



NOTICE OF VIOLATION

JAN 28 2022

DENR-PAB Case No. 08-00001-22-W

AQUILINA P. SABI STOCKYARD
Brgy. Rizal I, Calbayog City, Samar

Thru: **AQUILINA P. SABI**
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 RA **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) – Samar Monitoring Section (EMED-WAQMS) of this Office last **21 September 2021**.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating a facility that discharges regulated water pollutants without a valid wastewater Discharge Permit , since 21 September 2021 .	Violation of Section 27 (c) of R.A 9275 in relation to Section 28 of the same Act, 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: _____

Date of Survey/Inspection: September 21, 2021Mission Order No.: EMDR8-2021-014921**1. GENERAL INFORMATION**Name of Establishment: **AQUILINA P. SABI STOCKYARD**Address: **Brgy. Rizal I, Calbayog City, Samar**

Geo Coordinates:

12.07156, 124.61283Nature of Business: **Stockyard**

PSIC Code:

Product:

N.A.Year Established: **2019**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:

Aquilina P. Sabi

Name of PCO:

None

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**☐ RMDIN 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 _____

Name of Contact Person

Abdul Hammid Sabi

Position / Designation

3. COMPLIANCE STATUS
3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1	ECC-OL-R08-2020-0130	6/10/2019	
	ECC2			
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.	N.A.		
RA 9003	ECC for Sanitary Landfill	N.A.		
RA 9275	DP No.	None		

4. Water Supply and Wastewater Generation

A. Water Sources

Sources of Water Supply	Daily (m³/day)	Annual (m³/day)	Specify if Others
Surface water (river, lakes, etc.)			
Groundwater	No data available		Deep well
Water utilities			
Others (specify)			

B. Wastewater Sources

Water Use / Sources of Wastewater	Consumed (m³/day)	Generated (m³/day)	Specify if Others
Process Water			
Domestic Water		No data available	
Cooling Water			
Maintenance			
Storm drain			
Others (specify)			

C. Quality of Abstracted Water

Sources of Water Supply	BOD/ COD	TSS	AVFP	Heavy Metals	Specify if Others
N.A.					

5. Information on Wastewater Pollution

A. Does the Establishment have a Wastewater Treatment Plant?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
B. What type of WWTP?	<input checked="" type="checkbox"/> Physical <input type="checkbox"/> Biological <input type="checkbox"/> Chemical <input type="checkbox"/> Others	
C. WWTP Detail		
1. Date Installed	2019	
2. Design Capacity	No data available	
3. Cost of WWTP	No data available	
4. Annual Maintenance Cost (Php/year)	No data available	
5. Location of Discharge Point(s)	Receiving Water Body	Classification of Water Body
At the back outside of the establishment	<input type="checkbox"/> V-weir	Other (specify)
6. Flow Metering Device Use	<input type="checkbox"/> Flow Meter	N A
7. Flow Rate N.A.	Influent	Effluent
		Others (specify)

A. Components of WWTP			
Primary <input 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) _____	Biological <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) _____	Chemical <input type="checkbox"/> pH Adjustment <input type="checkbox"/> Disinfection <input type="checkbox"/> Oxidation/Reduction <input type="checkbox"/> Flocculation/ Coagulation <input type="checkbox"/> Others (specify) _____	Others
B. Condition of the WWTP			
1. What is the general condition of the WWTP during sampling?		<input checked="" 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 checked="" 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?			
5. Estimated date of completion			
6. Treatment units utilized to treat wastewater			

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

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?		/		Not yet applied for Discharge permit
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?		/		-do-
	3. Has the establishment submitted water quality analysis of abstracted water and the appropriate bills?		/		-do-
	4. Has the establishment submitted Pollution Prevention/Environmental Management System Plan or Program?				-do-

	5. Has the establishment submitted copy of the Environmental Compliance Certificate or Certificate of Non-Coverage?		/		-do-
	6. Does the establishment have a DENR ID Number as hazardous waste generator, as applicable?			/	
	7. Has the establishment designated or appointed a PCO?				
DAO 2005-10 Rule 14.6	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. The establishment is in normal operation during the conduct of survey. Their operation is mainly stocking of livestock only.
- 2. Potential wastewater generation are from their livestock's domestic waste. Their primary treatment is a concreted floor septic tank with an outlet for overflow discharging.
- 3. As per information gathered from the contact person, they empty their septic tank through siphoning services once it reaches its capacity.

Remarks and Recommendation:

- 1. For issuance of Notice of Violation for operating without Wastewater Discharge Permit as per Section 27(c) of DAO 2005-10 in relation to Section 28 of the same DAO, and in relation further to PAB Resolution No. 1-2019.

List of Documents Reviewed:

Photo Documentation:





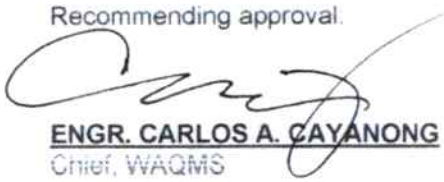
Submitted by:


ROY ALEXANDER H. TABOADA
EMS II

Checked and reviewed by:


ANTONIO A. PINO, PhD
Head, PEMU Samar

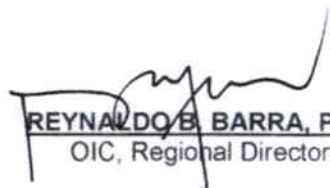
Recommending approval:


ENGR. CARLOS A. CAYANONG
Chief, WAQMS

Approved by:


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

Noted by:


REYNALDO B. BARRA, PME
OIC, Regional Director