
	<p>Republic of the Philippines Department of Environment and Natural Resources ENVIRONMENTAL MANAGEMENT BUREAU Regional Office No. VIII DENR Compound, EMB Building, Jones St., Tacloban City, Philippines</p>	
<p align="center">NOTICE OF VIOLATION</p>		
<p align="right">4-21-22 W. H. M.</p>		

MAY 02 2022

DENR-PAB Case No. 08-000021-22-W

HOTEL CONSUELO
Brgy. 46, Tacloban City

Thru: **MA. JUDILYN DATUIN**
Pollution Control Officer

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 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 **17 March 2022**.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating a facilities that discharge regulated water pollutants without the valid wastewater Discharge Permit since 04 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 **Twenty Three Thousand Five Hundred Seventy-Nine and Forty-Eight Centavos (P23, 579.48) 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 **embr8_legal@emb.gov.ph**, 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



COMPLIANCE INSPECTION FOR WATER QUALITY MANAGEMENT



Department: ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION

Report Control Number:

Date of Inspection: **MARCH 17, 2022**Mission Order No.: **EMBR8-2022-008079****1. GENERAL INFORMATION**

Name of Establishment: HOTEL CONSUELO		
Address: Brgy. 46, Tacloban City		Geo Coordinates: 11.23995 N, 125.00289 E
Nature of Business: Hotel and Restaurant		
PSIC Code:	Product: N/A	Year Established: 2014
Operating hours/day: 24	Operating days/week: 7	Operating days/year: 365

Product Lines	Production Rate as Declared in the ECC (unit/day)	Actual Production Rate (unit/day)
	N/A	N/A
Name of Managing Head:		
Name of PCO:	MA. JUDILYN DATUIN	
PCO Accreditation No.:	2018-RVIII-0062	Date of Effectivity: April 26, 2021
Phone/Fax:	0935-592-0103	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

<input type="checkbox"/> Industrial Ecowatch
<input type="checkbox"/> Philippine Environmental Partnership Program (PEPP)
<input type="checkbox"/> Pollution Adjudication Board (PAB)
<input type="checkbox"/> Others _____

☐ Others _____

Name of Contact Person	MA. JUDILYN DATUIN
Position / Designation	Pollution Control Officer

3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1	CNC-R08-1104-0002	4/11/2011	
	ECC2	N/A		
	ECC3	N/A		
RA 6969	DENR Registry ID	N/A		
	PCL Compliance Certificate	N/A		
	CCO Registry	N/A		
	Permit to Transport	N/A		
RA 8749	POA No.	14-POA-J-0837-0451	10-02-2014	10-02-2019
RA 9003	ECC for Sanitary Landfill	N/A		
RA 9275	DP No.	DP-R08-20-03750	09-03-2020	09-30-2021

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)			Drinking water/gardening

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"/> Activated Sludge	<input type="checkbox"/> pH Adjustment	
<input type="checkbox"/> Primary Treatment	<input type="checkbox"/> Anaerobic Digestion	<input type="checkbox"/> Disinfection	
<input type="checkbox"/> Grit Removal	<input type="checkbox"/> Trickling Filter	<input type="checkbox"/> Oxidation/Reduction	
<input type="checkbox"/> Oil/Water Separator	<input type="checkbox"/> Oxidation/Stabilization Pond	<input type="checkbox"/> Flocculation/ Coagulation	
<input type="checkbox"/> Equalization Tank	<input type="checkbox"/> Sequencing Batch Reactor	<input type="checkbox"/> Others (specify) _____	
<input type="checkbox"/> Others (specify) _____	<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.						
Sampling Station				Sampling Time:	AM/PM	
Type of Sample						
Result Analysis						
Parameter	Value	Unit	DENR Effluent Standards	Compliant		Remarks
				Yes	No	
BOD		mg/L	100			
Fecal Coliform		MPN/100 mL	400			
Phosphate		mg/L	1			
Nitrate		mg/L	20			

Information Summary of the previous or recent inspection/sampling:

Date of Sampling			
Sampling Station		Discharge Point	Sampling Time:
			AM/PM
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 13.1	1. Does the establishment pay the required wastewater charge?		/		
DAO 2005-10 Rule 14.1	2. Does the establishment have a Discharge Permit?		/		
DAO 2005-10 Rule 14.5	3. Does the establishment pay the required discharge permit fee?			/	
DAO 2005-10 Rule 14.9	4. Is the permit available and valid?		/		DP expired last September 30, 2021
DAO 2005-10 Rule 14.11	5. Do the discharge points correspond to those declared in the discharge permit?			/	
	6. Is the volume discharged within the allowable volume declared in the discharge permit?			/	
	7. Is the permit posted in a proper area?			/	
DAO 2005-10 Rule 14.16	8. Are the SMRs submitted quarterly and on time?		/		
DAO 1990-35 Section 4-6	9. Are the effluent parameters compliant with the standards in DENR existing effluent standards?			/	
DAO 1990-35 Section 8	10. Does the establishment comply with the additional requirements stated in DAO 1990-35?			/	
DAO 1990-35 Section 9	11. Are the pollution control facilities properly and continuously operated?			/	
DAO 1990-35 Section 10	12. Are the methods of analysis used for effluent samples in accordance with the prescribed methods of the Department?			/	
Other Requirements	13. Are the copies of water analysis reports available?			/	
	14. Are the correspondence between the establishment and EMB documented?			/	
	15. Are the establishment's compliance violations and exceedances documented?			/	

16. Are there any pending litigation/PAB cases?		/	
17. Are there spill prevention contingency plans?		/	
18. Are there spill containment facilities available?		/	

Other Observations:

1. This Office has issued Discharge Permit with reference number DP-R08-20-03750 to Hotel Consuelo on September 30, 2020 but the same expired last September 30, 2021.
2. Application for renewal of Discharge Permit was lodged through OPMS last March 23, 2022 at 5:08 pm by Mr. Edwin Pfeider II. The said application is still on process.
3. The establishment is a 4-storey hotel and restaurant with 38 rooms. Groundwater or deepwell is used to supply water to the entire hotel.
4. The accreditation of abovementioned PCO has already expired last April 26, 2021.
5. The last SMR was on April 14, 2021 for the 1st Quarter of CY 2021.

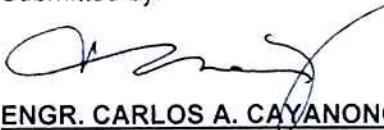
Remarks and Recommendation:

1. Timely submission of SMR must be strictly observed.
2. Ms. Datuin shall apply for re-accreditation as PCO. However, if the hotel choose to designate other person, then he/she shall attend 40-hour PCO Training and apply for accreditation.
3. For this office to issue Notice of violation to **HOTEL CONSUELO** for Operating facilities that discharge regulated pollutants without the valid Wastewater Discharge permit, in violation of **Paragraph (c), Section 27 of DENR Administrative Order No. 2005-10**, in relation to **Section 28** of the same DAO, and in relation further to **Pollution Adjudication Board Resolution No. 01-2019**.

List of Documents Reviewed:

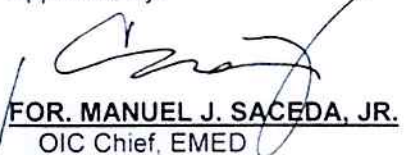
Discharge Permit

Submitted by:



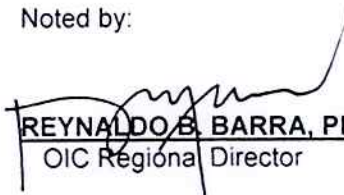
ENGR. CARLOS A. CAYANONG
Chief, WAQMS

Approved by:



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

Noted by:



REYNALDO B. BARRA, PME
OIC Regional Director