

Republic of the Philippines Department of Environment and Natural Resources ENVIRONMENTAL MANAGEMENT BUREAU DENR Compound, Jones St. Tacloban City, Philippines



NOTICE OF VIOLATION

FEB 1 7 2022

XYZ HOTEL

Zamora St Tacloban City

Thru:

EDDIE S. UY

Managing Head

ALIPIO M. BATO

Pollution Control Officer

DENR-PAB Case No. 08-00011-22-W

INVIRONMENTAL MANAGEMENT BU

RELEASED BY:_

2-17-22

G: 3.

Sir/Madame:

This notice is being served upon you for alleged violation of RA <u>9275</u> otherwise known as the **Philippine** Clean Water Act of 2004, based upon the table/desk monitoring conducted by the technical personnel of the Environmental Monitoring and Enforcement Division – Water Air Quality Monitoring Section (EMED-WAQMS) of this Office last 12 January 2022.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s				
Operating a facility that discharges regulated water pollutants without a valid wastewater Discharge Permit since 26 September 2018.	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 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. REYNAZIO B. BARRA



ENVIRONMENTAL MANAGEMENT BUREAU REGION 8



COMPLIANCE INSPECTION FOR WATER QUALITY MANAGEMENT

ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION

Name of Establishment: XYZ HOTEL Address: Zamora St., Tacloban City Nature of Business: Hotel and restaurant PSIC Code:55 &56 Product: N/A Operating hours/day:24 Operating days/week:7 Product Lines Actual Production Rate (unit/day) Product Lines Actual Production Rate (unit/day) Product Lines Product Lines Product Lines Actual Production Rate (unit/day) Product Lines Product Lines Actual Production Rate (unit/day) Product Lines Actual Production Rate (unit/day) Product Lines Product Lines Actual Production Rate (unit/day) Product Lines Product Lines Product Lines Product Lines Actual Production Rate (unit/day) Product Lines Product Lines Actual Production Rate (unit/day) Product Lines Product Lines Actual Production Rate (unit/day) Product Lines Product Lines Product Lines Actual Production Rate (unit/day) Product Lines Actual Production Rat	Report Control Number: Date of Inspection: January Mission Order No.: Table/De					
Name of Establishment: XYZ HOTEL Address: Zamora St., Tacloban City Nature of Business: Hotel and restaurant PSIC Code:55 &56 Product: N/A Operating hours/day:24 Operating days/week:7 Operating hours/day:24 Operating days/week:7 Operating days/year: Product Lines Product Lines Production Rate as Declared in the ECC (unit/day) N/A NAme of Managing Head: NR. EDDIE S. UY Name of PCO: ALIPIO M. BATO PCO Accreditation No.: 2017-RVIII-0073 Date of Effectivity: 09-27-2017 Phone/Fax: O9154342090 Email: ekuaudit89@gmail.com Alipio Marardous Waste In Registration New Renewal PMPIN Application Hazardous Waste ID Registration Hazardous Waste TSD Registration Hazardous Waste TSD Registration Hazardous Waste TSD Registration Permit to Operate Air Pollution Control Installation Discharge Permit Others Determine compliance status with the environmental regulations, permit conditions, and other requirements Industrial Ecowatch Philippine Environmental Partnership Program (PEPP) Pollution Adjudication Board (PAB) Others	1. GENERAL INFORMATION	V				
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Pollution Adjudication Board (PAB) Others						
Others			P)			
Others					-	
Name of Contact Person ALIPIO M. BATO		ALIPIO M. BATO				
Position / Designation PCO	Alect School seed to see all to see the seed to see the see	PCO				

3. COMPLIANCE STATUS

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3.1 DENR Permits/Licenses/Clearance

4. Water Supply and Wastewater Generation

A. Water Sources

Sources of Water Supply

Date Installed
 Design Capacity
 Cost of WWTP
 FM-EMED-56

Environmental Law		Permits	Date of Issue	Expiry Date
	ECC1			
PD 1586	ECC2			
	ECC3			
	DENR Registry ID	M-GR-R8-37-00358	09-21-2018	
RA 6969	PCL Compliance Certificate			
	CCO Registry			
	Permit to Transport			
RA 8749	POA No.	POA-2019-E-0837-0136	05-08-2019	05-08-2024
RA 9003	ECC for Sanitary Landfill			
RA 9275	DP No.	17-DP-I-0837-0411	09-25-2017	09-25-2018

Annual (m³/yr)

Specify if Others

08-01-19

Daily (m3/day)

Surface water (river, lakes, etc.)							
Groundwater deep well							
Water utilities Local Water District							
Others (specify)							
B. Wastewater Sources							
Water Use / Sources of Wastewater	Consur	ned (m³/c	day)	Gene	rated (m³/day)	Specify if Others
Process Water		¥1					
Domestic Water							
Cooling Water							
Maintenance							
Storm drain	<u> </u>						
Others (specify)							
C. Quality of Abstracted Water							
	BOD/						
Sources of Water Supply	COD	TSS	AVFP	Heavy Metals		ls	Specify if Others
		1	-				
5. Information on Wastewater Polluti	on						
A. Does the Establishment have a Was		Yes					
Treatment Plant?		E No					
		Phy:	sical				
B. What type of WWTP?			ogical				
7.5		☐ Che	mical				
		Oth	ers				
C. WWTP Detail							

00

 Annual Maintenance C 	ost (Php/year)						
5. Location of Discharge Point(s)		R	Receiving Water Body		Classification of Water Boo		of Water Body
Septic tank & last chamber grease trap			ancabato Bay	Class SC			
			V-weir		Othe	Other (specify)	
6. Flow Metering Device	Use None		Flow Meter				
	per batch) Not Determined		nfluent	Effluent	Othe	Others (specify)	
A. Components of V Primary	Biological			Chemical			Others
Screening	☐ Activated S	ludgo			ctment		Others
Primary Treatment	Anaerobic			☐ pH Adjustment ☐ Disinfection			
Grit Removal	Septic tank			Oxidation/Reduction Flocculation/ Coagulation			
Oil/Water Separator	☐ Tricking Fil					tion	
Equalization Tank	general control of the control of th				Others (specify)		
Others (specify)	Sequencing		CONTRACTOR CONTRACTOR	Others (specify)			
Grease traps	Others (spi		eactor				
B. Condition of the		ecity)					
AT-AU DESCRIPTION OF SHARE		ALTER E	7 0 1	to a store of			
. What is the general cor	ndition of the W	100	Properly ma				
during sampling?		1	Inadequatel				
			Poor mainte Others	nance			
2. Is the WWTP under cor	nstruction or	Ī					
undergoing rehabilitation	1?		Yes No				
3. If the answer is No. 2 is							
eported to EMB/LLDA?		7000					
1. Which System or units	are under						
construction or being mo							
5. Estimated date of comp							
5. Treatment units utilize		water					
Water Quality Field Date							
Sampling Point No. 1							
Sampling Station				Samp	ling		NA 32 WILLIAM NA
Sampling Station				Time:			AM/PM
Type of Sample							
Result Analysis							
				Compl	innt		
		DENIS) Fiftheont	Compl			Pomarks
	alue Unit		R Effluent	Compl	liant No		Remarks
	alue Unit	DENR		-			Remarks
	alue Unit			-			Remarks
	alue Unit			-			Remarks
	'alue Unit			-			Remarks
Parameter V		Stand	dards	Yes			Remarks
Parameter V Information Summary		Stand	dards	Yes			Remarks
Parameter V Information Summary Date of Sampling:		Stand	dards	Yes	No		Remarks
Parameter V		Stand	dards	Yes			Remarks AM/PM
Information Summary Date of Sampling: Sampling Station		Stand	dards	Yes	No		
Information Summary Date of Sampling: Sampling Station Type of Sample		Stand	dards	Yes	No		
Information Summary Date of Sampling: Sampling Station		Stand	dards	Yes	No		
Information Summary Date of Sampling: Sampling Station Type of Sample		Stand	dards	Yes	No		
Information Summary Date of Sampling: Sampling Station Type of Sample		Stand	dards	Yes	No	No	

Legal	gal Compliance Requirements		Compli	ant	Remarks
Reference		Υ	N	N/A	
DAO 2005-10	1. Does the establishment pay the		٧		LBF is noy yet paid
Rule 13.1	required wastewater charge?				
DAO 2005-10	2. Does the establishment have a		٧		
Rule 14.1	Discharge Permit?				
DAO 2005-10	3. Does the establishment pay the		٧		
Rule 14.5	required discharge permit fee?				
DAO 2005-10	4. Is the permit available and valid?		٧		DP was expired on September 25,2018
Rule 14.9					
DAO 2005-10 Rule 14.11	5. Do the discharge points correspond to those declared in the discharge permit?		٧		
	6. Is the volume discharged within the allowable volume declared in the discharge permit?		٧		
	7. Is the permit posted in a proper area?	٧			
DAO 2005-10	8. Are the SMRs submitted quarterly	٧			
Rule 14.16	and on time?				
DAO 1990-35 Section 4-6	Are the effluent parameters compliant with the standards in DENR			٧	Effluent sampling is yet to conduct.
	existing effluent standards?				
DAO 1990-35 Section 8	10. Does the establishment comply with the additional requirements stated in DAO 1990-35?			٧	
DAO 1990-35 Section 9	11. Are the pollution control facilities properly and continuously operated?		٧		
DAO 1990-35 Section 10	12. Are the methods of analysis used for effluent samples in accordance with the prescribed methods of the Department?			V	
Other Requirements	13. Are the copies of water analysis reports available?	٧			Third party analysis
	14. Are the correspondence between the establishment and EMB documented?	٧			
	15. Are the establishment's compliance violations and exceedances documented?			٧	
	16. Are there any pending litigation/PAB cases?	٧			
	17. Are there spill prevention contingency plans?			٧	
	18. Are there spill containment facilities available?			٧	

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FM-EMED-56

	18. Are there spill containment facilities available?	✓	
Other Ob	servations:		
FM-EM	FD-56	00	08-01-19

- Office records showed that the proponent has no submission of Self-Monitoring Reports for the period covered 4th quarter 2020 to present.
- A Wastewater Discharge Permit issued for the septic tank has expired last September 25, 2018.
- A Notice of Violation was issued by this Office on November 27, 2020 for operating without Wastewater Discharge Permit. On 29 February 2021, the proponent has paid the penalty amounting to Php 39,000.00 for operating without a wastewater Discharge permit for two (2) years (September 26, 2018-September 25, 2020).
- The Pollution Adjudication Board issued a lifting Order, and the same was served to the proponent on 24 March 2021.
- The proponent has no application for the renewal of permit lodged through the EMB online system to date. The firm is still operating without a valid Wastewater Discharge Permit.
- PCO accreditation of Mr. Alpio M. Bato was expired on September 25, 2020.
- Permit to Operate issued is valid until May 08, 2024 for the one (1) units 350KVA (280KW) CAMDA Standby Genset which serves as standby power source during interruptions.

Remarks and Recommendation:

- This Office to issue a Notice of Violation against XYZ Hotel located in Zamora St., Tacloban City for operating without a valid Wastewater Discharge Permit 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.
- The proponent shall immediately apply for a Wastewater Discharge Permit renewal through the EMB Online Permitting and Monitoring System.
- An installation of a Wastewater Treatment Facilities (WTF) or Sewage Treatment Plant (STP) is recommended to meet the new standards under DAO 2016-008.
- The proponent to submit a Self-Monitoring Report quarterly and on time through the EMB Online System.
- The Pollution Control Officer to apply for the renewal of the accreditation.

List of Documents Reviewed:

Copy of DP and PTO

Submitted by:

JANET T. POLEA Engr. IV

Approved by:

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

Recommending Approval:

Engr. CARLOS A. CAYANONG Chief, WAQMS

Noted by:

DIC-Regional Director