



NOTICE OF VIOLATION

JAN 28 2022

DENR-PAB Case No. 08-00007-22-A

PETRON SERVICE STATION

(Major Rehabilitation of Petron Service Station)
Brgy. Ubanon, Catbalogan City

Thru: **KATRINA THERESE DY**
Managing Head/Pollution Control Officer

ENVIRONMENTAL MANAGEMENT BUREAU
RELEASED BY: *[Signature]*
DATE: 02/02/2022
TIME: 9:03 am

Sir/Madame:

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 Provincial Environmental Monitoring Unit – Samar (PEMU-Samar) last **28 October 2021**.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating one (1) unit 20 kVA “Yanmar” Diesel Generator Set and five (5) units Underground Tanks without the required Permit to Operate for Air Pollution Source Installations since 28 October 2021 .	Violation of Section 1, Rule XIX of DENR Administrative Order (DAO) 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 **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]
ENGR. REYNALDO B. BARRA
OIC-Regional Director

	ENVIRONMENTAL MANAGEMENT BUREAU REGION 8 SURVEY/INSPECTION FOR AIR QUALITY MANAGEMENT	
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Department: ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION

Report Control Number: _____
Date of Survey/Inspection: OCTOBER 28, 2021
Mission Order No.: EMBR8-2021-017385

1. GENERAL INFORMATION		
Name of Establishment: MAJOR REHABILITATION OF PETRON SERVICE STATION (PETRON CORP.)		
Address: Brgy. Ubanon, Catbalogan City		Geo Coordinates: Latitude: 11.46210000°N Longitude: 124.52550000°E
Nature of Business: FUEL RETAILING		
PSIC Code: N/A	Product: FUELS	Year Established: 2007
Operating hours/day: 16 hrs.	Operating days/week: 7 days	Operating days/year: 365 days

Product Lines	Production Rate as Declared in the ECC (unit/day)	Actual Production Rate (unit/day)
Unleaded, Premium	N/A	Unleaded = 14kl , Premium = 7 kl
Diesel, Kerosene		Diesel = 24 KL , Kerosene = 7 kl
Name of Managing Head:	Katrina Therese Dy	
Name of PCO:	Katrina Therese Dy	
PCO Accreditation No.:	None	Date of Effectivity: None
Phone/Fax:	09175213694	Email: rnkfuels8@gmail.com

2. PURPOSE OF INSPECTION																
<input type="checkbox"/> Verify accuracy of information submitted by the establishment pertaining to new permit applications, renewals, or modification <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 60%;"> <input type="checkbox"/> New Renewal <input type="checkbox"/> PMPIN Application <input type="checkbox"/> Hazardous Waste ID Registration <input type="checkbox"/> Hazardous Waste Transporter Registration <input type="checkbox"/> Hazardous waste TSD Registration <input type="checkbox"/> / Permit to Operate Air Pollution Control Installation <input type="checkbox"/> Discharge Permit <input type="checkbox"/> Others <u>Survey</u> </div> <div style="width: 38%; text-align: center;"> <table style="width: 100%;"> <tr> <th style="width: 50%;">New</th> <th style="width: 50%;">Renewal</th> </tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> </table> </div> </div>			New	Renewal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>															
<input checked="" type="checkbox"/> Determine compliance status with the environmental regulations, permit conditions, and other requirements <input type="checkbox"/> Investigate community complaints <input type="checkbox"/> Check status of voluntary commitment <input type="checkbox"/> Industrial Ecowatch <input type="checkbox"/> Philippine Environmental Partnership Program (PEPP) <input type="checkbox"/> Pollution Adjudication Board (PAB) <input type="checkbox"/> Others _____ <input type="checkbox"/> Others _____																
Name of Contact Person		Angelyn Dacuno														
Position / Designation		Station Supervisor														

3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1	ECC – 08-050301-0081	03/07/2005	N/A
	ECC2	N/A	N/AN/A	N/A
	ECC3	N/A	N/A	
RA 6969	DENR Registry ID	N/A	N/A	N/A
	PCL Compliance Certificate	N/A	N/A	N/A
	CCO Registry	N/A	N/A	N/A
	Permit to Transport	N/A	N/A	N/A
RA 8749	POA No.	NONE	N/A	N/A
RA 9003	ECC for Sanitary Landfill	N/A	N/A	N/A
RA 9275	DP No.	NONE	N/A	N/A

MODULE AQM01: PRE-INSPECTION INFORMATION SHEET FOR EMISSION SOURCES

Emission Source Data Information	
Emission Source No.	1
Type (Brand/Model)	YANMAR
Rated Capacity	20 KVA
Fuel Type & Quantity	DIESEL
Operating Capacity	Occasional
Control Facility	Muffler
Notes Standby genset and utilize for operation depending the number of hours of power interruption.	

Emission Source Data Information	
Emission Source No.	n/a
Type (Brand/Model)	n/a
Rated Capacity	n/a
Fuel Type & Quantity	n/a
Operating Capacity	n/a
Control Facility	n/a
Notes	

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		/		
Rule 19 Section 3	As built design of the installation conforms with submitted engineering plans and specifications			/	
	Declared control facilities are installed and operational				Installed at the power room
	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		/		No temporary was issued
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:

1. The station is operating 7 days a week with 2 shifts of working time with 14 personnel on board.
2. 5 UGT (Unleaded 14 kl, Premium 7 kl, Diesel 24 kl and kerosene 7 kl)
3. 5 dispensing pumps with a total of 14 nozzles, all are functional.
4. The station is dealer operated.
5. No permit to operate.
6. No submission of SMR/CMR.

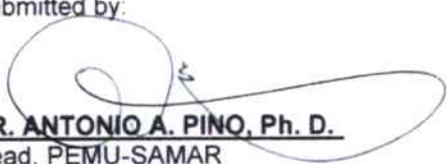
Remarks and Recommendation:

1. For issuance of Notice of Violation for failure to secure a Permit to Operate Air Pollution Source and Control Installations for the 20 KVA "YANMAR" Diesel Generator set, and their Underground Tanks. In violation of Section 1, Rule XIX of DAO 2000-81, in relation to Section 47 of R.A. 8749, and in relation further to PAB Resolution No. 01-2019.

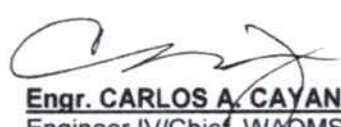
List of Documents Reviewed:

ECC, local permits and clearances


Submitted by:


DR. ANTONIO A. PINO, Ph. D.
Head, PEMU-SAMAR


Recommending Approval:


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

Approval:


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

Noted:


ENGR. REYNALDO B. BARRA, PME
OIC, Regional Director