



NOTICE OF VIOLATION

10 May 2021

CIRIACO HOTEL AND COMMERCIAL ESTABLISHMENT

Brgy. 77, Marasbaras, Tacloban City

Thru: **MR. CIRIACO L. TAN**
Managing Head

ENGR. RAFAEL NIÑO G. NOEL
Pollution Control Officer

ENVIRONMENTAL MANAGEMENT BUREAU
RELEASED BY: [Signature]
DATE: 5-10-21
TIME: 9-

Sir/Madame:

This notice is being served upon you for alleged violation of **P.D 1586**, otherwise known as the Philippine Environmental Impact Statement System, based on the survey/inspection conducted, by the Environmental Monitoring and Enforcement Division – Water Air Quality Monitoring Section (EMED-WAQMS) of this Office last **09 March 2021**.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Non-submission of Compliance Monitoring Report (CMR) to this office on a semi-annual basis.	In violation of ECC Environmental Management Condition No. 2, DENR Administrative Order 2003-30, Implementing Rules and Regulations of P.D 1586.

The foregoing considered, and in accordance with the relevant provisions of **EMB Memorandum Circular No. 2020-21¹**, 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/s which is punishable by a fine of **not less than Ten Thousand Pesos (P10, 000.00) nor more than Fifty Thousand Pesos (P50,000.00)** for the above cited prohibited acts 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. Further, you or your authorized representative is hereby summoned to attend, in person, a technical conference/hearing before this Office on JUNE 07, 2021 at 3:00 PM.

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 VIII as a measure to combat the COVID-19 Disease, **you are also given an option to attend in the scheduled technical conference via internet video conference**. In case you opt for the latter mode, please submit an e-mail to legalunitembr8@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 video/physical 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.

Please be guided accordingly.

Very truly yours,

[Signature]
LETECIA R. MACEDA
Regional Director

¹ Supplemental Rules of the EMB Manual of Uniform Procedures for COVID-19 Pandemic



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ENVIRONMENTAL MANAGEMENT BUREAU
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MEMORANDUM

FOR : THE REGIONAL DIRECTOR
Environmental Management Bureau Region VIII

ATTENTION : LEGAL UNIT

FROM : THE UNDERSIGNED

SUBJECT : RECOMMENDATION FOR THE ISSUANCE OF NOTICE
OF VIOLATION (NOV) TO CIRIACO HOTEL AND
COMMERCIAL ESTABLISHMENT.

DATE : APRIL 21, 2021

Pursuant to Travel Order No.EMBR8-2021-004257, the undersigned conducted compliance monitoring at **Ciriaco Hotel and Commercial Establishment** located in **Brgy. 77 Marasbaras, Tacloban City** on March 19, 2021 to determine compliance status of firm with the environmental regulations, permit conditions, and other requirements. The following are the findings and recommendation formulated, to wit:

Findings and Observation:

Non- submission of Compliance Monitoring Report.


Remarks and Recommendation:

For issuance of **Notice of Violation** for failure to comply with the requirement on submission of Compliance Monitoring Report as stated under Condition 1.2 of the Environmental Compliance Certificate No. OL-RO8-2019-0090 dated May 30, 2019 issued by this Office.

Prepared by:


VILMA C. FABILLO
Senior EMS

Recommending Approval:


ENGR. CARLOS A. CAYANONG
Chief, Water Air Quality Monitoring Section

Approved by:


REYNALDO B. BARRA, PME.
Chief, Environmental Monitoring and Enforcement Division



SURVEY/INSPECTION FOR WATER QUALITY MANAGEMENT



ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION

Report Control Number: _____

Date of Survey/Inspection: March 19, 2021

Mission Order No.: EMBR8-2021-004257

1. GENERAL INFORMATIONName of Establishment: **CIRIACO HOTEL AND COMMERCIAL ESTABLISHMENT**

Address: Brgy. 77 Marasbaras, Tacloban City

Geo Coordinates:

Nature of Business: Hotel and Commercial Establishment

11.20794°N, 125.0089°E

PSIC Code: 55

Product:

Year Established: 2019

Operating hours/day:
NON-OPERATIONALOperating days/week:
NON-OPERATIONALOperating days/year:
NON-OPERATIONAL

Product Lines

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

Actual Production Rate (unit/day)

Name of Managing Head:

MR. CIRIACO L. TAN

Name of PCO:

ENGR. RAFAEL NIÑO G. NOEL

PCO Accreditation No.:

-NONE-

Date of Effectivity:

Phone/Fax:

(0916) 660 7133

Email:

2. PURPOSE OF INSPECTION

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

_____ New Renewal

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 _____

☐☐

- ☒
- 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

ENGR. RAFAEL NIÑO G. NOEL

Position / Designation

Designated PCO

3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1	OL-RO8-2019-0090	05-30-2019	
	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?	<input type="checkbox"/> Yes <input 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). On-going construction activities was observed at the project site during the monitoring, which started in July 2019.
- 2). The project was issued an Environmental Compliance Certificate No. OL-RO8-2019-0090 last May 30, 2019.
- 3). According to Engr. Rafael Niño G. Noel, the designated Pollution Control Officer, the target date of completion of the project is October 2021. To date, the project is approximately 32% accomplished.
- 4). An ECC billboard was installed at the main entrance of the project facing the national highway.
- 5). Non-submission of Compliance Monitoring Report.

Remarks and Recommendation:

1. A Discharge Permit shall be secured from this Office prior to the operation of the Project.
2. The designated PCO to undergo training and apply for accreditation.


List of Documents Reviewed:

Copy of Environmental Compliance Certificate


Submitted by:


VILMA C. FABILLO
Senior EMS

Recommending Approval:


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

Approved by:


REYNALDO B. BARRA, PME
Chief, EMED

Noted by:


LETECIA R. MACEDA
Regional Director