

	<p>Republic of the Philippines Department of Environment and Natural Resources <b>ENVIRONMENTAL MANAGEMENT BUREAU</b> DENR Compound, Jones St. Tacloban City, Philippines</p>	
<p><b>NOTICE OF VIOLATION</b></p>		

JAN 28 2022

DENR-PAB Case No. 08-000054 -21-A

**EL SALVADOR GAS STATION**  
Brgy. Cagsumje, Sta. Margarita, Samar

Thru: **MELISSA TURBANADA**  
Managing Head

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

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 **11 February 2021**.

**ACTS CONSTITUTING THE VIOLATION**

Finding/s	Prohibited Act/s
Operating without <b>Permit to Operate Air Pollution Source Installations</b> for <b>Underground Tanks</b> since <b>11 February 2021</b> .	Violation of <b>Section 1, Rule XIX of DENR Administrative Order 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> .

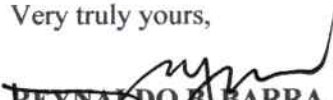
Pursuant to **Pollution Adjudication Board Resolution No. 02, Series of 2020**, otherwise known as the **Interim Guidelines of the Pollution Adjudication Board during the Public Health Emergency due to COVID-19**, you are hereby required to explain in writing, duly subscribed before a Notary Public, **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 **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,

  
**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-03-03Date of Survey/Inspection: February 11, 2021

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

## 1. GENERAL INFORMATION

Name of Establishment: EL SALVADOR GAS STATIONAddress: Brgy. Cagsumje, Sta. Margarita, Samar

Geo Coordinates:

12.035600316065237, 124.66869865821855Nature of Business: Gas StationPSIC Code: 47300, 4661Product: No data AvailableYear Established: 2015Operating hours/day: 12Operating days/week: 7Operating days/year: 365

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

## 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☐☐  Hazardous Waste ID Registration☐☐  Hazardous Waste Transporter Registration☐☐  Hazardous waste TSD Registration☐☐/ Permit to Operate Air Pollution Control Installation☐☐  Discharge Permit☐☐/ Others Survey☐☐

- ☒ 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

Salvador S. Cruz Jr.

Position / Designation



3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1	ECC-R08-1503-0046	4/10/2015	N/A
	ECC2	N/A		
	ECC3	N/A		
RA 6969	DENR Registry ID	N/A		
	PCL Compliance Certificate	N/A		
	CCO Registry	N/A		
	Permit to Transport	N/A		
RA 8749	POA No.	None		
RA 9003	ECC for Sanitary Landfill	N/A		
RA 9275	DP No.	None		

MODULE AQM01: PRE-INSPECTION INFORMATION SHEET FOR EMISSION SOURCES

Emission Source Data Information	
Emission Source No.	
Type (Brand/Model)	No data available
Rated Capacity	
Fuel Type & Quantity	
Operating Capacity	
Control Facility	
Notes	

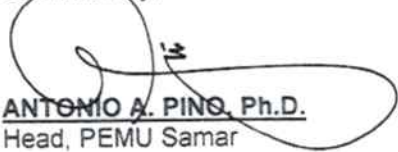
Emission Source Data Information	
Emission Source No.	
Type (Brand/Model)	No data available
Rated Capacity	
Fuel Type & Quantity	
Operating Capacity	
Control Facility	
Notes	

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.			/	
<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>					
1. Leased by another dealer					
<b>Remarks and Recommendation:</b>					
1. For issuance of Notice of Violation for operating without Permit to Operate Air Pollution Source Installations as per Section 1, Rule XIX of DAO 2004-26, Amending Rule XIX of DAO 2000-81, IRR of RA 8749 also known as the Philippine Clean Air Act of 1999.					

List of Documents Reviewed:
None

Submitted by:

  
ANTONIO A. PINO, Ph.D.  
Head, PEMU Samar

Approval:

  
REYNALDO B. BARRA, PME  
Chief, EMED

Recommending Approval:

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

Noted:

  
LETECIA R. MACEDA  
Regional Director