



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



NOTICE OF VIOLATION

07 May 2021

DENR-PAB Case No. 08-000046-21-W

CPL HIGHLAND PARADISSU RESORT

Brgy. Dayhagan, Ormoc City

Thru: **MS. LORNA PONCE**
Managing Head

MS. CLYDE FLORIZA LUO
Pollution Control Officer

ENVIRONMENTAL MANAGEMENT BUREAU
RELEASED BY:
DATE: 5-10-21
ME: 9-

Sir/Madame:

This notice is being served upon you for alleged violation of **RA 9275** otherwise known as the **Philippine Clean Water Act of 2004**, based on the compliance inspection conducted by the Environmental Monitoring and Enforcement Division – Water Air Quality Monitoring section (EMED-WAQMS) of this Office last **08 March 2021**.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating a facility that discharges regulated water pollutants without a valid Discharge Permit since 15 November 2020 .	Violation of Paragraph (c), Section 27 of R.A 9275 , in relation to Section 28 thereof 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,

LETECIA R. MACEDA
Regional Director



COMPLIANCE INSPECTION FOR WATER QUALITY MANAGEMENT



ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION

Report Control Number: **WATER-08-22**

Date of Inspection: March 8, 2021

Mission Order No.: EMBRO8-2021-003598

1. GENERAL INFORMATION

Name of Establishment: CPL HIGHLAND PARADISSU RESORT		
Address: Brgy. Dayhagan, Ormoc City		Geo Coordinates: 11.05913°N, 124.59665°E
Nature of Business: Resort		
PSIC Code: 55	Product:	Year Established: 2014
Operating hours/day: 8 hours	Operating days/week: 7 days	Operating days/year: 365 days
Product Lines	Production Rate as Declared in the ECC (unit/day)	Actual Production Rate (unit/day)
Name of Managing Head:	MS. LORNA PONCE	
Name of PCO:	MS. CLYDE FLORIZA LUO	
PCO Accreditation No.:		Date of Effectivity:
Phone/Fax:	(0908) 817 7631	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

MR. GREGORIO DATIMAS

3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1			
	ECC2			
	ECC3			
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.	RO8-19-03752	11-14-2019	11-14-2020

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 (Deep Well)			
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: (gardening, washings, etc.			

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

4. Annual Maintenance Cost (Php/year)			
5. Location of Discharge Point(s)		Receiving Water Body	Classification of Water Body
- Septic Tank		N/A	
		<input type="checkbox"/> V-weir	Other (specify)
6. Flow Metering Device Use		<input type="checkbox"/> Flow Meter	
7. Flow Rate		Influent	Effluent
			Not determined.
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"/> Tricking 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. 1						
Sampling Station				Sampling Time:	AM/PM	
Type of Sample						
Result Analysis						
Parameter	Value	Unit	DENR Effluent Standards	Compliant		Remarks
				Yes	No	

Water Quality Field Date			
Sampling Point No. 2			
Sampling Station		Sampling Time:	AM/PM

Parameter	Value	Unit	DENR Effluent Standards	Compliant		Remarks
				Yes	No	

Information Summary of the previous or recent inspection/sampling:

Date of Sampling						
Sampling Station			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?	√			Discharge Permit No. RO8-19-03752
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?	√			Discharge Permit valid until November 14, 2020
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?			√	No discharge during the monitoring.
	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?			√	No sampling and analysis of water sample.

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. The resort was in normal operation during the time of monitoring under a new management. It resumed its operation in December 2020 due to COVID-19 Pandemic however, with very limited customers.
2. The facilities observed inside the resort are six (6) units cottages, four (4) units tents, five (5) units cogon huts and a swimming pool with a slide, for teenagers and adults. A separate swimming pool, for kids, was also observed in the site.
3. Also, the resort has provisions for functions and overnight stay however, still under renovation.
4. The whole resort was provided with nine (9) units comfort rooms which drain directly to three (3) units 2- chambered septic tanks.
5. A Discharge Permit No. RO8-19-03752 was issued on November 14, 2019 and valid until November 14, 2020 by this Office.
6. At present, the establishment has no standby generator set.
7. No Accredited Pollution Control Officer.


Remarks and Recommendation:

1. For issuance of Notice of Violation for operating without valid Discharge Permit from this Office.
2. Designated PCO to undergo training and apply for accreditation.

List of Documents Reviewed:

Copy of Discharge Permit No. RO8-19-03752 valid until November 14, 2020.


Submitted by:


VILMA C. FABILLO
 Senior EMS

Approved by:


ENGR. REYNALDO B. BARRA
 Chief, EMED

Recommending Approval:


ENGR. CARLOS A. CAYANONG
 Chief, WAQMS

Noted by:


LETECIA R. MACEDA
 Regional Director