



Republic of the Philippines
City Government of Baguio
SANGGUNIANG PANLUNGSOD (CITY COUNCIL)
HON. COUNCILOR BETTY LOURDES F. TABANDA
Committee on Social Services, Women and Urban Poor

Proposed Ordinance No. _____ introduced by Hon. Betty Lourdes F. Tabanda

AN ORDINANCE ESTABLISHING A LOCAL HAZARDOUS WASTE PROGRAM, PROVIDING GUIDELINES FOR THE HANDLING, STORAGE, COLLECTION, TRANSPORT, TREATMENT, AND DISPOSAL OF HAZARDOUS WASTE IN THE CITY OF BAGUIO.

WHEREAS, Section 15, Article II of the 1987 Philippine Constitution provides that the State shall protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, mandates Local Government Units (LGUs) to ensure and promote the health and safety of the people;

WHEREAS, Republic Act No. 6969, otherwise known as the Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990, provides for the proper keeping, storage, and disposal of hazardous waste;

WHEREAS, Republic Act No. 9003, otherwise known as the Ecological Solid Waste Management Act of 2000, provides that special wastes shall be handled separately from other residential and commercial wastes;

WHEREAS, DENR Administrative Order No. 2013-22 prescribes the Revised Procedures and Standards for the Management of Hazardous Wastes and classifies various types of hazardous wastes;

WHEREAS, Republic Act No. 8749 (Philippine Clean Air Act of 1999) and Republic Act No. 9275 (Philippine Clean Water Act of 2004) mandate measures to prevent environmental pollution from hazardous waste;

On motion of Hon. Tabanda, duly seconded by _____,

BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD (CITY COUNCIL) IN SESSION ASSEMBLED THAT:

SECTION 1. TITLE. - This ordinance shall be known as An Ordinance Establishing a Local Hazardous Waste Program, Providing Guidelines for the Handling, Storage, Collection, Transport, Treatment and Disposal of Hazardous Waste in the City of Baguio.

SECTION 2. DECLARED POLICY. - The city recognizes the vital importance of protecting public health and the environment from the adverse effects of hazardous waste. It shall implement the proper handling, collection, storage, transport, treatment, and disposal of hazardous wastes through a local management program. This program shall prioritize the management of household hazardous wastes (HHW) and hazardous wastes generated by small-scale sources - such as ambulant vendors, small eateries (e.g., 4-seater establishments), and other micro-enterprises - which, while governed by the standards of RA 6969, require localized collection and consolidation by the City to ensure environmentally sound disposal through accredited facilities.

SECTION 3. SCOPE AND COVERAGE. This Ordinance shall cover the entire territorial jurisdiction of the City of Baguio. It shall apply to those household, city government offices and small-scale sources that produces the following hazardous wastes:

- a. Arsenic and its compounds (Waste Number D402)
- b. Lead compounds (Waste Number D406)
- c. Mercury and mercury compounds (Waste Number D407)
- d. Solvent Based (Waste Number F601)
- e. Grease wastes (Waste Number H802)
- f. Used industrial oil including sludge (Waste Number I101)
- g. Vegetable Oil including sludge (Waste Number I102)
- h. Tallow (Waste Number I103)
- i. Container previously containing toxic chemical substances (Waste Number J201)
- j. Pharmaceuticals and drugs (Waste Number M503)
- k. Pesticides (Waste Number M504)
- l. Waste Electrical and electronic equipment (Waste Number M506)
- m. Special Wastes (Waste Number M507)

SECTION 4. DEFINITION OF TERMS. - The words, terms and phrases shall mean as follows:

- a. **Busted Fluorescent Lamps** - refers to the lamps or light bulbs that are no longer functional due to damage, burnout, or electrical failure containing mercury compounds.
- b. **Clustered Hazardous Waste Management** - refers to small-scale or micro-enterprise generators and small quantity generators located in contiguous areas, collectively arrange for transport, treatment, and disposal of hazardous wastes.

- c. **Collection Point** - refers to a designated area at the barangays for the temporary storage of hazardous wastes prior to collection and transport to a treatment, storage and disposal (TSD) facility.
- d. **Environmentally Sound Management** - refers to the management practices that ensures hazardous wastes are handled to protect human health and the environment against adverse effects, including fire risks from flammable wastes.
- e. **Mercury compound** - refers to any substances consisting of atoms of Mercury and one or more atoms of other chemical elements that can be separated into different components only by chemical reactions. It is assigned with a waste number D407.
- f. **Hazardous Wastes** - refers to those substances that are without any safe commercial, industrial, agricultural or economic usage and shipped, transported or brought from the country of origin for dumping or disposal into or in transit through any part of the territory of the Philippines. It is likewise referred as by-products, side-products, process residues, spent reaction media, contaminated plant or equipment or other substances from manufacturing operations and as consumer discards of manufactures products which present unreasonable risk and/or injury to health and safety to the people or to the environment.
- g. **Hazardous Waste Manifest System** - refers to the tracking and database system for tracking of wastes from the point of generation to the point of ultimate treatment, storage or disposal; and for timely and easy access of hazardous waste management information.
- h. **Hazardous Waste Storage Facility** - refers to the facility for the storage of hazardous prior to its proper disposal managed by the City Government of Baguio.
- i. **Household** - refers to a social unit consisting of either a person living alone or a group of persons who sleep in the same housing unit and have a common arrangement for the preparation and consumption of food.
- j. **Small Quantity Generator** - refers to a person that generates 5,000 kilograms per year but not more than 250,000 kilograms per year of hazardous wastes.
- k. **Special Wastes** - refers to household hazardous such as paints, thinners, household batteries lead-acid batteries, spray canisters and the like. These include wastes from residential and commercial sources that comprise of bulky wastes, consumer electronics, white goods, yard wastes that are collected separately, batteries, oil and tires. These wastes are usually handled separately from other residential and commercial wastes.
- l. **Treatment, Storage, and Disposal (TSD) Facilities** - refers to those facilities where hazardous wastes are transported, stored, treated, recycled, reprocess or disposed of.

- m. **Waste Electrical and Electronic Equipment** - refers to all items of electronic and electrical equipment and its parts that have been discarded by its owner as waste without the intent of re-use. It commonly known as Electronic Waste (E – waste)
- n. **Waste Transporter** - refers to a person, corporation or juridical person who is registered to transport hazardous wastes.
- o. **Waste Treater** - refers to a person, corporation or juridical person who is registered to treat, store, recycle or dispose of hazardous wastes.
- p. **Waste Generator** - refers to a person who generates or produces hazardous waste through residential, institutional, commercial, industrial or trade activities.

SECTION 5. HAZARDOUS WASTE MANAGEMENT. For purposes of this Ordinance, hazardous waste management comprises of methods, systems, approaches, guidelines and strategies to minimize or eliminate the effect of hazardous waste on human health and the environment. The ultimate aim of a hazardous waste management plan is effective, safe and economical collection, transportation, treatment and disposal of hazardous waste in both present and futuristic scenarios. The main steps involved in hazardous waste management system are minimization, collection and transportation, treatment and disposal.

SECTION 6. HAZARDOUS WASTE COLLECTION AND TRANSPORT. The collection and transport system shall be done to avoid nuisance to the public. The following conditions shall be observed:

- a. Establishment of collection point/s and schedules at the Barangays
- b. Hiring of accredited waste transporter by small-scale sources generator and small quantity generator
- c. Collection and transport of electronic waste to the authorized facilities

SECTION 7. HAZARDOUS WASTE STORAGE, TREATMENT AND DISPOSAL. This City Government of Baguio shall operate and maintain a temporary hazardous waste storage collected from small-scale generators or micro-enterprises and small quantity generators; store and dismantle electronic waste and transport to accredited facilities for treatment and disposal; coordinate with government agencies and comply with existing policies, rules and regulations.

SECTION 8. DATABASE MANAGEMENT. The City Government of Baguio shall develop and maintain a Hazardous Waste Information Database to aid households, Small Quantity Generators or micro-enterprises and stakeholders in proper waste management. This database shall be accessible upon request or via an online portal, if available, and include:

- a. A directory of DENR-accredited transporters, treatment, storage and disposal facilities
- b. Guidelines on proper labeling of hazardous waste.
- c. Locations of hazardous waste collections at barangays and facilities

- d. Guidance for the clustering of generators to streamline the collection, transport and disposal.
- e. Policies related to hazardous waste management

A data-sharing agreement with the Department of Environment and Natural Resources to access hazardous waste generator registration records, waste manifests, and compliance reports for micro-enterprise generators and small quantity generator. Data shall be used solely for monitoring, enforcement, planning, and policy development related to hazardous waste management.

SECTION 9. ROLE OF THE SMALL QUANTITY GENERATOR AND SMALL-SCALE OR MICRO-ENTERPRISE GENERATOR -

- a. Apply for registration with the Department of Environment and Natural Resources and maintain records of hazardous waste
- b. Segregate hazardous waste at source, using separate containers
- c. Place the prescribe label for the containers
- d. Secure a Hazardous Waste Manifest form for transport and disposal
- e. Ensure proper handling and storage of used oil, grease waste, solvents based, pesticides and electronic waste to prevent spills or fires prior to collection
- f. Designate a Pollution Control Officer, if applicable.

SECTION 10. ROLE OF THE CITY ENVIRONMENT AND PARKS MANAGEMENT OFFICE -

- a. Secure a Hazardous Waste Generator Identification Number and necessary permits;
- b. Submit Self-Monitoring Reports on the collected, transported and dismantled hazardous wastes;
- b. Receive copies of hazardous waste manifest forms after wastes are collected from collection points and treated at designated facilities;
- c. Conduct information and education campaigns to increase awareness on special waste and hazardous waste management;
- d. Consolidate data gathered from barangays, collection points, transporters, and facilities;
- e. Facilitate the partnership of junkshops, recyclers, and facilities M506 and M507 processing, ensuring compliance with DENR-EMB regulations.
- f. Operation and maintenance of the Bakakeng Central MRF-TSD Facility and established hazardous storage facility
- g. Collect and transport the generated hazardous waste from city government offices, households and micro-enterprise generators
- h. Training on hazardous waste management
- i. Perform other necessary functions for the effective and efficient implementation of the Ordinance.

SECTION 11. ROLE OF THE BARANGAY OFFICIALS -

- a. Conduct information, education and communications campaigns to increase awareness on proper management of hazardous wastes;

- b. Establish the schedule and monitoring on the collection of hazardous wastes from households to the collection point;
- c. Submit reports on the collected household hazardous wastes;
- d. Install signages on the collection schedules at the collection point of household hazardous wastes; and
- e. Performs other necessary functions for the effective and efficient implementation of the Ordinance

SECTION 12. COLLECTION OF ELECTRONIC WASTE OUTSIDE OF BAGUIO CITY. Non city households shall be charged a processing fee of ₱30.00 per kilogram for e-waste accepted to cover handling, storage, transport, and treatment costs. A thirty percent share on the collected fees shall be allocated to participating barangays, distributed proportionally based on the number of paying households and micro-enterprise generators in each barangay as verified through database or records. The funds shall be disbursed to the participating barangays to support local environmental initiatives.

SECTION 13. DISPOSAL OF ELECTRONIC WASTE FROM LOCAL GOVERNMENT UNITS. The Local Government Units that intend to dispose electronic waste at the city's hazardous waste facilities shall enter into a Memorandum of Agreement. The terms and conditions of the agreement shall not be limited to weigh allocation, disposal fee, compliance of policies and guidelines, suspension on the delivery of electronic waste.

SECTION 14. HAZARDOUS WASTE FEES. All household and micro-enterprise generator shall pay an amount of collection of the hazardous waste in accordance with the following schedule of flat rates per month.

Generator	Amount
Household	₱ 10.00
Micro-enterprise Generator	₱ 20.00

SECTION 15. PROHIBITED ACTS –

- a. Improper disposal of hazardous waste, such as dumping in non-designated areas or waterways.
- b. Burning of hazardous waste
- c. Unauthorized transport of hazardous waste for the purpose of disposal, sale or dismantling outside designated collection points, and Baguio City Hazardous Waste Facility
- d. Operating without necessary permits and clearances
- e. Collection, storage, or dismantling of electronic waste junkshops, informal dismantlers, or individuals
- f. Collection of hazardous waste other than small-scale or micro-enterprise generator and Small Quantity Generator
- g. Obstruction on the collection points at the Barangay

Section 16. PENALTIES FOR VIOLATIONS. Any person or entity violating any provision of this Ordinance shall be meted the following penalties:

First offense:	Fine of P1,000.00
Second offense:	Fine of P1,500.00
Third offense:	Fine of P5,000.00 or suspension of business permit for six months

All collected fines and penalties pursuant hereto shall accrue to the city's General Fund and to be appropriated as additional fund for the furtherance of this Ordinance.

SECTION 17. INCENTIVE. To encourage proper hazardous waste management, a twenty percent (20%) discount shall be granted, provided, a complete submission of hazardous waste manifest for proper transport and treatment at the city's hazardous waste facilities, on any of the city regulatory fees and taxes, subject to guidelines.

SECTION 18. AWARDS AND RECOGNITION. To sustain compliance of this Ordinance by the household, small quantity generator and micro-enterprise generator shall be conferred through the "Luntiang Baguio Waste Warrior Award, subject to qualifications and guidelines.

SECTION 19. FUNDING. The amount of P1,000,000.00 from the city's general fund shall be appropriated for the implementation of this Ordinance and for expediency shall be incorporated in the annual budgetary allocation of the City Environment and Parks Management Office. The allocation shall be adjusted accordingly to support the activities herein provided.

Section 20. IMPLEMENTING DEPARTMENTS. The City Environment and Parks Management Office (CEPMO) is hereby designated as the lead department in the implementation of this Ordinance. It shall formulate the implementing rules, guidelines and regulations with the support from the General Services Office, Health Services Office, City Buildings and Architecture Office, City Disaster Risk and Reduction Management Office, City Engineering Office, City Veterinary and Agriculture Office and City Legal Office.

Section 21. SEPARABILITY CLAUSE. If any provision or section of this Ordinance, or the application thereof to any person or circumstance is held invalid, the other provisions or sections of this Ordinance and the application of such circumstance shall be not affected thereby.

Section 22. EFFECTIVITY CLAUSE. This Ordinance shall take effect in accordance with the provisions of Republic Act No. 7160 also known as the Local Government Code of 1991, as amended.

Unanimously Passed.