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|  | <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>NOTICE OF VIOLATION</p> | | |


MAY 12 2022

DENR-PAB Case No. 08-000033-22-A

SPEED VELOCITY GASOLINE STATION
Brgy. 71 Naga-naga, Tacloban City

Thru: **THE MANAGING HEAD/S**

Sir/Madame:

ENVIRONMENTAL MANAGEMENT BUREAU 5
RELEASED BY: 
DATE: 5/13/2022
TIME: 8:24am

This notice is being served upon you for alleged violation of **R.A 8749** otherwise known as the Philippine Clean Air Act of 1999, based upon the survey/inspection conducted by the technical personnel of the Environmental Monitoring and Enforcement Division – Water Air Quality Monitoring Section (EMED-WAQMS) last **02 March 2022**.

ACTS CONSTITUTING THE VIOLATION

| Finding/s | Prohibited Act/s |
|---|--|
| Operating three (3) units Underground Fuel Tanks; one (1) unit 22 KW diesel Jaguar generator set, without the required Permit to Operate for Air Pollution Source and Control Installations since 02 March 2022 . | Violation of Section 1, Rule XIX of DENR Administrative Order No. 2004-26 , amending DAO 2000-81, in relation to Section 1, Rule LVI of DAO 2000-81 , in relation further to Pollution Adjudication Board Resolution No. 01, Series of 2019 . |

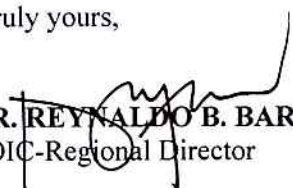
Pursuant to **Pollution Adjudication Board Resolution No. 02, Series of 2020**, otherwise known as the **Interim Guidelines of the Pollution Adjudication Board during the Public Health Emergency due to COVID-19**, you are hereby required to explain in writing, duly subscribed before a Notary Public, **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 five (5) years 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



ENVIRONMENTAL MANAGEMENT BUREAU REGION 8

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 2, 2022**Mission Order No.: **EMBR8-2022-007030****1. GENERAL INFORMATION**

| | | |
|---|------------------------|---|
| Name of Establishment: SPEED VELOCITY GASOLINE STATION | | |
| Address: BRGY. 71 NAGA-NAGA TACLOBAN CITY | | Geo Coordinates: 11.24464 N 124.98339 E |
| Nature of Business: FUEL REFILLING STATION | | |
| PSIC Code: 47300, 4661 | Product: | Year Established: 2016 |
| Operating hours/day: 12 | Operating days/week: - | Operating days/year: |

| Product Lines | Production Rate as Declared in the ECC (unit/day) | Actual Production Rate (unit/day) |
|------------------------|--|-----------------------------------|
| | | |
| | | |
| | | |
| Name of Managing Head: | - | |
| Name of PCO: | - | |
| PCO Accreditation No.: | - | Date of Effectivity: - |
| Phone/Fax: | - | 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 | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ PMPIN Application | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ Hazardous Waste ID Registration | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ Hazardous Waste Transporter Registration | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ Hazardous waste TSD Registration | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ Permit to Operate Air Pollution Control Installation | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ Discharge Permit | <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

_____ Industrial Ecowatch

_____ Philippine Environmental Partnership Program (PEPP)

_____ Pollution Adjudication Board (PAB)

_____ Others _____

- ☐ Others **SURVEY**

| | |
|------------------------|----------------------|
| Name of Contact Person | MAE MAGLASANG |
| Position / Designation | OFFICE CLERK |

3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

| Environmental Law | Permits | Date of Issue | Expiry Date |
|-------------------|----------------------------|----------------------|-------------|
| PD 1586 | ECC1 | ECC-OL-R08-2016-0109 | 09/22/2016 |
| | 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. | | |

MODULE AQM01: PRE-INSPECTION INFORMATION SHEETFOR EMISSION SOURCES

| Emission Source Data Information | |
|--|-------------|
| Emission Source No. | 1-3 |
| Type (Brand/Model) | 3 units UGT |
| Rated Capacity | |
| Fuel Type & Quantity | |
| Operating Capacity | |
| Control Facility | |
| Notes 48 KL total capacity (22-premium, 16-unleaded, 20-diesel) | |

| Emission Source Data Information | |
|----------------------------------|---------------|
| Emission Source No. | 4 |
| Type (Brand/Model) | Jaguar genset |
| Rated Capacity | 22 KW |
| Fuel Type & Quantity | diesel |
| Operating Capacity | |
| Control Facility | |
| Notes standby | |

| 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 | | ✓ | | No application was lodged online |
| 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 fuel refilling station was operational during the time of survey.
- According to Ms. Maglasang, an employee is designated to process all applications in EMB. Accordingly, application is on-process. However, no POA application was lodged per online system.
- Likewise, no records of CMR submission in online system.



Remarks and Recommendations:

- ✓ For issuance of Notice of Violation for failure to secure POA of air pollution source and control installations pursuant to Section 1, Rule XIX, DENR Administrative Order No. 2004-26 (Implementing Rules and Regulations of RA 8749), amending Section 1, Rule XIX of DAO No. 2000-81, in relation to Section 1, Rule LVI of DAO No. 2000-81, and in relation further to PAB Resolution No. 01-2019.

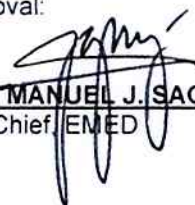
List of Documents Reviewed:

ECC

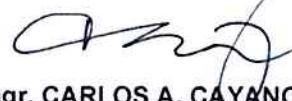
Submitted by:


JO ANNE JOY M. DAÑAL-VILLERO
Senior EMS

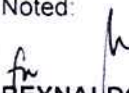
Approval:


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

Recommending Approval


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

Noted:


REYNALDO B. BARRA, PME
OIC, Regional Director

