



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



26 January 2022

ENVIRONMENTAL MANAGEMENT BUREAU
RELEASED BY: _____
DATE: 2-4-22
TIME: 4:45 p.m.

HON. RAMON C. OÑATE
Vice-Mayor
Municipality of Palompon
Province of Leyte

Dear **Hon. Oñate**:

Environmental Greetings!

This has reference to a letter dated **26 October 2021** received by this Office from the Office of the Ombudsman- Visayas, with reference **OFA-CF-V-21-0388**, a letter dated **06 July 2021** from your office, alleging an on-going dumping of solid wastes in the former dumpsite of the Municipality of Palompon located at **Sitio Awo, Brgy. Cantandoy, Palompon, Leyte** under the Municipal Mayor, **Hon. Georgina L. Arevalo**.

For the information and reference of your office, please be informed that this Office received a copy of the same letter on **09 July 2021**. As such, technical personnel from this Office conducted an investigation on the matter on **14-16 July 2021**. The findings reveal the operation/utilization of the subject dumpsite as it needed to continue collecting the garbage generated by all barangays of the municipality, while it is still in the process of establishing a Sanitary Landfill which necessitates the raising of fund and budget.

As a result of such investigation, the DENR Regional Office No. VIII, thru For. Tirso P. Parian, Jr., Regional Executive Director, ordered the Local Government Unit, thru **Hon. Georgina L. Arevalo**, and by way of a letter¹ dated **25 October 2021**, to Cease and Desist from the operation of the dumpsite. The LGU was also required to immediately undertake physical closure and rehabilitation measures such as **application of final soil cover, establishment of drainage for water run-off, installation of leachate and gas management systems, and prohibition of open burning**.

Nonetheless, please be informed that the implementation of the provisions of R.A. 9003 are bestowed upon the Local Government Unit pursuant to Section 10 of the same Act. This means that the LGU, as a whole, is bound to undertake and/or comply with the provisions of the said law.

Please be informed further that this office will continue to monitor the compliance of the LGU of Palompon, Leyte, not only with the CDO issued by the Regional Executive Director of the DENR RO8, but also with all the provisions of R.A. 9003.

Respectfully,

ENGR. REYNALDO B. BARRA
OIC- Regional Director

Copy furnished:
EDUARDO B. KANGLEON
ACTING GIPO IV, Public Assistance and Corruption Prevention Bureau
Office of the Deputy Ombudsman Visayas
M. Velez St., Guadalupe, Cebu City 6000

¹ Annex "A"



25 October 2021

HONORABLE MYRA GEORGINA L. AREVALO, MD

Municipal Mayor
Palompon, Leyte

Dear **Mayor Arevalo**:

This refers to the open dumpsite at **Brgy. Mazawalo, Palompon, Leyte** which has been a subject of a complaint lodged before this Office on 09 July 2021.

In response, personnel from the **Environmental Management Bureau Regional Office VIII** conducted an investigation to verify the veracity of the complaint. The investigation revealed that LGU Palompon was indeed operating an open dumpsite. Moreover, MENRO Melvin Guillermo relayed that the site has previously been closed in 2018, however, the LGU has begun using the site again for the disposal of unsegregated solid wastes early this year.

Please note that pursuant to **Section 37 of RA 9003 or the Ecological Solid Waste Management Act of 2000**, open dumpsites should have been phased out by year 2004, henceforth, the operation of said type of disposal site is **illegal**.

The EMB RO VIII has extended technical assistance and has issued numerous written reminders and advisories regarding this matter – most of these took place in 2017 when the **Environmental Ombudsman** directed the EMB RO VIII to undertake regular monitoring of the dumpsite; and until this year.

From the foregoing, it is evident that sufficient time was already given to LGU Palompon to stop operating and rehabilitate its open dumpsite. The LGU failed and continues to ignore the directives of EMB RO8.

Relative thereto, the LGU of Palompon is hereby ordered to immediately **CEASE and DESIST** from operating the open dumpsite. You are required to immediately undertake physical closure and rehabilitation measures such as *application of final soil cover, establishment of drainage canal for water run-off, installation of leachate and gas management systems, and prohibition of open burning.*

Failure to comply shall compel this Office to institute appropriate **legal actions pursuant to existing laws, rules and regulations on the matter.**

For strict compliance.

Very truly yours,

TIRSO P. PARIAN, JR., CESO IV
Regional Executive Director