



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



27 January 2022

HON. CLARENCE E. DATO
Municipal Mayor
Municipality of San Jose
Province of Northern Samar

ENVIRONMENTAL MANAGEMENT BUREAU :
RELEASED BY: _____
DATE: _____
TIME: _____

Dear **Hon. Dato:**

Environmental Greetings!

This has reference to the attached letter dated **02 February 2021** from Atty. Edsel A. Balicud, counsel for **Ms. Juvy Colisao**, addressed to one Zaldy Purigay of Brgy. North, San Jose, Northern Samar, requesting for the latter to act promptly in preventing the pollution that is caused by the cement dusts from the latter's warehouse which is adjacent to Ms. Colisao's residence in Brgy. Geratag, San Jose, Northern Samar. A copy of the same letter, together with the relevant attachments, were furnished to this Office last **07 January 2021** as a formal complaint against the same personality and warehouse.

Upon a careful consideration of the allegations on the complaint, however, it appears that the issue hinges on the alleged cement dusts generated by the activities in the subject warehouse, which has greatly affected the complainant and the immediate community in general. Generally, dusts are classified as a Nuisance, the abatement of which falls under the jurisdiction of the Local Government Unit concerned pursuant to **Paragraph 3.3, Item (b) and (c), Section 3 of DENR Administrative Order 1992-30**, in relation to **Section 17 of the Local Government Code**, which provides that:

xxx

"Section 3. Devolved Functions, Programs, and Projects –
Pursuant to Section 17 of the Code and subject to the provisions herein, particularly the policies enunciated in Section 1, above, the following functions, programs, and projects of the DENR are hereby devolved to the concerned LGU's:

3.3 Environmental Management

(b) Implementation of solid waste disposal and other environmental management systems and services related to general hygiene and sanitation, such as sewage and household wastes disposal.

(c) Abatement of noise and **other forms of nuisance** as defined by law.

xxx"

Similarly, the **General Welfare Clause¹ of the Local Government Code** empowers Local Government Units to ensure and support, among other things, the promotion of health and safety, enhance the right of the people to a balanced ecology, and preserve the comfort and convenience of their inhabitants.

¹ Section 16, Local Government Code R.A. 7160

Pursuant to the above provisions of law, the subject matter of the complaint is hereby most respectfully endorsed and brought to the attention of your office for potential regulatory concerns by the Local Government Unit of San Jose over issues on dusts affecting complainant and such other residents similarly situated.

For your reference and consideration. Thank you and best regards.

Respectfully,


ENGR. REYNALDO B. BARRA
OIC- Regional Director

BALLICUD LAW OFFICE

ATTY. EDSSEL A. BALLICUD

Attorney-At-Law

161 Jacinto St., Catarman, Northern Samar

February 2, 2021

MR. ZALDY PURIGAY

Brgy. North,
San Jose, Northern Samar

Dear Mr. Purigay,

ENVIRONMENTAL MANAGEMENT BUREAU
RECEIVED
DATE: 01/07/2022
TIME: 2:29pm

I am writing you in behalf of my client, **MRS. JUVY L. COLISAO** represented by her mother **JENITA C. CUI**, relative to your WAREHOUSE in Brgy. Geratag, San Jose, Northern Samar which adjoins to the residential house of my client. According to her, you are regularly hauling tons of cement in your warehouse which has brought not only undue inconvenience to the neighborhood but also health hazard because of the cement dust that comes from the warehouse especially during hauling. The dust penetrated every household among the neighborhood including the house of my client which thickly dumped despite regular cleaning and being closed. The worst result is that, every part of the house including household equipments, furnitures, appliances, utensils etc., are all covered by the cement dust which could no longer be bore. Added to this is the health effect and hazard to every resident especially children and older people who inhale this dust upon every breath. This matter has already been brought to your attention but no appropriate action has been taken by you in order to prevent emitting dust from the warehouse which is located inside the residential area of the barangay.

In this connection, **FORMAL REQUEST** is hereby made upon you to **IMMEDIATELY** take action, install proper equipment or act promptly in order to prevent the pollution that is caused by the cements from your warehouse. Please be reminded that the law on **CLEAN AIR ACT** covers all potential sources of air pollution which includes industrial firm or other establishment such as your warehouse, which mandates that all emissions must be within the air quality standards. My client only wanted a safe and clean environment within the premises as it is a residential area and not in anyway to oppose your business. Please be reminded that all business establishments which are potential sources of pollution are required to comply safety and environmental standard for the welfare of the general public. It is therefore hope that you will take the necessary and proper action and comply the provisions of the aforesaid law immediately after receipt of this letter to avoid elevating this matter to the proper authorities or regular court.

Very truly yours,

ATTY. EDSSEL A. BALLICUD
Counsel of Mrs. Juvy Colisao

Copy furnished:

Hon. Danilo T. Notado
Barangay Captain
Brgy. Geratag, San Jose, Northern Samar

DANILO T. NOTADO

RECEIVED:
2-4-21

2/4/2021
9:35 AM



Republic of the Philippines
Province of Northern Samar
Municipality of San Jose
Barangay Geratag
OFFICE OF THE PUNONG BARANGAY
"Isulong an pagbabag-o! Abante Geratag!"



OFFICE OF THE LUPONG TAGAPAMAYAPA

Jovy L. Colisao

Complainant/s

-against-

Saldy H. Purigay

Respondent/s

Barangay Case No. **0243**

For: **KEEPING ISSUE UNRESOLVED**
for the hazardous warehouse

CERTIFICATION TO FILE ACTION

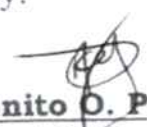
THIS IS TO CERTIFY that:

1. There has been a personal confrontation between the parties in before the Punong Barangay but mediation failed;
2. The Pangkat Tagapagsundo was constituted but the personal confrontation before the Pangkat likewise did not result into a settlement; and
3. Therefore, the corresponding complaint for the dispute may now be filed in court/government office.

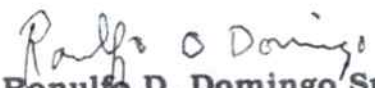
THIS **2nd** day of **December** 2021.



Mr. Romeo Venezer M. Esplanada
Pangkat Secretary

Attested by:


Ronito O. Panoy
Pangkat Chairperson


Terso P. Acero Sr.
Pangkat Member


Ronulfo D. Domingo Sr.
Pangkat Member


Hon. Danilo T. Notado
Punong Barangay/Lupon Chairman

December 23, 2021

REKLAMO SA MGA GERATAG NGA HARANI SA BODEGA NI ZALDY PURIGAY:

Kami nga mga hiqipid o katakin pini didi nga bodega ni Zaldy nagreklamo kay tungod pa diri na mapay nga resulta pa alpaq nga tikang pa bodega. Prake na an perwisyo pini nga alpaq. Kay yaon gin aatake na pa bika hintong pini. Dato kami nga naperwisyo pini nga bodega kon diin mga pimento pa naman tinikangon pa alpaq. Aksyonan man kusta ini pa modali nga porahon kay apiktado na an mga takin na balay. Adi kami tanan mapirma pini nga reklamo ngan dagat dayon ini nga nahitabo aksyunan. Ngan nakaperwisyo kon nadiskaga pa pimento kay nakaka-traffic ngan maka cause digasaga.

1. Juvy Collado Juvy Collado
2. Juvy Hala
3. IMBO
4. Gladys Balagay
5. Virginia M. Velasco
6. Melly Montcalvo
7. REX LLORENDO
8. RUEL ORAYA
9. JUDITH ANN CAVANES
10. Prescilla M. Oling
11. Roy E. Torres
12. Agnes Biaca
13. NEMIA ~~POPA~~ POPIAN
14. Ethel Delang
15. Marisa Romines
16. Mary Jean Montcalvo
17. Lifer
18. H. Opriman

Abaco
JL

19. ~~Amber~~ L. Alumbres
20. MICHAEL COLISAO
21. Karen Notado
22. Ailen Cano
23. DENDITH ALUMBRES
24. RICHARD INFANTE
25. Ginalyn Total
26. Romy Teodoro
27. Yito Colisao
28. Nora Colisao
29. Janie T. Soriano
30. Raguél C. Tabasa
31. Joda M. ~~MENTE~~
32. Catalina Notado
33. Nomer moda
34. ~~Katrina~~ Guevara
35. Evelyn P. Domingo
36. Jennie Igsay
37. Avelino Montano
38. Christine R. Celisano
39. Graciano Benangco Celisano
40. ~~Bina~~
41. Terenfero Albuja
42. Grace C. Torres
43. Noises Infante
44. Monina Olita
45. Adelina Obeso
46. Maricel Francisco
47. Conlito A. Roto
48. Luisa M. Notado
- 49.

50. ARLENE B. OYAS
51. Margarita Castillo
52. boy Cano
53. Florencia C. Lim
54. Brenda C. Leyte
55. Pedro Cano
56. MONINA CELESTINA
57. Marilou Tribucias
58. BERNARDO CELESTINA
59. BOA BERNARDO
60. Rosemarie S. Castillo
61. Domingo Notado
62. ~~NOTA~~ MARVIN T. NOTADO
63. Marites Turnos
64. ~~DOUGLAS~~ NOTADO
65. Marimar S. Castillo
66. Jackson S. Castillo
67. Genie Colisao
68. Jayson Ortilano
69. Dante Notado
70. JIMSON S. CASTILLO
- 71.
- 72.
- 73.
- 74.
- 75.
- 76.
- 77.
- 78.
- 79.
- 80.

Boffer
Entry #
0242

OFFENSE: KEEPING ISSUE UNRESOLVED
FOR HAZARDOUS WRECKHOUSE
COMPLAINANT: JUVY L COLISAO

RESPONDENT: SALDY DURIGAY

DATE/TIME
07/20/21 - 2:47 PM AT BRGY
GERATAG, SAN JOSE, N. SAMAR

REMARK:

NABERADI INE SI JUVY L
COLISAO PAPA FORMAL NA
MAGREKLAMO KAN SALDY
DURIGAY MAHINONG SA
KANYA BUDGA SAN SEMENTO
KAY DELKADO SA HIRIGPID
NGA BALAY AN MGA
ALPOG LABI NA KUN
NALI DIDISKARGA O NAG
KAKARGA SEMENTO, LAU
NA SA MGA KABATAAN
NGA MAKAKA AMYON SAN
ALPOG NA TWED MAGING
CAUSE SAN SAKIT.

NGA GUIN UPDATE LAI MIRA
AN PERMIT SI SALDY
SA MUNICIPIO NAADHAN
MIRA MGA EXPIRED NA

NGAN AN PRIVATE WAREHOUSE
N SALEY PURIGAN
FOR SOFTDRINKS LA AN
DAPAT NAKA BUTANG
DIPE FOR SEMENTO.

JOY L. COLISAO
COMPLAINANT


ROMEO M. ESTANADA
EDUC. SEC.

Plotter
Entry#
0226

OFFENSE: KEEPING ISSUE UNRESOLVED
FOR HAZARDOUS WAREHOUSE
COMPLAINANT: JENITA CUI

RESPONDENT: SALDY PURIGAY

DATE/TIME OF COMMISSION
04/13/21 - 5:39 PM AT BRGY.
GERATAG, SAN JOSE N. SAMAR.

REMARK:

NAGSUGAD INE SI JENITA
CUI NGA I GUIN PEREKLAMADO
NIYA ITOM NGA PAG KARGA
NGAN PAG DISKARGA SA
SEMENTO DIDA SA BODEGA
NI MR. SALDY PURIGAY
KUN DIIN TAPIN INE SA
KANPA BALAY.

NAGSUGAD MAN INE SI
MR. SALDY PURIGAY NGA DIRE
MAN KADA ADLAW NAG
VAKARGA NGAN DISKARGA
NGA SEMENTO NGAN
SA SULOD MAN SIRA
VAGVAKARGA NGAN.
DISKARGA SA KANPA TAGA
SALO SA SEMENTO.

ALPERMENT:

Blotter
Entry#
0227

NAG CASANG AYON AN
DUWA NGA PAREDO
NGA SIRA JENIX WI
NGAW SALLY PURIGAY
NGA SA SUOP NA
SA BODEGA AN PAK
DISKARBA NGAN PAK
KARBA SAM NGA SAKO
SA CEMENTO, NGAW
LUN SAKAL MAN
NGA MAY MANGKARADA
NGA TRUCK SA SA
LIGID SA SIGAD RUWED
SA IPD & NALA SUNAYON O SITAYON
AIBANGAN PAKA PAHALION AN TRUCK.
PAGADTO SA KATAGONG DUKOK - T
SA PAGKATATUOD NGA
DAVIDU THE NGA KASURATAN
MABIRMA SIRA SA USOS
(COM) KAUPOD AN BRGY. OFFICIAL

DATE
04/11
GEB

REMARK

JENIX WI
COMPLAINMENT

SALLY PURIGAY
RESPONDENT

ROTHO PLANADA
BRGY. SEC.

HON. DANILLO I. MORADO
FUNONG BARANAY



PAGE

Blotter
Entry #
0243

OFFENSE: KEEPING ISSUE
UNRESOLVED FOR HAZARDOUS WASTE
COMPLAINANT: JULY LUISAO
RESPONDENT: SALDY TURIGAY

DATE/TIME
07/26/21 - 9:00 AM AT EPOC
UNIDENTIFIED CAN TOGETHER WITH

REMARKS
*

MAGSAGAD ONE SI JULY
LOUISAO NGA ITIN LA IYA
COMPLAIN MGA ALBOG SA
CEMENTO MGA ADA SA KANIG
FALAY TAN KAN IG
S-DEGA MI KALIM PUPILGAY

*

SINUGAD MAN ONE SI
SALDY PUPILGAY MGA SAN
PAG TURIGAY TAN DAT
JAPA MAN LT AGREEMENT
MGA KUM MAG KATUA
DIS KARGA CEMENTO MGA
ISAPL AM GATE

*

KEY LA WINTZ KIN WAPA
KA MIBIPID DOLM ALMO
MI JULY CON-AR
MGA SINUGAD AN MGA
TAWO KA CEMENTO AN
MAGSAGAD

Both
Entry #
0242

OFFENSE: KEEPING ISSUE UNRESOLVED
FOR HAZARDOUS WAREHOUSE
COMPLAINANT: JUVY L COLISAO

RESPONDENT: SALDY PURIGAY

DATE/TIME

07/20/21 - 2:47 PM AT BLDG
GERATAN, SAN JUE, N. TAMPA

REMARK

NABATADI ME SI JUVY L
COLISAO PARA PERMAL NA
MAGREKLAMO KAN SALDY
PURIGAY MAHUNONG SA
KANNG BUDGA SAN SEMENTO
KAN DELKADO SA LIRIGPI
NGA BALAY AN MGA
ALPOG LABI NA KUN
NALI DISKARGA O NAG
KAPARAS SEMENTO, LALO
NA SA MGA KABATAAN
NGA MAKAKA AMYON SAN
ALPOG NA TUTE MAGNIN
CAUSE. GAN SAKIT.

NGA GUIN UPDATE LAH NIPX
AN PERMIT SI SALDY
SA MUNICIPALIDAD NAADHAN
NIPX MGA EXPIRED NA

(Vision)

LOW RESIDENTIAL AREA
ITIN DITA

NGA-UBAT MAN THE C
UTEN GO PURIGAY NGA
PUNA MUA PA AG-
AN NGA PWETE MAHATAG
AN GHOFT TERM IL
MASEMENTO AN AMHAN
GA PULK NGAN IL
LORE AN GATE WERANG
MNG DISKARGA O MAG KAPWA
NGAN GA LONG TERM MAN
MAHANGA DAND TOL
MUA LOCATION AN LADEGA
TERU KALLANGIN MANG
PANAYON AREA NGAN
MENDO. MAD MUA
NGAPO MAN KAME SIN
PANAYON

NGAN PWETE LAT DO
KAME MNG DELIVER GAS C
NGAN GAPAAN NAME AN
GATE NGAN IL PA
PRE-URE WASH NAME AN
GAWAS

AGREEMENT

Blotter
Entry #
0246

NAME: SANG - ANON AM DWA
MUR FARI DO MA SINA
JURY COHSAC NGAN SALDY
PURGAN NA GSEMENTU LUN
MUNA AN AGHAN SA TRUCK
(AT) NGAN KUN MAG DISKAL
S MAG FARGA SIM GEMENTU A
BODEGA NGAN
PERMANENTE NAEA S PA
AN IRA GATE (MAGPAS)
HABANG WAPA PA NAGHAK MA
TAN AFEA PAPA SA
BAG U MA BODEGA

SWOT 12

DATE
07
65

REMARK

NAME: SANG
JURY COHSAC
COMPLAINANT

SALDY PURGAN
RESPONDENT

POWER EXPLANATION
POWER GEC

NAME: SANG - ANON
PERMANENTE BODEGA

