



## NOTICE OF VIOLATION

JAN 28 2022

DENR-PAB Case No. 08-00003-22-A

### NORTHERN FUEL STATION

Brgy. Macagtas, Catarman, Northern Samar

Thru: **NOEL TURBANADA**  
Managing Head

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

**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) – Northern Samar last **25 November 2021**.

### ACTS CONSTITUTING THE VIOLATION

| Finding/s  | Prohibited Act/s   |
|--|--|
| Operating one (1) unit SHINMAX 24 HP (18 KW) standby generator set and three (3) units Underground Fuel Storage Tanks for diesel and premium with capacity at 24 KL each, without a valid required <b>Permit to Operate</b> for Air Pollution Sources Installation since <b>25 November 2021</b> . | Violation of <b>Section 1, Rule XIX of DENR Administrative Order (DAO) 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,

**ENGR. 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: \_\_\_\_\_

Date of Survey/Inspection: November 25, 2021Mission Order No.: EMBR8-2021-020445**1. GENERAL INFORMATION**

|   |                        |   |
|---|------------------------|---|
| Name of Establishment: <b>NORTHERN FUEL STATION</b> |                        |   |
| Address: BRGY. MACAGTAS, CATARMAN, NORTHERN SAMAR   |                        | Geo Coordinates:<br>12.48995, 124.64025 |
| Nature of Business: RETAIL OF AUTOMOTIVE FUEL       |                        |   |
| PSIC Code: 47300                                    | Product: N/A           | Year Established: 2017                  |
| Operating hours/day: 8                              | Operating days/week: 7 | Operating days/year: 365                |

| Product Lines                         | Production Rate as Declared<br>in the ECC (unit/day) | Actual Production Rate (unit/day) |
|---------------------------------------|--|-----------------------------------|
| N/A                                   | N/A  | N/A                               |
| Name of Managing Head: NOEL TURBANADA |  |                                   |
| Name of PCO: NONE                     |  |                                   |
| PCO Accreditation No.:                | N/A  | Date of Effectivity: N/A          |
| Phone/Fax:                            | NONE   | Email: NONE                       |

**2. PURPOSE OF INSPECTION**

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

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

|                        |                   |
|------------------------|-------------------|
| Name of Contact Person | AIRENE LOMENTIGAR |
| Position / Designation | SUPERVISOR        |



3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

| Environmental Law | Permits                    |                   | Date of Issue | Expiry Date |
|-------------------|----------------------------|-------------------|---------------|-------------|
| PD 1586           | ECC1                       | EMBR8-2021-020445 | 9/22/2017     | N/A         |
|                   | ECC2                       | N/A               |               |             |
|                   | ECC3                       | N/A               |               |             |
| RA 6969           | DENR Registry ID           | NONE              |               |             |
|                   | 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.              | 1             |
| Type (Brand/Model)               | SHINMAX       |
| Rated Capacity                   | 24 HP (18 KW) |
| Fuel Type & Quantity             | DIESEL        |
| Operating Capacity               |               |
| Control Facility                 | MUFFLER       |
| Notes: STANDBY GENERATOR SET     |               |

| Emission Source Data Information                    |           |
|---|-----------|
| Emission Source No.                                 | 2         |
| Type (Brand/Model)                                  | FUEL UGTs |
| Rated Capacity                                      |           |
| Fuel Type & Quantity                                |           |
| Operating Capacity                                  |           |
| Control Facility                                    |           |
| Notes: 3 units UGT for diesel, premium @ 24 kl each |           |

| 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<br>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. The establishment is operational during the conduct of inspection;<br>2. No Permit to Operate for One (1) unit standby generator set described as "SHINMAX" 24 HP (18 KW) and three (3) units Fuel Underground Tanks for diesel and premium with capacity at 24 KL each.  |  |  |  |   |  |
| <b>Remarks and Recommendation:</b>   |  |  |  |   |  |
| 1. For issuance of Notice of Violation for failure to secure Permit to Operate Air Pollution Source/s and Control Installations for One (1) unit standby generator set described as "SHINMAX" 24 HP (18 KW) and three (3) units Fuel Underground Tank for diesel and premium with capacity at 24 KL each, in violation to Section 1, Rule XIX of DENR Administrative Order (DAO) 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. 1, Series of 2019. |  |  |  |   |  |
| <b>List of Documents Reviewed:</b>   |  |  |  |   |  |
| ECC  |  |  |  |   |  |



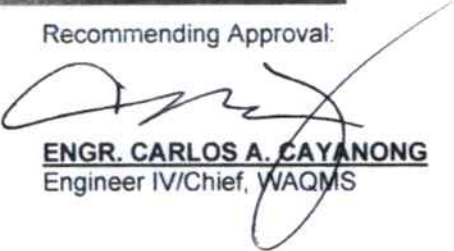
**GEOTAGGED PHOTOS OF THE ESTABLISHMENT AND ITS FACILITIES**



Submitted by:

Recommending Approval:

  
**FOR. ROWENA B. PABIA**  
SEMS/OIC PEMO

  
**ENGR. CARLOS A. CAYANONG**  
Engineer IV/Chief, WAQMS

Approved by:

Noted:

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

  
**REYNALDO B. BARRA, PME**  
OIC Regional Director