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

JAN 28 2022

DENR-PAB Case No. 08-000051 -21-W

GGC POULTRY FARM
Brgy. New Taligue, Abuyog, Leyte

Thru: JAKE GAVIOLA
Managing Head/PCO

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

Sir/Madame:

This notice is being served upon you for alleged violation of **R.A 9275** otherwise known as the Philippine Clean Water Act of 2004, based upon the survey/inspection conducted by the technical personnel of the Provincial Environmental Monitoring Unit (PEMU) – Leyte last **18 February 2021**, on your alleged failure to secure **wastewater Discharge Permit** since **21 June 2018**.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating a facility that discharges regulated water pollutants without the required wastewater Discharge Permit since first found to have failed to secure the said permit in an inspection conducted last 21 June 2018 .	Violation of Paragraph (c), Section 27 of R.A 9275 , in relation to Section 28 thereof 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 **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,

ENGR. REYNALDO B. BARRA
OIC- Regional Director



SURVEY/INSPECTION FOR WATER QUALITY MANAGEMENT



ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION

Report Control Number: WS-02-10Date of Survey/Inspection: February 18, 2021

Mission Order No.: _____

1. GENERAL INFORMATIONName of Establishment: **GGC Poultry Farm**Address: **Brgy New Taligue, Abuyog, Leyte**

Geo Coordinates:

Nature of Business: **Poultry****10.5830032, 125.0652048**

PSIC Code:

Product:

Year Established: **2010**Operating hours/day: **24**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:

Jake Gaviola

Name of PCO:

Jake Gaviola – PCO Designate

PCO Accreditation No.:

None

Date of Effectivity:

Phone/Fax:

09171689358Email: **Kajejshphr@gmail.com****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 _____☐☐

- ☐
- 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
- Water Quality Management Survey

Name of Contact Person

Jake Gaviola

Position / Designation

Managing Head / Proprietor

3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1	ECC-RO8-1007-0089	Oct.28, 2010	
	ECC2			
RA 6969	DENR Registry ID			
	PCL Compliance Certificate	NONE		
	CCO Registry			
	Permit to Transport			
RA 8749	POA No.	18-POA-K-0837-0266	Nov.6, 2018	Nov.6, 2023
RA 9003	ECC for Sanitary Landfill			
RA 9275	DP No.			

4. Water Supply and Wastewater Generation

A. Water Sources

Sources of Water Supply	Daily (m ³ /day)	Annual (m ³ /day)	Specify if Others
Surface water (river, lakes, etc.)	3.5	1,277	
Groundwater			
Water utilities			
Others (specify)			

B. Wastewater Sources

Water Use / Sources of Wastewater	Consumed (m ³ /day)	Generated (m ³ /day)	Specify if Others
Process Water			
Domestic Water	1		
Cooling Water			
Maintenance	2.5		
Storm drain			
Others (specify)			

C. Quality of Abstracted Water

Sources of Water Supply	BOD/ COD	TSS	AVFP	Heavy Metals	Specify if Others
No tests conducted					

5. Information on Wastewater Pollution

A. Does the Establishment have a Wastewater Treatment Plant?

☒ Yes
☐ No

B. What type of WWTP?

☒ Physical
☒ Biological
☐ Chemical
☐ Others

C. WWTP Detail

1. Date Installed	2020	
2. Design Capacity	14x12 ft.tank	
3. Cost of WWTP	Not indicated	
4. Annual Maintenance Cost (Php/year)		
5. Location of Discharge Point(s)	Receiving Water Body	Classification of Water Body
Closed tank		
	<input type="checkbox"/> V-weir	Other (specify)
6. Flow Metering Device Use	<input type="checkbox"/> Flow Meter	
7. Flow Rate	Influent	Effluent
		Others (specify)

A. Components of WWTP			
Primary	Biological	Chemical	Others
<input checked="" type="checkbox"/> Screening <input type="checkbox"/> Primary Treatment <input type="checkbox"/> Grit Removal <input type="checkbox"/> Oil/Water Separator <input type="checkbox"/> Equalization Tank <input type="checkbox"/> Others (specify) _____	<input type="checkbox"/> Activated Sludge <input checked="" type="checkbox"/> Anaerobic Digestion <input type="checkbox"/> Tricking Filter <input type="checkbox"/> Oxidation/Stabilization Pond <input type="checkbox"/> Sequencing Batch Reactor <input type="checkbox"/> Others (specify) _____	<input type="checkbox"/> pH Adjustment <input type="checkbox"/> Disinfection <input type="checkbox"/> Oxidation/Reduction <input type="checkbox"/> Flocculation/ Coagulation <input type="checkbox"/> Others (specify) _____	
B. Condition of the WWTP			
1. What is the general condition of the WWTP during sampling?	<input type="checkbox"/> Properly maintained <input type="checkbox"/> Inadequately maintained <input type="checkbox"/> Poor maintenance <input type="checkbox"/> Others		
2. Is the WWTP under construction or undergoing rehabilitation?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
3. If the answer is No. 2 is YES, has this been reported to EMB/LLDA?			
4. Which System or units are under construction or being modified?	None		
5. Estimated date of completion	N/A		
6. Treatment units utilized to treat wastewater			

Water Quality Field Date						
Sampling Point No. 1						
Sampling Station		N/A		Sampling Time:		
Type of Sample						
Result Analysis						
Parameter	Value	Unit	DENR Effluent Standards	Compliant		Remarks
				Yes	No	
N/A						

III. SUMMARY OF FINDINGS					
Legal Reference	Compliance Requirements	Compliant			Remarks
		Y	N	N/A	
DAO 2005-10 Rule 14.1	1. Has the establishment submitted two notarized copies of accomplished application form?			/	
DAO 2005-10 Rule 14.2	2. Has the establishment submitted Sewer and Drainage Plan Drawing of appropriate scale in as standard size sheet and in accordance with good engineering practice?		/		
	3. Has the establishment submitted water quality analysis of abstracted water and the appropriate bills?			/	
	4. Has the establishment submitted Pollution Prevention/Environmental Management System Plan or Program?		/		

DAO 2005-10 Rule 14.6	5. Has the establishment submitted copy of the Environmental Compliance Certificate or Certificate of Non-Coverage?	/		
	6. Does the establishment have a DENR ID Number as hazardous waste generator, as applicable?	/		
	7. Has the establishment designated or appointed a PCO?	/		
	8. Does the establishment use its effluent for Agricultural Purposes?	/		If yes, proceed to succeeding items
	a. Has the establishment submitted certified true copy of land ownership or notarized copy of agreement between the owner of the land where the effluent is to be applied and the discharger/permittee?		/	
	b. Has the establishment submitted proof that wastewater to be used for land application does not contain toxic or substances (as defined in RA 6969)?		/	
	c. Does the establishment's wastewater applied for agricultural purposes directly or indirectly seep or drain into groundwater or nearby surface waters which will affect the quality of such ground and/or surface water?		/	
	d. Has the establishment submitted a Certification from the Department of Agriculture (DA) stating that the quantity, quality and distribution methodology of application are suited for agricultural purposes?		/	
	e. Does the establishment use land application only during periods of low surface water flow to enhance loading limits compliance?		/	
	f. Has the establishment submitted baseline groundwater quality data and self-monitoring report within the discharge areas, and installed at least one groundwater monitoring well which shall be drilled in each dominant direction of groundwater movement?		/	
	g. Has the establishment submitted an emergency plan – which shall respond to emergencies that can prevent or minimize damage to equipment, land, groundwater, etc., and/or public health?		/	
	h. Does the plan highlight the design considerations, systems operation, treatment/monitoring of soil, crops, effluent and groundwater before/after irrigation? Such requirements shall be in addition to Section 14.2.		/	

Other Observations:

- 1. Firm was operational during time of survey
- 2. ECC has been amended last 22 October 2018 for a tunnel ventilation poultry.
- 3. Water is from a natural source (mountain source from a nearby river tributary) used in the daily maintenance and poultry operations. With new, closed septic tank for domestic used wastewater.
- 4. With drainage facility which directs rainwater into an open area.
- 5. Wastewater from car maintenance and services are directed into another septic tank with bigger capacity.
- 6. A **Notice of Violation** (Annex "A") dated **09 November 2018** for **operating without DP and PTO**. Respondent executed a **commitment** (Annex "B") with this Office to secure the said permits. In a **Decision** (Annex "C") dated **08 March 2019** issued by this Office, a **prima facie** case against the Respondent was found and both violations were ordered endorsed to the Pollution Adjudication Board for the computation of fines.
- 7. The endorsement is to be made upon compliance by the establishment to secure the required permits. However, **no discharge permit was secured since the inspection was conducted last 21 June 2018**.
- 8. While a **Permit to Operate (18-POA-K-0837-0266)** was secured by the establishment last **06 November 2018** with a validity of up to **06 November 2023**.
- 9. In view of the establishment's failure to secure the discharge permit, the endorsement could not be made. In light, however of Pollution Adjudication Board Resolution No. 01-2019, the Regional Office can now impose the corresponding fines against the establishment.

Remarks and Recommendation:

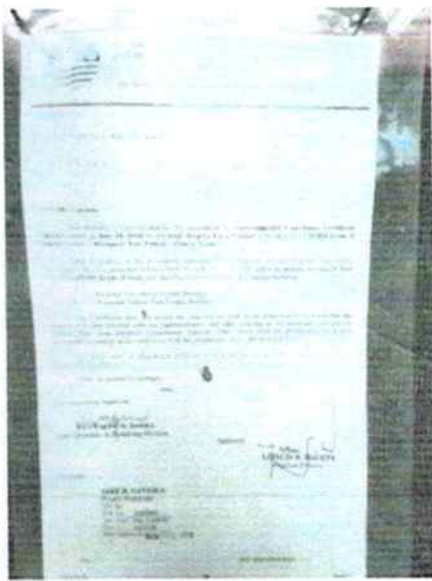
- 1. To issue a Notice of Violation against GGC Poultry Farm for Operating without a Valid Wastewater Discharge Permit since 21 June 2018, in violation of Paragraph (c), Section 27 of R.A 9275;
- 2. For the establishment to secure a Hazardous Waste Generator I.D thru the online system.
- 3. To secure a Wastewater Discharge Permit via the Online Permitting System.

List of Documents Reviewed:

ECC, PTO, Case Records of the Legal Unit



Water from a natural source (mountain)



Amended ECC for the tunnel vent poultry



Tunnel vent poultry



Generator set with valid PTO




Drainage canal on the forefront

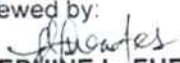


Septic tank for the poultry's domestic wastes

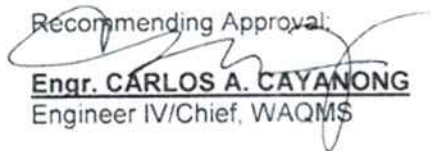
Submitted by:


CYRIL ANN B. BADEO
EMS II/ PEMU Leyte

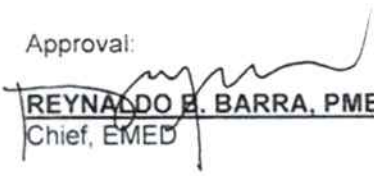
Reviewed by:


JOSEPHINE L. FUENTES
Senior EMS/ OIC, PEMU Leyte


Recommending Approval:


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

Approval:


REYNALDO B. BARRA, PME
Chief, EMED

Noted:


LETECIA R. MACEDA
Regional Director