



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

JUVY COLISAO

Complainant

Brgy. Geratag, San Jose, Northern Samar

E-mail: colisao.juvy@yahoo.com

ENVIRONMENTAL MANAGEMENT BUREAU
RELEASED BY:
DATE: 02/02/2022
TIME: 9:03am

Dear **Ms. Colisao**:

Environmental Greetings!

This has reference to a letter dated **02 February 2021** you have furnished this Office from Atty. Edsel A. Baliccud, 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 your residence in Brgy. Geratag, San Jose, Northern Samar.

A review of the allegations and issues raised on the said letter will reveal that the same mainly deals with cement dusts generated by the activities in the subject warehouse, which has greatly affected you, your family, and the immediate community in general.

Pursuant, however, 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**, the abatement of the issue on the proliferation of cement dusts fall under the jurisdiction of the Local Government Unit concerned as it is classified as a Nuisance by this Office. The provision 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

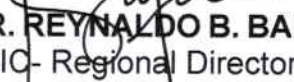
¹ Section 16, Local Government Code R.A. 7160

promotion of health and safety, enhance the right of the people to a balanced ecology, and preserve the comfort and convenience of their inhabitants.

Henceforth, this Office deemed it proper to formally endorse your complaint to the LGU of San Jose, Northern Samar. Please find attached a copy of such endorsement. **Please see attached letter-endorsement from this Office.**

For your reference and information. Thank you for your cooperation.

Respectfully,


ENGR. REYNALDO B. BARRA
OIC- Regional Director