

NOTICE OF VIOLATION


FEB 14 2022

DENR-PAB Case No. 08-00009-22-W

OUR LADY OF PEACE MEDICAL CLINIC
335 Macapagal St., Brgy. Mabolo (Pob.) Catarman, Northern Samar

Thru: **SANDRA G. SAISES**
Owner

SUSANA A. MARQUEZ
Pollution Control Officer

ENVIRONMENTAL MANAGEMENT BUREAU
RELEASED BY: 
DATE: 2/14/2022
TIME: 4:25 PM

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 desk review/evaluation conducted by the Clearance and Permitting Division – Air Water Permitting Section (CPD-AWPS) last **31 December 2021** on your online renewal application for wastewater Discharge Permit filed last **22 October 2020**.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating a facility that discharges regulated water pollutants without a valid wastewater Discharge Permit since 04 December 2020 .	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 .

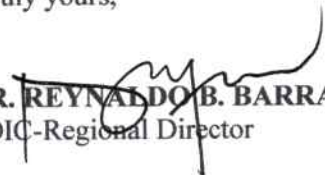
Pursuant to **Pollution Adjudication Board Resolution No. 02, Series of 2020**, otherwise known as the **Interim Guidelines of the Pollution Adjudication Board during the Public Health Emergency due to COVID-19**, you are hereby required to explain in writing, duly subscribed before a Notary Public, **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 **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



Republic of the Philippines
Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU
Regional Office No. VIII
DENR Compound, Jones St., Tacloban City, Philippines



FOR : **THE OIC-DIVISION CHIEF**
Clearance and Permitting Division

FROM : **THE UNDERSIGNED STAFF**
Air & Wastewater Permitting Section

SUBJECT : **DESK REVIEW REPORT INVOLVING THE
OUR LADY OF PEACE MEDICAL CLINIC LOCATED AT
335 MACAPAGAL ST., BRGY. MABOLO (POB.),
CATARMAN, NORTHERN SAMAR.**

DATE : **31 DECEMBER 2021**

BACKGROUND/ PROCEEDINGS

On **22 October 2020**, **OUR LADY OF PEACE MEDICAL CLINIC** filed an online application (Application No. 97234) for the renewal of its Wastewater Discharge Permit. This desk review report was prepared on 31 December 2021 for the purpose of issuance of Notice of Violation for the said firm.

FINDINGS/OBSERVATIONS

Based on the aforementioned application, the following findings were observed:

1. **OUR LADY OF PEACE MEDICAL CLINIC** has been issued a Temporary Discharge Permit on **03 September 2020**, with Permit No. **DP-R08-20-03744** which was only valid until **03 December 2020**. *Copy of the said discharge permit is attached;*
2. Application was officially received on **22 October 2020** and was forwarded to case handler on **23 October 2020** for evaluation. The application was returned to the applicant on **28 October 2020** due to lacking requirements/corrections on the submitted application.
3. It was only on **23 December 2021** that the application was been returned with which the permit has already expired; *(see attached OPMS tracking)*
4. **OUR LADY OF PEACE MEDICAL CLINIC** is represented by **Sandra G. Saíses** as the Owner and **Susana A. Marquez** (0908 522 3951) as the Pollution Control Officer;
5. Apparently, **OUR LADY OF PEACE MEDICAL CLINIC** has been in operation without a valid Discharge Permit since **04 December 2020**;

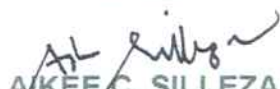
REMARKS

1. **Section 14 of Republic Act No. 9275 or the Philippine Clean Water Act of 2004** provides that the Department shall require owners or operators of facilities that discharge regulated effluents pursuant to the same Act to secure a permit to discharge;
2. In relation thereto, **Rule 14.1 of DENR Administrative Order No. 2005-10** explicitly provides that **any person** that shall discharge in any manner into Philippine Waters and/or Land shall secure a Discharge Permit;
3. This is further reiterated in a Memorandum dated 20 June 2018 issued by the EMB Director which clarifies that in the implementation and issuance of Discharge Permits, **all establishments** must secure a Discharge Permit **regardless of volume of wastewater**.
4. One of the Permit Conditions provided for under the expired Discharge Permit issued to **OUR LADY OF PEACE MEDICAL CLINIC** requires the permit holder **to renew the discharge permit at least one (1) month before expiry date**;
5. **Paragraph (c) of Section 27, R.A 9275** or the Philippine Clean Water Act of 2004 prohibits the operation of facilities which discharges regulated water pollutants **without the valid required permits**, as in this case, the Wastewater Discharge Permit;
6. Any establishment found to have violated the foregoing provisions shall be liable under **Section 28 of Republic Act 9275**, in relation to **Pollution Adjudication Board Resolution No. 01, Series of 2019**.


RECOMMENDATIONS

1. To issue a Notice of Violation against **OUR LADY OF PEACE MEDICAL CLINIC** for operating without a valid Discharge Permit, in violation of **Paragraph (c), Section 27 of R.A 9275** which, IF found guilty, shall be liable under **Section 28 of R.A 9275**, in relation to **Pollution Adjudication Board Resolution No. 01, Series of 2019**;
2. Pursuant to **PAB Resolution No. 01-2019**, to defer from the issuance of a Discharge Permit until resolution of the case or payment of the corresponding fine, if warranted;
3. For further appropriate actions as may be determined after due process.

Reviewed by:


AIKEE C. SILLEZA
EMS II

Approved by:


HENNENCY G. HAYAG, PME
OIC-Chief, CPD

Noted by:


REYNALDO B. BARRA, PME
OIC-Regional Director





Republic of the Philippines
Department of Environmental and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU
Region VIII
DENR Compound, Jones Street, Barangay 2, Tacloban City
Tel No: (053) 832-10-88

Date: Sep 03, 2020

Permit No.: DP-R08-20-03744
Renewal

WASTEWATER DISCHARGE PERMIT

Pursuant to Section 14, Article 2, of the RA 9275 otherwise known as the "Philippine Clean Water Act of 2004", this permit is hereby granted to **Sandra G. Saises** with office address at 335 Macapagal St., Mabolo (Pob.), Catarman (Capital), Northern Samar for its establishment:

Our Lady Of Peace Medical Clinic	335 Macapagal St. Mabolo (Pob.) CATARMAN
TIN No. 141-740-374-000	(Capital)

TEMPORARY

1. The discharge volume of the wastewater generated shall not exceed the **1.0 m3/day**.
2. The maximum effluent generation of **0.5** m3/day shall all be reused in the process.
3. The maximum effluent generation of **0.5** m3/day shall all be reused for watering of plants, trees and other vegetation within the premises.
4. Submit Self-Monitoring (SMR) based on the following schedule:

Quarter	Coverage	Submission	Quarter	Coverage	Submission
First	Jan-Mar	1-15 Apr.	Third	Jul-Sep.	1-15 Oct.
Second	Apr-Jun.	1-15 Jul.	Fourth	Oct-Dec.	1-15 Jan.

5. Submit Certificate of desludging of the **WTF** and treatment of the same by an accredited service provider.
6. Allow the entry of our duly authorized representative(s) to conduct inspection within your premises.
7. This permit, together with the corresponding Official Receipts of Payment, shall be adequately framed and posted in a conspicuous place at the plant/establishment
8. The application for renewal of this permit shall be filed not less than **thirty (30) days** prior to its expiration.

This permit is valid up to Dec 03, 2020, unless revoked or suspended by this Office in writing.

Non-compliance with the above conditions and/or any pertinent provisions of RA 9275 otherwise knows as "Philippine Clean Water Act of 2004", a corresponding penalty in the amount of P10,000-P200,000 per violation shall be imposed.

Recommended by:

Approved by:


Maribel B. Munsayac
Chief, Clearance and Permitting Division


Letecia R. Maceda
Regional Director

Tracking Application Details Evaluation Assignments Applicant Details

Timestamp	Auto-forwarded?	Person Involved	Action Taken	Remarks	Action Needed	Attachments
Processing	-	Susana Marques - Our Lady of Peace Medical Clinic				No files
Dec 28, 2020 4:55 PM	No	Alice Greig	Returned	Your Discharge Permit (DA008-20-0274) has expired on December 04, 2020 and applied online on October 20, 2020 with application no. 97234 under account name of olpmc59@yahoo.com. Please be advised you will first receive a notice of violation from the EMSO Office before proceeding with the application. The notice of violation will contain instructions that will be for your compliance.	For Compliance	No files
Dec 23, 2020 4:54 PM	No	Hennrich, Hawaii	Forwarded to casehandler	(a) For screening and appropriate action for recommendation of NCD clearance for operating without a valid Discharge Permit since December 4, 2020.	For Evaluation	No files
Dec 23, 2020 2:19 PM	No	Susana Marques - Our Lady of Peace Medical Clinic	Submit Requested information			3 files
Dec 23, 2020 2:07 PM	No	Roxana Babovic	Returned	please comply the necessary requirements for renewal as stated on the remarks of the inspection	Update Application	No files
Dec 23, 2020 1:11 PM	No	Abraham Meneses	Forwarded to casehandler	For evaluation	For Screening	No files
Dec 22, 2020 12:22 PM	No	For Alexander Talbotts	Enforce		Re-enforcement	No files
Dec 22, 2020 11:24 AM	No	Susana Marques - Our Lady of Peace Medical Clinic	Start Application		For screening	No files

[DA008-20-0274.pdf](#)

[RUBEN TELLOM - L.pdf](#)

[Forensic Price CL 1.pdf](#)

[Tobias Tiedeman - L.pdf](#)

[J. AID F. Decortis - PDF](#)

[Dr. Manuel B. Requena.pdf](#)