

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



NOTICE OF VIOLATION

NOV 1 5 2021

EMERALD POULTRY FARM PROJECT

Brgy. Hibangan, Dagami, Leyte

ESMERALDA B. ORTEGA

Managing Head

DENR-PAB Case No. 08-000156-21-W

10:03 am

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 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. REYNALDØ B. BARRA OIC-Regional Director



ENVIRONMENTAL MANAGEMENT BUREAU REGION 8



SURVEY/INSPECTION FOR WATER QUALITY MANAGEMENT

ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION

Report Control Number: <u>WS - 09 - 15</u>

Date of Survey/Inspection: <u>September 27, 2021</u>

Mission Order No.: <u>EMBR8-2021-015386</u>

Name of Establishment: EMERALD POULTRY FARM Address: Brgy. Hiabangan, Dagami, Leyte Geo Coordinates: 11° 3' 59' N 124 ' 52' 58" E	1. GENERAL INFORMATION				
Nature of Business: POULTRY FARM 1124 ° 52' 58" E PSIC Code: PSIC Code: Product: POULTRY 2007 Operating hours/day: N/A Operating days/week: Operating days/year: Product Lines Product Lines Production Rate as Declared in the ECC (unit/day) maximum capacity of 40,000 heads of bird Name of Managing Head: Name of PCO: None 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 PMPIN Application Hazardous Waste ID Registration Hazardous Waste Transporter Registration Hazardous Waste TSD Registration Hazardous waste TSD Registration Permit to Operate Air Pollution Control Installation Discharge Permit Others 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	Name of Establishment: EN	MERALD POULTRY FARM			
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Position / Designation Site Engineer	Position / Designation	Site Engineer			

3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law		Permits	Date of Issue	Expiry Date
PD 1586	ECC1	ECC-08-071206-0096	December 6, 2007	
	ECC2			
	DENR Registry ID			
	PCL Compliance Certificate			9
RA 6969	CCO Registry			
	Permit to Transport			
RA 8749	POA No.			
RA 9003	ECC for Sanitary Landfill			
RA 9275	DP No.		1	

4. Water Supply and Wastewater Gen	eration					
A. Water Sources						
Sources of Water Supply	Daily (m	3/day)		Annual (m	³/day)	Specify if Others
Surface water (river, lakes, etc.)						
Groundwater (Drilling)		1.74				
Water utilities						
Others (specify)						
B. Wastewater Sources						
Water Use / Sources of Wastewater	Consum	ed (m³/d	lay)	Generated	(m³/day)	Specify if Others
Process Water						
Domestic Water						
Cooling Water						
Maintenance						
Storm drain						
Others (specify)						
C. Quality of Abstracted Wat	er					
Sources of Water Supply	BOD/ COD	TSS	AVFP	Heavy Met	als	Specify if Others
5. Information on Wastewater Polluti	on					
A. Does the Establishment have a Was	tewater	☐ Ye	es			
Treatment Plant?			lo			
B. What type of WWTP?			hysical liological hemical others			
C. WWTP Detail						
1. Date Installed						
2. Design Capacity		1				
3. Cost of WWTP						
4. Annual Maintenance Cost (Php/year	.)					
5. Location of Discharge Point(s)		Rece	eiving Wa	iter Body		Classification of Water Body

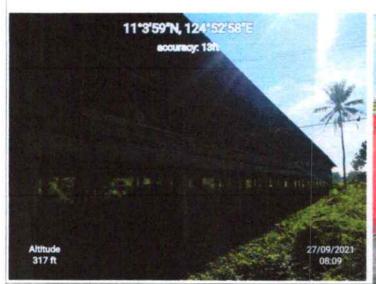
A. Components of WWTP Primary Biological Chemical Others	2 24 2020 10			Lucad	☐ V-weir		Other (spe	Other (specify)	
Primary Biological	6. Flow Metering Device Use					Others (specify)			
Screening	7. Flow Rate		imiden	E EIII	uent	Others (sp	ecity		
Screening	A. Con	nponents of	WWTP						
Screening Anaerobic Digestion DH Adjustment Disinfection D		ponems or			Che	mical		Others	
Primary Treatment	-		☐ Activated	Sludge		pH Adju	ustment		
Grit Removal		atment	☐ Anaerobi	c Digestion		Disinfe	ction		
Equalization Tank			☐ Tricking F	ilter		Oxidati	on/Reduction		
Equalization Tank	Oil/Water S	eparator	☐ Oxidation	n/Stabilization Po	ond Flocculation/ Coagulation				
Others (specify) Others (specify) B. Condition of the WWTP 1. What is the general condition of the WWTP during sampling? Properly maintained Inadequately maintained Inadequately maintained Inadequately maintained Properly maintained Inadequately maintained Inade				ng Batch Reactor	. 🗆	Others	(specify)		
1. What is the general condition of the WWTP			Others (s	pecify)					
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during sampling?	1-0	A STATE OF THE STA	er engelser announce	/TP Pro	perly mainta	ined			
Poor maintenance Others Poor maintenance Others			tion of the www				ed		
2. Is the WWTP under construction or undergoing rehabilitation? 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 Type of Sample Result Analysis Parameter Value Unit DENR Effluent Standards Yes No Remarks III. SUMMARY OF FINDINGS Legal Reference DAO 2005-10 Rule 14.1 notarized copies of accomplished application form? DAO 2005-10 Rule 14.2 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 / Ves / No / No	daring sampin	ь.		generally .					
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	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?	1		
	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?		1	
	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 farm was operational at the time of inspection. It was a conventional type of poultry farming
- 2. No ECC billboard was seen at the premises of the farm.
- 3. Maximum capacity, as per project description on the proponent's ECC, covers 40, 000 head of birds in one operation but the actual load was only approximately 8, oo heads of bird.
- 4. The farm utilizes a drilling machine to extract groundwater for birds or poultry consumption.
- According to the caretaker, they collect the chicken droppings feces daily and bury them in a pit around the premises.
- 6. A drainage canal but no septic tank was noted at the site. The farm may generate wastewater in cleaning the floor of the building where droppings fell every after harvest of the poultry.
- 7. The establishment is operating without a valid Discharge Permit (DP).





Remarks and Recommendation:

- 1. To secure a discharge permit online for their generated wastewater.
- 2. To install an ECC billboard at the premises
- 3. For issuance of Notice of Violation for operating without a valid Discharge Permit which is in violation of Sec. 27 Par. C of RA9275 "The Philippine Clean Water Act of 2004".

List of Documents Reviewed:

ECC

Submitted by:

APRLYN B BANAS/ KAREN PATRICIA A. FABILE/ CYRIL ANN BADEO Chemist III/ EMS II/ EMS II

Recommending Approval

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

Approval:

FOR MANUEL I. SACEDA IR OIC Chief, EMED

Noted:

REYNALDO B. BARRA, PME

OIC Regional Director