
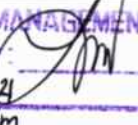
	Republic of the Philippines Department of Environment and Natural Resources ENVIRONMENTAL MANAGEMENT BUREAU DENR Compound, Jones St. Tacloban City, Philippines	
	NOTICE OF VIOLATION	

24 May 2021

ENVIRONMENTAL MANAGEMENT BUREAU
 RELEASED BY: 
 DATE: 5/28/2021
 TIME: 1:20 PM

PETRON GASOLINE FILLING STATION/NIMFA BALBIN
 Brgy. Songco, Borongan City
 6500 Eastern Samar

Thru: **NIMFA A. BALBIN**
 Managing Head

Sir/Madame:

This notice is being served upon you for alleged violation of PD **1586** otherwise known as the Philippine Environmental Impact Statement System, based upon the compliance inspection conducted by the Provincial Environmental Monitoring Unit (PEMU) – Eastern Samar last **22 March 2021**.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Failure to submit a Compliance Monitoring Report (CMR) /Self-Monitoring Report to this Office on a semi-annual basis.	In violation of ECC General Condition No. 4 , 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 21, 2021 at 1:30 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,

LETECIA R. MACEDA
 Regional Director 

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



SURVEY/INSPECTION FOR AIR QUALITY MANAGEMENT



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

Report Control Number: _____
Date of Survey/Inspection: March 22, 2021
Mission Order No.: (EMBR8-2021-004962)

1. GENERAL INFORMATION		
Name of Establishment: PETRON GASOLINE FILLING STATION / NIMFA A. BALBIN		
Address: BRGY. SONGCO, BORONGAN CITY, EASTERN SAMAR		Geo Coordinates: 11.61845, 125.43782
Nature of Business: Fuel Refilling Station		
PSIC Code: 4661	Product: GASOLINE, & DIESEL	Year Established: 2009
Operating hours/day: 12	Operating days/week: 6.5	Operating days/year: 348
Product Lines	Production Rate as Declared in the ECC (unit/day)	Actual Production Rate (unit/day)
N/A	N/A	N/A
Name of Managing Head: NIMFA A. BALBIN		
Name of PCO: NONE		
PCO Accreditation No.:	N one	Date of Effectivity:
Phone/Fax:	0936-7541-987	Email: NONE

2. PURPOSE OF INSPECTION		
<input type="checkbox"/> Verify accuracy of information submitted by the establishment pertaining to new permit applications, renewals, or modification		
<input type="checkbox"/> New Renewal	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"/>

<input checked="" type="checkbox"/> Determine compliance status with the environmental regulations, permit conditions, and other requirements
<input type="checkbox"/> Investigate community complaints
<input type="checkbox"/> 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 _____
<input checked="" type="checkbox"/> Others <u>Permit to operate (survey)</u>

Name of Contact Person	NIMFA A. BALBIN
Position / Designation	Owner

3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1	ECC-R08-0907-088-6281	7/29/09	
	ECC2	N/A		
	ECC3	N/A		
RA 6969	DENR Registry ID	NONE		
	PCL Compliance Certificate	N/A		
	CCO Registry	N/A		
	Permit to Transport	N/A		
RA 8749	POA No.	NONE		
RA 9003	ECC for Sanitary Landfill	N/A		
RA 9275	DP No.	NONE		

MODULE AQM01: PRE-INSPECTION INFORMATION SHEET FOR EMISSION SOURCES

Emission Source Data Information	
Emission Source No.	1
Type (Brand/Model)	Generator set
Rated Capacity	
Fuel Type & Quantity	diesel
Operating Capacity	standby
Control Facility	
Notes	

Emission Source Data Information	
Emission Source No.	2
Type (Brand/Model)	Underground Tank for Extra
Rated Capacity	8,000 KL
Fuel Type & Quantity	
Operating Capacity	
Control Facility	
Notes	

Emission Source Data Information	
Emission Source No.	3
Type (Brand/Model)	underground tank for XCS
Rated Capacity	8,000 KL
Fuel Type & Quantity	
Operating Capacity	
Control Facility	
Notes	

Emission Source Data Information	
Emission Source No.	4
Type (Brand/Model)	underground tank for diesel
Rated Capacity	6,000 KL
Fuel Type & Quantity	
Operating Capacity	
Control Facility	
Notes	

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:

- The establishment is operating at the time of monitoring.
- Has Environmental Compliance Certificate with ECC-R08-0907-088-6281 issued on July 29, 2009.
- Non submission of CMR..
- Absence of Discharge Permit for domestic waste water generated. No DP application was lodged online.
- Absence of Permit to Operate Air Pollution Source Installation for the one (1) unit diesel fuel generator, one (1) unit Underground Tank for Extra with a capacity of 8,000 KL, one (1) unit underground tank for XCS with a capacity of 8,000KL, one (1) unit Diesel with a capacity of 6,000 KL. No PTO application was submitted online.

Remarks and Recommendation:

- To submit Compliance Monitoring Report (CMR).
- To apply Discharge Permit online for domestic waste water generated and its control facility.
- To apply Permit to Operate Air Pollution Source Installation for the one (1) unit diesel fuel generator, one (1) unit Underground Tank for Extra with a capacity of 8,000 KL, one (1) unit underground tank for XCS with a capacity of 8,000KL, one (1) unit Diesel with a capacity of 6,000 KL.
- To designate Pollution Control Officer to be accredited by EMB.
- To issue a Notice of Violation against **PETRON FILLING STATION/ NIMFA A. BALBIN** for operating without a valid Permit to Operate Air Pollution Source Installation in violation of Section 1 Rule XIX of DAO No. 2004-26 and Permitting Procedures No. 8 of MC 2007-003, in relation to Section 47 of RA. 8749 and in relation further to PAB Resolution No. 01 series of 2019. Operating without valid Discharge permit in violation of Paragraph (C), Section 27 of RA 9275, and to section 28 thereof and in relation further to PAB Resolution No. 01-2019. None submission of Compliance Monitoring Report (CMR) in violation of ECC Conditions no. 2 of the issued ECC and in relation further to PAB Resolution No. 01 series of 2019

List of Documents Reviewed:

ECC

Submitted by:


GINNALYN A. ESPOSA
EMS I

Concurred by:


ARMANDO S. DUPIO JR.
Supervising EMS / Head, PEMU ES


Reviewed by:


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

Approval:


REYNALDO B. BARRA, PME
Chief, EMED

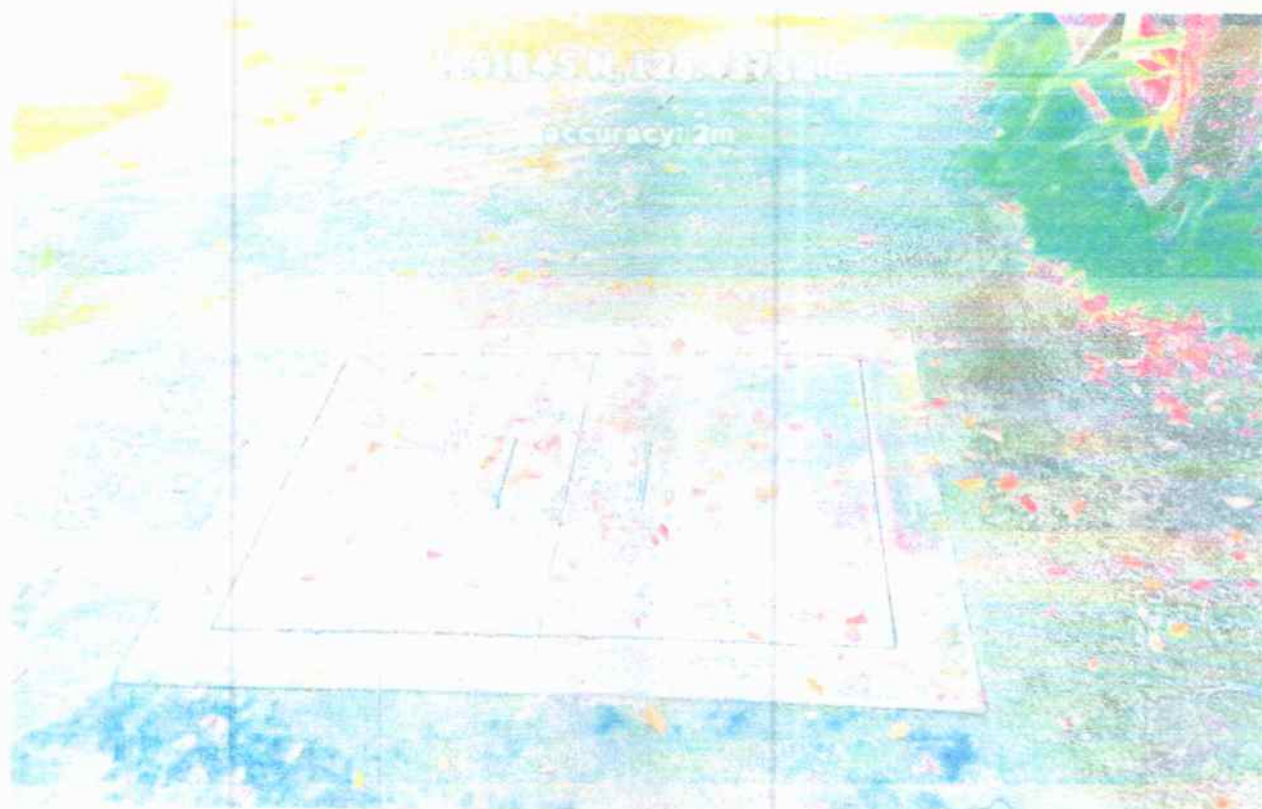
Noted:


LETECIA R. MACEDA
Regional Director





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Accuracy: 2m



