



NOTICE OF VIOLATION

MAR 21 2022

DENR-PAB Case No. 08-000013-22-W

**CEBU ROLLING HILLS MEMORIAL CHAPEL
AND FUNERAL PARLOR (Tacloban Branch)**
Brgy. 95, Caibaan, Tacloban City

ENVIRONMENTAL MANAGEMENT BUREAU
RELEASED BY: *[Signature]*
DATE: 3/21/2022
TIME: 2:22 PM

Thru: **SAHLEE D. COLIBAO**
Managing Head

VON IVAN FREE GASPAR
Pollution Control Officer

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 *table monitoring* conducted by the technical personnel of the Environmental Monitoring and Enforcement Division – Water Air Quality Monitoring Section (EMED-WAQMS) of this Office last **19 January 2022**.

ACTS CONSTITUTING THE VIOLATION

Finding/s	Prohibited Act/s
Operating a facility that discharges regulated water pollutants without a valid wastewater Discharge Permit since 20 June 2019 .	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 **embr8_legal@emb.gov.ph**, 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,

[Signature]
ENGR. REYNALDO B. BARRA
OIC-Regional Director



COMPLIANCE INSPECTION FOR WATER QUALITY MANAGEMENT



ENVIRONMENTAL MONITORING AND ENFORCEMENT DIVISION-WATER AIR QUALITY MONITORING SECTION

Report Control Number: _____

Date of Inspection: JANUARY 19, 2022Mission Order No.: TABLE MONITORING

1. GENERAL INFORMATION		
Name of Establishment: CEBU ROLLING HILLS MEMORIAL CHAPEL AND FUNERAL PARLOR (TACLOBAN BRANCH)		
Address: BRGY, 95 CAIBAAN TACLOBAN CITY		Geo Coordinates: 11.21682°N 124.994509 °E
Nature of Business: FUNERAL HOME SERVICES		
PSIC Code: 96300	Product: -	Year Established: 2013
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)
Name of Managing Head: SAHLEE D. COLIBAO		
Name of PCO: VON IVAN FREE GASPAR (based on 2020 monitoring report)		
PCO Accreditation No.: 2018-RVIII-0152		Date of Effectivity: 10/08/2018
Phone/Fax:		Email:
2. PURPOSE OF INSPECTION		
<input type="checkbox"/> 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"/>	<input type="checkbox"/>
<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"/>
<input checked="" type="checkbox"/> Determine compliance status with the environmental regulations, permit conditions, and other Requirements		
<input type="checkbox"/> Investigate community complaints		
<input type="checkbox"/> Check status of voluntary commitment		
<input type="checkbox"/> Industrial Ecowatch		
<input type="checkbox"/> Philippine Environmental Partnership Program (PEPP)		
<input type="checkbox"/> Pollution Adjudication Board (PAB)		
<input type="checkbox"/> Others _____		
<input type="checkbox"/> Others _____		
Name of Contact Person		
Position / Designation		

3. COMPLIANCE STATUS

3.1 DENR Permits/Licenses/Clearance

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC1	ECC-R08-1201-0011	02/23/2012	
	ECC2			
	ECC3			
RA 6969	DENR Registry ID			
	PCL Compliance Certificate			
	CCO Registry			
	Permit to Transport			
RA 8749	POA No.	POA-2019-F-0837-0173	06/13/2019	06/13/2024
RA 9003	ECC for Sanitary Landfill			
RA 9275	DP No.	18-DP-F-0837-0047	06/19/2018	06/19/2019

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.)						
Groundwater						
Water utilities	2.70		986		Based on 2020 report	
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	0.70		0.70			
Cooling Water						
Maintenance						
Storm drain						
Others (specify)	2.0		2.0		For embalming	
C. Quality of Abstracted Water						
Sources of Water Supply	BOD/ COD	TSS	AVFP	Heavy Metals		Specify if Others
Sampling not conducted						

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 type="checkbox"/> Physical <input checked="" type="checkbox"/> Biological (4 units septic tanks) <input type="checkbox"/> Chemical <input type="checkbox"/> Others	
C. WWTP Detail		
1. Date Installed	2013	
2. Design Capacity		
3. Cost of WWTP		
4. Annual Maintenance Cost (Php/year)		
5. Location of Discharge Point(s)	Receiving Water Body	Classification of Water Body
Septic tank		
	<input type="checkbox"/> V-weir	Other (specify)
6. Flow Metering Device Use none	<input type="checkbox"/> Flow Meter	

7. Flow Rate	Influent	Effluent	Others (specify)
A. Components of WWTP			
Primary	Biological	Chemical	Others
<input type="checkbox"/> Screening <input checked="" 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 checked="" type="checkbox"/> Others Not determined	
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?			
5. Estimated date of completion			
6. Treatment units utilized to treat wastewater			

Water Quality Field Date						
Sampling Point No. 1						
Sampling Station		Discharge Outlet		Sampling Time:		
Type of Sample		Effluent				
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 13.1	1. Does the establishment pay the required wastewater charge?			✓	No LBF computation
DAO 2005-10 Rule 14.1	2. Does the establishment have a Discharge Permit?		✓		DP expired on 06/19/2019
DAO 2005-10 Rule 14.5	3. Does the establishment pay the required discharge permit fee?		✓		
DAO 2005-10 Rule 14.9	4. Is the permit available and valid?		✓		DP expired on 06/19/2019
DAO 2005-10 Rule 14.11	5. Do the discharge points correspond to those declared in the discharge permit?			✓	

	6. Is the volume discharged within the allowable volume declared in the discharge permit?			✓	
	7. Is the permit posted in a proper area?			✓	Table monitoring only
DAO 2005-10 Rule 14.16	8. Are the SMRs submitted quarterly and on time?		✓		No SMR submission per online system.
DAO 1990-35 Section 4-6	9. Are the effluent parameters compliant with the standards in DENR existing effluent standards?			✓	No records of effluent sampling conducted. Generated wastewater are contained in septic tanks.
DAO 1990-35 Section 8	10. Does the establishment comply with the additional requirements stated in DAO 1990-35?				Table monitoring only
DAO 1990-35 Section 9	11. Are the pollution control facilities properly and continuously operated?				Table monitoring only
DAO 1990-35 Section 10	12. Are the methods of analysis used for effluent samples in accordance with the prescribed methods of the Department?			✓	
Other Requirements	13. Are the copies of water analysis reports available?			✓	No records of effluent sampling conducted. Generated wastewater are contained in septic tanks.
	14. Are the correspondence between the establishment and EMB documented?	✓			
	15. Are the establishment's compliance violations and exceedances documented?	✓			
	16. Are there any pending litigation/PAB cases?	✓			For payment of penalty for existing PAB case with DENR-PAB Case No. 08-000039-20-W, operating with expired DP.
	17. Are there spill prevention contingency plans?			✓	
	18. Are there spill containment facilities available?			✓	

Other Observations:

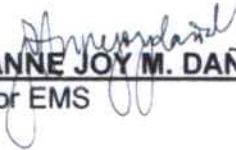
- Discharge Permit expired on June 19, 2019.
- The funeral project has an existing PAB case (**DENR-PAB Case No. 08-000039-20-W**) for operating with expired Discharge Permit PAB case is not yet settled with pending penalty for payment amounting to PhP 19,500 with reckoning date from June 19, 2019 until February 06, 2020.
- To date, no application for Discharge Permit renewal was filed through the online system.
- Online records show no submission of the quarterly SMR.
- Generated wastewaters are contained in 4 separate septic tanks for anaerobic digestion.

Remarks and Recommendation:

- For issuance of **Notice of Violation** for *operating facilities that discharge regulated water pollutants without a valid discharge permit* pursuant to Paragraph (c), Section 27 of RA 9275, in relation to **Section 28 of RA 9275, in relation further to Pollution Adjudication Board Resolution No 01-2019.**
- Submit quarterly SMR through the online system.
- Apply for Discharge Permit renewal through the Online Permitting and Monitoring System.
- Provide proof of desludging activity conducted at the septic tanks by a service provider.

List of Documents Reviewed:
Discharge Permit
SMR

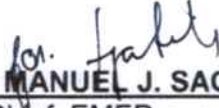
Submitted by:


JO ANNE JOY M. DAÑAL-VILLERO
Senior EMS

Recommended by:


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

Approval:


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

Noted:


REYNALDO B. BARRA, PME
OIC, Regional Director