



## NOTICE OF VIOLATION

**FEB 14 2022**

**DENR-PAB Case No. 08-000011-22-A**

### **CALTEX GASOLINE STATION**

Maharlika Highway, Brgy. Obrero, Calbayog City

Thru: **THE MANAGING HEAD**  
Managing Head

ENVIRONMENTAL MANAGEMENT BUREAU'S  
RELEASED BY: [Signature]  
DATE: 2/14/2022  
4:09pm

**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 (PEMU) – Samar last **15 September 2021**.

### **ACTS CONSTITUTING THE VIOLATION**

<b>Finding/s</b>	<b>Prohibited Act/s</b>
Operating Underground Tanks without the valid required <b>Permit to Operate</b> for Air Pollution Source Installation since <b>15 September 2021</b> .	Violation of <b>Section 1, Rule XIX of DENR Administrative Order (DAO) No. 2004-26</b> , amending DAO 2000-81, in relation to <b>Section 1, Rule LVI of DAO 2000-81</b> , in relation further to <b>Pollution Adjudication Board Resolution No. 01, Series of 2019</b> .

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 **embr8\_legal@emb.gov.ph**, 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

**SURVEY/INSPECTION FOR AIR QUALITY MANAGEMENT****Department: ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION**Report Control Number: AS - 09 - 06Date of Survey/Inspection: September 15, 2021

Mission Order No.: \_\_\_\_\_

**1. GENERAL INFORMATION**

Name of Establishment: <b>CALTEX GASOLINE STATION (Domingo Siopongco)</b>		
Address: <b>Maharlika Highway Brgy. Obrero, Calbayog City</b>		Geo Coordinates: Latitude: 12.4500000N Longitude : 124.352500000E
Nature of Business: n/a		Year Established: No data Available
PSIC Code: n/a	Product: n/a	
Operating hours/day: n/a	Operating days/week: n/a	Operating days/year:n/a

Product Lines	Production Rate as Declared in the ECC (unit/day)	Actual Production Rate (unit/day)
n/a	n/a	n/a
Name of Managing Head: <b>None</b>		
Name of PCO: <b>n/a</b>		
PCO Accreditation No.:	<b>n/a</b>	Date of Effectivity: <b>n/a</b>
Phone/Fax:	<b>n/a</b>	Email: <b>n/a</b>

**2. PURPOSE OF INSPECTION**

- ☐ Verify accuracy of information submitted by the establishment pertaining to new permit applications, renewals, or modification

	New	Renewal
<input type="checkbox"/> New Renewal	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> PMPIN Application	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Hazardous Waste ID Registration	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Hazardous Waste Transporter Registration	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Hazardous waste TSD Registration	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> / Permit to Operate Air Pollution Control Installation	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Discharge Permit	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Others <u>Survey</u>	<input type="checkbox"/>	<input type="checkbox"/>

- ☒ Determine compliance status with the environmental regulations, permit conditions, and other requirements

- ☐ Investigate community complaints

- ☐ Check status of voluntary commitment

☐ Industrial Ecowatch

☐ Philippine Environmental Partnership Program (PEPP)

☐ Pollution Adjudication Board (PAB)

☐ Others \_\_\_\_\_

- ☐ Others \_\_\_\_\_

Name of Contact Person

none

Position / Designation

n/a



3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1	ECC-R08-1007-0086	July 09, 2010	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.	N/A	N/A	N/A
RA 9003	ECC for Sanitary Landfill	N/A	N/A	N/A
RA 9275	DP No.	N/A	N/A	N/A

MODULE AQM01: PRE-INSPECTION INFORMATION SHEET FOR EMISSION SOURCES

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	N/A

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	n/a

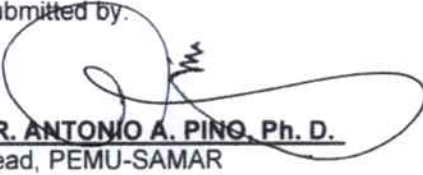
Legal Provision	Regulatory Requirements	Compliant			Notes
		Y	N	N/A	
DAO 2004-26					
Rule 19 Section 1	Application for Permit to Operate has been filed for new or modified emission sources			/	
Rule 19 Section 3	As built design of the installation conforms with submitted engineering plans and specifications			/	
	Declared control facilities are installed and operational			/	
	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			/	
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.			/	
<b>EMB DAO 2007-22</b>					
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			/	
<b>Other Observations:</b> <ol style="list-style-type: none"> <li>1. Caltex Gasoline Station owned located at Maharlika Highway, Brgy. Obrero, Calbayog City owned by Domingo Siopongco has been closed since July 2019 and taken over by Petron Philippines with the same structures and amenities under the dealership of Dr. Joselito Yulo.</li> <li>2. ECC has been transferred and/or amended last October 03, 2019 from Domingo Siopongco to Mr. Norman S. Maravilla, Network Expansion Group Manager-Visayas of Petron Corporation.</li> </ol>					
<b>Remarks and Recommendation:</b> <ol style="list-style-type: none"> <li>1. For issuance of Notice of Violation for operating without Permit to Operate Air Pollution Source/Control Installations as per Section 1, Rule XIX of DAO 200-81, IRR of RA 8749 also known as the Philippine Clean Air Act 1999.</li> </ol>					

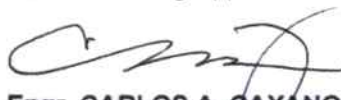
List of Documents Reviewed:

ECC


Submitted by:

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

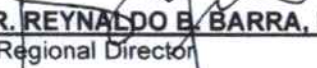
Recommending Approval:

  
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