Recommending Approval:


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

Approval:


FOR. MANUEL J. SACEDA, JR.
OIC-Chief, EMED

Noted:


REYNALDO B. BARRA, PME
OIC-Regional Director