



NOTICE OF VIOLATION

DEC 10 2021

DENR-PAB Case No. 08-000171-21-W

LAURITO'S FARM
Brgy. Anislag, Isabel, Leyte

Thru: **RAFAEL LAURITO**
Managing Head

ENVIRONMENTAL MANAGEMENT BUREAU
RELEASED BY:
DATE: 12-13-21
TIME: 12:55

Sir/Madame:

This notice is being served upon you for alleged violation of **R.A 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 **27 September 2021**.

ACTS CONSTITUTING THE VIOLATION

| Finding/s | Prohibited Act/s |
|--|---|
| Operating a facility that discharges regulated water pollutants without the valid required wastewater Discharge Permit , since 27 September 2021 . | Violation of Section 27 (c) of R.A 9275 in relation to Section 28 of the same Act, 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



SURVEY/INSPECTION FOR WATER QUALITY MANAGEMENT



ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION

Report Control Number : _____

Date of Survey/Inspection: **SEPTEMBER 27, 2021**Mission Order No.: **EMBR8-2021-015415****1. GENERAL INFORMATION**Name of Establishment: **LAURITO'S FARM**Address: **BRGY. ANISLAG ISABEL, LEYTE**

Geo Coordinates:

11.03793 N**124.41304 E**Nature of Business: **POULTRY PROJECT**PSIC Code: **014**Product: **POULTRY**Year Established: **2007**

Operating hours/day: -

Operating days/week: -

Operating days/year:

| Product Lines | Production Rate as Declared in the ECC (unit/day) | Actual Production Rate (unit/day) |
|------------------------|--|-----------------------------------|
| POULTRY HEADS | 50,000 | |
| | | |
| | | |
| Name of Managing Head: | RAFAEL LAURITO | |
| 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 **SURVEY**

Name of Contact Person

Position / Designation

3. COMPLIANCE STATUS
3.1 DENR Permits/Licenses/Clearance

| Environmental Law | Permits | | Date of Issue | Expiry Date |
|-------------------|----------------------------|-------------------|---------------|-------------|
| PD 1586 | ECC1 | ECC-R08-1410-0116 | 10/21/2014 | |
| | 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 ³ /day) | Annual (m ³ /day) | Specify if Others |
|------------------------------------|-----------------------------|------------------------------|-------------------|
| Surface water (river, lakes, etc.) | | | |
| Groundwater | | | |
| Water utilities | | | |
| Others (specify) | | | |

B. Wastewater Sources

| Water Use / Sources of Wastewater | Consumed (m ³ /day) | Generated (m ³ /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?

☐ Yes
☐ No

B. What type of WWTP?

☐ Physical
☐ Biological
☐ Chemical
☐ Others

C. WWTP Detail

| | | | |
|---------------------------------------|-------------------------------------|------------------------------|------------------|
| 1. Date Installed | N/A | | |
| 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 | |
| NONE | NONE | N/A | |
| | <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

N/A

| 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? N/A | | <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 N/A | | | | | | |
|--|-------|-----------------------|-------------------------|-----------|----|---------|
| 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? | | ✓ | | PROJECT IS A CONVENTIONAL POULTRY |
| 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? | | | ✓ | |
| | 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? | | | ✓ | |
| DAO 2005-10 Rule 14.6 | 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:

- **Environmental Compliance Certificate with Reference Number: ECC-R08-1410-0116 was issued on October 21, 2014 for the proposed conventional poultry project with a maximum capacity of 50,000 heads.**
- **Poultry project was operational during the time of monitoring. Project consists of one (1) unit 2-storey building.**

- Recent harvest was on September 22, 2021 with 18,000 poultry heads. Existing stock during the time of monitoring was 360 heads.
- Washings generated during poultry house cleaning pass thru a drainage canal towards a settling pond which flows to a nearby creek. Project is not issued with Discharge Permit. Issuance of Notice of Violation was recommended per inspection conducted on October 14, 2020 for operating without Discharge Permit.
- Poor housekeeping was observed at the back of the poultry building. Sacks of chicken dung with rice hull were observed improperly stored and disposed ~~at the~~ along creek (riverbanks) located at the back of the poultry building. Discoloration of the creek's water was observed.



Remarks and Recommendation:

- ✓ Designate a Pollution Control Officer and apply for accreditation in this Office.
- ✓ Provide storage facility for the sacks of chicken dung mixed with rice hulls. Proper disposal of chicken dung should be observed and implemented pursuant to ECC Condition I.A.3.
- ✓ Improve housekeeping.
- ✓ Submit semi-annual Compliance Monitoring Report through the online system.
- ✓ For issuance of Notice of Violation for operating without valid Discharge Permit pursuant to Section 27(c) *"Operating facilities that discharge regulated water pollutants without the valid required permits or after the permit was revoked for any violation of any condition therein".*

List of Documents Reviewed:

ECC

Submitted by:

JOANNE JOY M. DAÑAL
Senior EMS

Recommending Approval

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

Approval

FOR. MANUEL J. SAGEDA, JR.
OIC Chief, EMED

Noted:

REYNALDO B. BARRA, PME
OIC, Regional Director