

Republic of the Philippines  
Department of Environment and Natural Resources  
**ENVIRONMENTAL MANAGEMENT BUREAU**  
Regional Office No. VIII  
Tacloban City, Philippines

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ENVIRONMENTAL MANAGEMENT BUREAU

RELEASED BY: 

DATE: 01/24/2022

TIME: 9:42am

IN RE: CANCELLATION OF  
ENVIRONMENTAL  
COMPLIANCE CERTIFICATE  
(ECC-R08-0909-0024) OF  
KEATH MARYBETH C. CABAUG'S INDUSTRIAL SAND  
AND GRAVEL WITHOUT CRUSHING PLANT PROJECT AT  
BARANGAY SAN PEDRO, ALBUERA, LEYTE

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### ORDER

This Order is being issued in view of the on-site project validation conducted by technical personnel of this Office upon the **Environmental Compliance Certificate (ECC)**, with **Reference No. ECC-R08-0909-0024**, issued to **Ms. Keath Marybeth C. Cabahug** last **September 17, 2009** for its **Industrial Sand and Gravel without Crushing Plant Project** located at **Barangay San Pedro Albueria, Leyte**.

The validation conducted was aimed at ascertaining the validity of the subject ECC *vis-à-vis* the requirements of existing and new policies.

### Facts

On October 7, 2021, technical personnel from the Environmental Monitoring and Enforcement Division of this Office conducted an on-site project validation upon the **Industrial Sand and Gravel without Crushing Plant Project** of **Ms. Keath Marybeth C. Cabahug** located at **Barangay San Pedro Albueria, Leyte**.

The validation revealed the following findings:

1. That the project has commenced implementation/operation since the ECC was issued.
2. That the project, however, has stopped operation for more than five (5) years. According to Brgy. Chairperson of Brgy. San Pedro, Industrial Sand and Gravel Extraction without Crushing Plant Project (Keath Marybeth C. Cabahug) has no operation since 2014.
3. Based on office records, no submission of the required report from the proponent since the issuance of its ECC.

Based on the foregoing grounds, the validating personnel has recommended for the cancellation of the Environmental Compliance Certificate (ECC) issued by this Office for the said project.

### **Ruling**

This Office finds that the ECC should be cancelled because the Project has stopped operation/implementation for more than five (5) years.

Under **Paragraph (g), No. 4 of the Revised Guidelines for Coverage Screening and Standardized Requirements of the Philippine Environmental Impact Statement System**, projects that have stopped operation for more than five years are not required to obtain a new ECC, provided ALL the following conditions are met:

1. CMR/CMVR had continuously been submitted or an official request for suspension of the CMR/CMVR had been approved by EMB.
2. No request for relief and/or cancellation of ECC had been approved.
3. The resumption of operation will not involve expansion of terms of production capacity (volume of output; number of product lines) or area.
4. The resumption of operation will not involve changes or medication in technology/ production method or manufacturing process/operation used.
5. There is no change in ownership or corporate dissolution.

**Otherwise, an application for new ECC has to be filed and approved prior to resumption of operation.**

Here, the findings reveal that the project has stopped operations for more than five (5) years. Although the proponent is yet to communicate an intention to resume operations, it is incumbent upon the proponent to show that all the above conditions are met if it intends to resume operations in the future. Accordingly, this Order presents an opportunity for the project proponent to prove that the said conditions were or will be met. Otherwise, the ECC Cancellation is in order.

**WHEREFORE**, premises considered, this Office finds that Environmental Compliance Certificate, with Reference No. **ECC-R08-0909-0024**, issued to **Ms. Keath Marybeth C. Cabahug** for its **Industrial Sand and Gravel without Crushing Plant Project** at **Barangay San Pedro Albueria, Leyte** is hereby **CANCELLED**.

The Project Proponent, **Ms. Keath Marybeth C. Cabahug**, is hereby given an opportunity within a period of **Fifteen (15) days** from receipt of this Order to submit its position/explanation on the matter, the



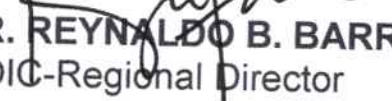
ORDER

In re Cancellation of ECC-R08-0909-0024

failure of which to do the same shall be deemed a waiver of its right to contest the cancellation and the cancellation shall be deemed final and executory.

**SO ORDERED.** JAN 21 2022.

Tacloban City, Philippines.

  
**ENGR. REYNALDO B. BARRA**  
OIC-Regional Director

Copy furnished:

**Keath Marybeth C. Cabahug**  
Mejia Subdivision, Ormoc City, Leyte