



NOTICE OF VIOLATION

JAN 04 2022

DENR-PAB Case No. 08-000177-21-W

PREMIUM MEGASTRUCTURE, INC.
(ASPHALT AND CRUSHING PLANTS)
Brgy. Balugo, Albueria, Leyte

Thru: **FRANCIS LLOYD T. CHUA**
Managing Head

MATISSA NERVES
Pollution Control Officer Designate

ENVIRONMENTAL MANAGEMENT BUREAU
RELEASED BY: [Signature]
DATE: 01/06/2022
TIME: 8:34am

Sir/Madame:

This notice is being served upon you for alleged violation of **R.A 9275** otherwise known as the **Philippine Clean Water Act of 2004**, based upon the compliance inspection conducted by the technical personnel of the Environmental Monitoring and Enforcement Division – Water Air Quality Monitoring Section (EMED-WAQMS) of this Office last **16 September 2021**.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating a facility that discharges regulated water pollutants without a valid wastewater Discharge Permit since 18 June 2017 .	Violation of Section 27 (c) of R.A 9275 in relation to Section 28 of the same Act, and 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 year 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,

ENGR. REYNALDO B. BARRA
OIC-Regional Director



Republic of the Philippines
Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU
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Website: r8.emb.gov.ph



MEMORANDUM

FOR : THE OIC REGIONAL DIRECTOR *posted: [Signature]*
Environmental Management Bureau Region VIII

ATTENTION : LEGAL UNIT

FROM : THE UNDERSIGNED

SUBJECT : RECOMMENDATION FOR THE ISSUANCE OF NOTICE OF VIOLATION (NOV) TO PREMIUM MEGASTRUCTURE, INC. - ASPHALT AND CRUSHING PLANTS

DATE : 22 November 2021

Pursuant to Mission Order No. EMBR8-2021-013610, the undersigned conducted compliance monitoring at **PREMIUM MEGASTRUCTURE, INC.** located in **Brgy. Balugo, Albuera, Leyte** on **16 September 2021** to determine the firm's compliance status with the environmental regulations, permit conditions, and other requirements. The following are the findings and recommendations formulated, to wit:

Findings and Observations:

1. A Wastewater Discharge Permit for the Crushing Plant was expired on 17 June 2017. While no Wastewater Discharge Permit was secured for the Asphalt Plant. To date, no application has been filed for permit renewal for the Crushing Plant and new permit for Asphalt Plant through the EMB Online Permitting and Monitoring System by the proponent.
2. The proponent has not yet applied for a Hazardous Waste Registration Certificate as hazardous waste generator and a Wastewater Discharge Permit.
3. The firm has no accredited Pollution Control Officer which will competently handle the environmental-related aspects of the project.

Remarks and Recommendations:

1. This Office to issue a Notice of Violation against **PREMIUM MEGASTRUCTURE, INC.** located in **Brgy. Balugo, Albuera, Leyte** for operating without a valid Wastewater Discharge Permit for the Asphalt Plant and Crushing Plant Projects in violation to paragraph (c) Section 27 of DAO 2005-10, in relation to Section 28 of the same DAO, and in relation further to Pollution Adjudication Board Resolution No. 01, Series of 2019.
2. The management to secure a DENR ID as a hazardous waste generator.
3. The designated PCO to attend a 40-Hr Basic PCO training and apply for accreditation before this Office.

Prepared by:

[Signature]
JANETT T. POLEA
Inspector-Engr. IV

Recommending Approval:

[Signature]
CARLOS A. CAYANONG
Chief, Water Air Quality Monitoring Section

Approved by:

[Signature]
FOR: MANUEL J. SACEDA, JR.
OIC-Chief, Environmental Monitoring and Enforcement Division