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

08 June 2021

LEYTE METROPOLITAN WATER DISTRICT  
TACLOBAN NORTH WATER SUPPLY PROJECT  
(located in Brgy. Cabalawan, Tacloban City)  
LMWD Compound, Brgy. 74, Tacloban City

DENR-PAB Case No. 08-000059-21-W  
ENVIRONMENTAL MANAGEMENT BUREAU  
RELEASED BY: *[Signature]*  
DATE: 06 June 2021  
TIME: 11:48 am

Thru: **MR. PASTOR ABARCA HOMERES**  
Managing Head

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 survey/inspection conducted by the technical personnel of the Environmental Monitoring and Enforcement Division-Water Air Quality Monitoring Section (EMED-WAQMS) last **14 January 2021**.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating a facility that discharges regulated water pollutants without the valid required wastewater <b>Discharge Permit</b> , since <b>14 January 2021</b> .	Violation of <b>Par. (c), Section 27 of DENR Administrative Order No. 2005-10, IRR of RA 9275</b> in relation to <b>Section 28</b> thereof and in relation further to <b>Pollution Adjudication Board Resolution No. 01 Series of 2019</b> .

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](mailto:embr8_records@emb.gov.ph), copy furnished [legalunitembr8@gmail.com](mailto: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,

*[Signature]*  
**LETECIA R. MACEDA**  
Regional Director *[Initials]*





## SURVEY/INSPECTION FOR WATER QUALITY MANAGEMENT



## ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION

Report Control Number: WS - 01 - 17Date of Survey/Inspection: January 14, 2021Mission Order No.: 2021-000366

## 1. GENERAL INFORMATION

Name of Establishment: **LEYTE METROPOLITAN WATER DISTRICT - TACLOBAN NORTH WATER SUPPLY PROJECT**

Address: Brgy. Cabalawan, Tacloban City

Geo Coordinates:

10.81426 N, 124.90584 E

Nature of Business: Water treatment facility

PSIC Code:36000

Product: potable water

Year Established:2019

Operating hours/day: 8

Operating days/week: 7

Operating days/year:

Product Lines

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

Actual Production Rate (unit/day)

Production rate=1,500m<sup>3</sup>

Name of Managing Head:

MR. PASTOR ABARCA HOMERES

Name of PCO:

None

PCO Accreditation No.:

None

Date of Effectivity:

Phone/Fax:

09260717059

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

Gerundio N. Calabia

Position / Designation

Department Manager-LMWD



3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1	ECC-OL-R08-2019-0189	10-15-201966	
	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 <sup>3</sup> /day)	Annual (m <sup>3</sup> /day)	Specify if Others
Surface water (river, lakes, etc.)	1,500		
Groundwater			
Water utilities			
Others (specify)			

B. Wastewater Sources

Water Use / Sources of Wastewater	Consumed (m <sup>3</sup> /day)	Generated (m <sup>3</sup> /day)	Specify if Others
Process Water			
Domestic Water	1.0		
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?		v		
	6. Does the establishment have a DENR ID Number as hazardous waste generator, as applicable?		v		
	7. Has the establishment designated or appointed a PCO?		v		
	8. Does the establishment use its effluent for Agricultural Purposes?			v	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?			v	
	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)?			v	
	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?			v	
	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?			v	
	e. Does the establishment use land application only during periods of low surface water flow to enhance loading limits compliance?			v	
	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?			v	
	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?			v	
	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.			v	



**Other Observations:****PD 1586, RA 8749 and RA6969**

- The establishment was operational during the time of monitoring, operating at 8am-5pm daily.
- The facility was able to supply potable water to the 400 households in St. Francis Subd.
- Environmental Compliance Certificate with reference code ECC-OL-R08-2019-0189 was issued on October 15, 2019 to Leyte Metropolitan Water District represented by its General Manager Mr. Pastor Abarca Homeres for the Tacloban North Water Supply Project located in Brgy. Cabalawan, Tacloban City. It covers an area of 1,056 square meters.
- The project has the following components/facilities: Water Filtration System; Water Treatment Facility; Office with laboratory; train A Reverse Osmosis; Train B Reverse Osmosis; Chlorinator; Products TNKS; Soda Ash Tanks; and Pipelines Distribution.
- ECC billboard was posted at the entrance gate of the establishment.
- The said project was constructed and under the supervision of Mactan Rock Corp. As of to date, 90% completion of the project. Construction of source intake is on-going during the time of monitoring.
- No designated Pollution Control Officer of the establishment.
- Office records showed that no submission of Compliance Monitoring Report semi-annually.
- Two (2) units 563 KW Cummins Brand Diesel Generator Set were noted at the site to supply power during outage. The said facilities were located at the power house. It was noted that no exhaust or stack was observed for each genset. No Permit to Operate for Air Pollution Source Installation was secured from this Office.
- Likewise, no Hazardous Waste Registration Certificate (DENR ID) issued as hazardous waste generator.

**RA 9275**

- Source of Water Supply is from Barugohan River. Settling pond and septic tank were provided for wastewater generated from the process and domestic wastewater respectively.
- No wastewater discharge was observed from the settling pond during the time of monitoring. Water treatment process is still on-going.
- The project is operating without a valid wastewater discharge permit secured from this Office.

**Remarks and Recommendation:**

- To secure Wastewater Discharge Permit, Permit to Operate Air Pollution Source Installation (Genset) and DENR ID as hazardous waste generator through the EMB Online Permitting and Monitoring System.
- To designate a Pollution Control Officer, to attend the 40-hr Basic PCO Training and apply for PCO accreditation.
- To submit Compliance Monitoring Report for the 2<sup>nd</sup> semester of CY 2020 and onwards through the EMB online system which can be accessed through the EMB website or through <https://online.emb.gov.ph/cmr/>.
- To undertake tree planting activity on a designate area on the project site.
- For issuance of Notice of Violation for non-compliance to the following Environmental Laws and its Implementing Rules and Regulations:

**RA 9275**

- ✓ Operating facility without the valid Wastewater Discharge Permit in violation to paragraph (c) Section 27 of DAO 2005-10, or the Implementing Rules and Regulations of RA 9275 (The Philippine Clean Water Act of 2004).

**PD 1586**


- ✓ ECC Condition No. I-2, No submission of CMR semi-annually;
- ✓ ECC Condition No. I-4, No DENR ID as Hazardous Waste Generator and Permit to Operate for Air Pollution Source Installation.

**List of Documents Reviewed:****Copy of ECC**

Submitted by:

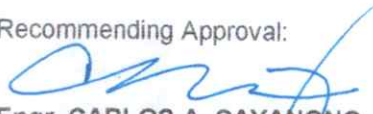
  
**JANET T. POLEA**  
Engr. IV

Approval:

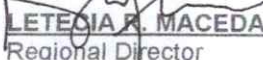
  
**REYNALDO B. BARRA, PME**  
Chief, EMED

FM-EMED-58

Recommending Approval:

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

Noted:

  
**LETECIA R. MACEDA**  
Regional Director

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01-01-21

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