



Republic of the Philippines
Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU
Regional Office No. VIII
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25 April 2022

HON. AZUCENA P. MIRAMBEL
Municipal Mayor
Municipality of Inopacan
Province of Leyte

ENVIRONMENTAL MANAGEMENT BUREAU
RELEASED BY: _____
DATE: 4-27-2022
TIME: 2:12

Dear **Hon. Mirambel**,

Environmental Greetings!

This has reference to a complaint filed before this Office by Mr. Ceferino D. Malinao and Ms. Ma. Fe C. Malinao against the bad odor generated by the backyard piggery operation of Mr. & Mrs. Helen Dotarot in Brgy. Taotaon, Inopacan, Leyte.

Acting upon the said complaint, an investigation was conducted by technical and legal personnel of this Office last **07-08 April 2022**. The findings revealed that the complaint pertains to the undertakings of backyard piggeries located within a residential area in Brgy. Taotaon, Inopacan, Leyte. The findings further disclosed that among the concerns raised by the complaint are foul odor and the sewage disposal by this backyard piggery.

In view thereof, the same complaint is most respectfully brought to the attention of your office as the abatement of the foul odor, having been classified as a **Nuisance**, and the regulation on sewage and household wastes disposal, are expressly defined as a function delegated to and thus fall under the jurisdiction of the Local Government Unit of Inopacan, Leyte, in accordance to **Paragraph 3.3, Item (b) and (c), Section 3 of DENR Administrative Order 1992-30** which provides that:

"Section 3. Devolved Functions, Programs, and Projects –
Pursuant to Section 17 of the Code and subject to the provisions herein, particularly the policies enunciated in Section 1, above, the following functions, programs, and projects of the DENR are hereby devolved to the concerned LGU's:

3.3 Environmental Management

(b) Implementation of solid waste disposal and other environmental management systems and services related to general hygiene and sanitation, such as sewage and household wastes disposal;

(c) Abatement of noise and other forms of nuisance as defined by law."

Similarly, the **General Welfare Clause³ of the Local Government Code** empowers Local Government Units to ensure and support, among other things, the promotion of health and safety, enhance the right of the people to a balanced ecology, and preserve the comfort and convenience of their inhabitants.


In addition, the complaint may also find reference to the relevant provisions of **Housing and Land Use Regulatory Board Resolution No. R-674, Series of 2000**, otherwise known as the **"Approving the Amendments to the Implementing Rules and Regulations Governing the Processing of Applications for Locational Clearance of Poultry and**

³ Section 16, Local Government Code R.A. 7160

Piggery" expressly prohibits the operation of backyard piggeries in **Urban Areas**. Hence, there may be a need to look into whether a **locational clearance** was first obtained from the HLURB or the concerned municipality by the backyard piggery.

Pursuant to the above provisions of law, the said complaint is most respectfully submitted to your end for your consideration and proper action. Thank you very much.

Respectfully yours,


ENGR. REYNALDO B. BARRA
OIC- Regional Director

Copy Furnished:

CEFERINGO D. MALINAO & MA FE. C. MALINAO
Brgy. Tactain, Inopacan, Leyte