



NOTICE OF VIOLATION

FEB 14 2022

PETRON GASOLINE STATION

Brgy. 69, Anibong, Tacloban City

Thru: **PAUL RADAM**
Managing Head

DENR-PAB Case No. 08-00010-22-A

ENVIRONMENTAL MANAGEMENT BUREAU
RELEASED BY:
DATE: 2/14/2022
TIME: 4:02pm

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 – Leyte (PEMU-Leyte) last **18 October 2021**.

ACTS CONSTITUTING THE VIOLATION

| Finding/s | Prohibited Act/s |
|---|--|
| Operating three (3) units Underground Tanks without the required Permit to Operate for Air Pollution Source Installations since 18 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 **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****ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION**

Report Control Number: _____

Date of Survey/Inspection: **October 18, 2021**

Mission Order No.: _____

1. GENERAL INFORMATION

| | | |
|--|-------------------------------|---|
| Name of Establishment: PETRON GASOLINE STATION (Paul Radam) | | |
| Address: Brgy. 69, Anibong, Tacloban City | | Geo Coordinates: 11.2334273,124.9854713 |
| Nature of Business: Gasoline Station | | |
| PSIC Code: | Product: N/A | Year Established: 2018 |
| Operating hours/day: 16 | Operating days/week: 7 | Operating days/year: 365 |

| Product Lines | Production Rate as Declared in the ECC (unit/day) | Actual Production Rate (unit/day) |
|--|--|--------------------------------------|
| N/A | | |
| Name of Managing Head: Paul Radam | | |
| Name of PCO: Paul Radam | | |
| PCO Accreditation No.: | 2018-RVIII-0131 | Date of Effectivity: 9/5/2018 |
| Phone/Fax: | 09177231897 | Email: None |

2. PURPOSE OF INSPECTION

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

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

| | |
|------------------------|-------------------|
| Name of Contact Person | Paul Radam |
| Position / Designation | PCO/Owner |

3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

| Environmental Law | Permits | | Date of Issue | Expiry Date |
|-------------------|----------------------------|----------------------|---------------|-------------|
| PD 1586 | ECC1 | ECC-OL-R08-2018-0100 | 07/19/2018 | |
| | ECC2 | | | |
| | ECC3 | | | |
| RA 6969 | DENR Registry ID | N/A | | |
| | PCL Compliance Certificate | | | |
| | CCO Registry | | | |
| | Permit to Transport | | | |
| RA 8749 | POA No. | NONE | | |
| RA 9003 | ECC for Sanitary Landfill | | | |
| RA 9275 | DP No. | NONE | | |

MODULE AQM01: PRE-INSPECTION INFORMATION SHEET FOR EMISSION SOURCES

| Emission Source Data Information | |
|----------------------------------|-------------------------|
| Emission Source No. | |
| Type (Brand/Model) | UGT |
| Rated Capacity | Premium,Unleaded,Diesel |
| Fuel Type & Quantity | 24KL, 24KL, 24KL |
| Operating Capacity | |
| Control Facility | |
| Notes | |

| Emission Source Data Information | |
|----------------------------------|--|
| Emission Source No. | |
| Type (Brand/Model) | |
| Rated Capacity | |
| Fuel Type & Quantity | |
| Operating Capacity | |
| Control Facility | |
| 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 | / | | | |
| | 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. | | / | | |
| 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. Gasoline station was operational during time of monitoring. 2. Facility has just started its operation on December 2020 3. With ECC-OL-R08-2018-0100 issued on 07/19/2018. 4. With 3 underground tanks for its Premium, Unleaded and Diesel with a capacity of 32 KL each respectively. 5. With ECC billboard on the facility façade. | | | | | |
| Remarks and Recommendation: | | | | | |
| 1. Recommended for issuance of Notice of Violation for operating without valid Permit to Operate for its 3 Underground Tanks in violation of Section 1, Rule XIX of DAO 2004-26 amending DAO 2000-81, in relation to Section 1, Rule LVI of DAO 2000-81, and in relation further to PAB Resolution No. 1 series of 2019. 2. To submit SMR/CMR thru EMB online system. | | | | | |
| List of Documents Reviewed: | | | | | |
| ECC | | | | | |

Submitted by:


CYRIL ANN B. BADEO
EMS II/ PEMU Leyte


Recommending Approval:


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

Approval:


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

Noted:


REYNALDO B. BARRA, PME
OIC Regional Director