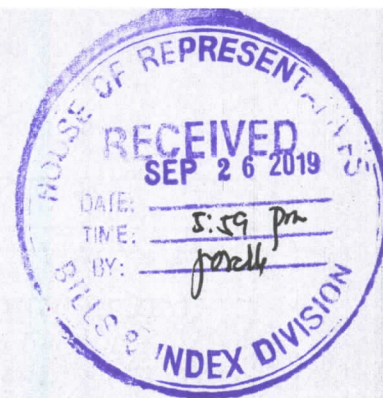


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session



HOUSE BILL NO. 4856

Introduced by: **"KUYA" JOSE ANTONIO R. SY-ALVARADO**

AN ACT
PROVIDING A BAN ON DUMPING OF SEWAGE SLUDGE AND INDUSTRIAL WASTE INTO THE SEA

EXPLANATORY NOTE

The Philippine Constitution under Article II Section 16 provides that the State shall protect and advance the right of the people to a balanced and healthful ecology in the accord with the rhythm and harmony of nature.

The rampant dumping of wastes in the seawaters and other bodies of water clearly affects the marine life which also affects the livelihood of our fellow citizens who rely on it for sustenance. The purpose of this bill is to provide protection for our marine and aquatic life and resources by penalizing the act of dumping of wastes into the sea waters.

In view thereof, the early passage of this proposed measure is highly recommended.

"KUYA" JOSE ANTONIO R. SY-ALVARADO
Representative
First District of Bulacan

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Short Title.* – This Act shall be known as the "Sea Dumping Ban Act".

SEC 2. *Declaration of Policy* – It is hereby declared the policy of the State to promote the natural balance of the environment for the protection of human health and safety.

SEC 3. *Definition of Terms* – For the purposes of this Act, the term:

- (1) "Alternative system" means any method for the management of sewage sludge or industrial waste which does not require a permit under this Act;
- (2) "Excluded material" means:
 - (a) Any dredged material discharged by the Philippine Army Corps of Engineers or discharged pursuant to a permit issued by the Secretary of Environment and Natural Resources;
 - (b) Any waste from any industrial operation located in the Philippines or discharged pursuant to permit signed by the Secretary of Environment and Natural Resources;
- (3) "Industrial waste" means any solid, semi-solid, or liquid waste dumped by a manufacturing or processing plant other than an excluded material;
- (4) "Interim measure" means any short-term method for the management of sewage sludge or industrial wastes which:
 - (a) Is used before implementation of an alternative system;
 - (b) Does not require a permit under this Act;
- (5) "Sewage sludge" means any solid, semi-solid, or liquid waste generated by a waste water treatment plant, other than an excluded material

SEC 4. *Prohibited Acts.* – No person shall dump into sea waters or transport for the purpose of dumping into sea waters, sewage sludge or industrial waste, unless such person has obtained a permit issued by the Secretary of Environment and Natural Resources which authorizes such transportation and dumping.

SEC 5. *Penalties* - Any person who dumps into ocean waters or transports for the purpose of dumping into ocean waters, sewage sludge, or industrial waste shall be liable in the amount of not less than One Hundred Thousand Pesos (Php 100,000.00) nor more than One Million Pesos (Php 1,000,000.00) or imprisonment of not less than six (6) months but not more than eight (8) years, or both at the discretion of the court. If the offense is committed by a corporation, trust, firm, partnership or association, or other entity, the penalty shall be imposed upon the guilty officer or officers of such corporation, trust, firm, partnership or association or other entity.

SEC 6. *Enforcement Monitoring Report.* – Not later than six (6) months after the date of the effectivity of this Act, the Secretary of the Department of Environment and Natural Resources, in consultation with the Secretary of the Department of Transportation and Communications, shall submit a report to the Congress. The report is required under this section shall contain an

accounting of discharges into the waters of the territorial sea, the economic zone, and the ocean, and shall include:

- (a) Total number of discharges;
- (b) The location, source volume and potential environmental effects of each discharge;
- (c) The date of original issuance, review and reissuance of each discharge;
- (d) The number of discharges that have been determined by the Secretary of Environment and Natural Resources;
- (e) Schedule for implementing this Act and achieving compliance with guidelines promulgated under this Act as expeditiously as practicable, and an estimate of the resources required to meet such schedule; and recommendations for any additional legislative authorities needed to achieve compliance with such guidelines.

SEC 7. Separability Clause – If any provision, or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 8. Repealing Clause. – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SEC. 9. Effectivity. – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,