

ENVIRONMENTAL MANAGEMENT BUREAU
DISPOSITION FORM

URGENT

*RECORDS-2019-2-385

Subject:	Copy furnish re: Batching plant located in Panicsican, San Juan, La Union per PCC Code No. WG-BEC-02-26-2019-185 dated Feb. 26, 2019 (PRESIDENTIAL COMPLAINT CENTER)		
Document Date:	Feb 26, 2019	Document Type:	Letter - Complaint
To/For	Remarks	From	Date

ORD For appropriate action - RECORDS
Advance copy of records
2/27/2019 12:12:00 PM
Engr. Nepin/ART and esd
Pls investigate in coordination w/ concerned offices + our EMAS in PENRO - Ld. Thank you!

Nelson - please investigate (8888) C. EMEN 2/27/19
He Dio for signature of RD Mr. 3/8/19

MAR 06 2019

Dio bel's wait for RD to see this for his info and comment/ approval.
03/19

CHAD/Emel
Prep title to 8888 re returns of the file to the complaint. 7: signed 3/8-ge

- Action Taken/Status**
- | | | |
|---------------------------|---------------------------|-------------------------------|
| A. For approval/signature | G. Please prepare reply | M. For posting |
| B. For appropriate action | H. Please note and return | N. Please attend |
| C. For notation/comments | I. Please file | O. Please send representative |
| D. For recommendation | J. RUSH/URGENT | P. For our record |
| E. For information | K. For Monitoring | |
| F. For Compliance | L. For Investigation | |

EMED re scheduled on March 28, 2019 @ 1:00 PM.
Case NO: NOV-R 01 - 1903 - 059

Person Mails
PB. 3/1/19



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
ENVIRONMENTAL MANAGEMENT BUREAU

Regional Office No. 1
DENR Bldg., Government Center, Sevilla, City of San Fernando,
La Union

March 01, 2019

MS. EVANGELINE URSUA

Complainant

Brgy. Panicsican, San Juan
La Union

Dear Ms. Ursua:

This refers to your complaint regarding the operation of the concrete batching plant inside the project area of the Dusit D2 Hotel & Residences at Brgy. Panicsican, San Juan, La Union, wherein the subject plant is operating without Barangay Business Clearance from your Barangay, Environmental Compliance Certificate and Permit to Operate Air Pollution Installation from this Office.

Please be informed that an investigation was conducted by this Office on February 28, 2019 with the presence of the Barangay Council of Panicsican, San Juan, La Union. The observation and findings showed that the subject Concrete Batching Plant is still operating without valid clearance and permits which is a violation of the provisions of PD 1586 (Philippine Environmental Impact Statement System) and RA 8749 (Philippine Clean Air Act of 1999). Hence, Notice of Violation was issued to the proponent for the above violations.

We appreciate your vigilance in the protection of our environment.

Very truly yours,


ENGR. MARIA DORICA NAZ-HIPE, CESE
Regional Director



COMMUNICATION LETTER



RECORDS-2019-2-385

March 08, 2019 10:04:22 AM

Cc: Ms. Malony M. Abaga
Brgy. Kagawad
Panicsican, San Juan, La Union

Protect the environment... Protect Life...

0319 005

Tel. Nos. (072)-242-3057 / 700-2448; Fax No. (072)-700-2449; e-mail: embdenr1@yahoo.com



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
ENVIRONMENTAL MANAGEMENT BUREAU

Regional Office No. 1
DENR Bldg., Government Center, Sevilla, City of San Fernando, La Union
March 01, 2019

MR. MICHAEL WAYNE SAVORY WALKER
Manager
LA UNION CONCRETING SOLUTION
Brgy. Panicsican, San Juan
La Union

NOTICE OF VIOLATION

Dear **Mr. Walker**:

This refers to the investigation conducted on February 28, 2019 by a technical personnel of this Office on your concrete batching plant project located at the above address which was found to be operating without an Environmental Compliance Certificate (ECC), which is a violation of Section 4 of PD 1586 (Philippine EIS system). Likewise, operating without valid Permit to Operate from the Environmental Management Bureau is a violation of Section 1 Rule XIX, Part VI of the Implementing Rules and Regulations of RA 8749 of the Clean Air Act of 1999.

Whereas, **Section 4 of PD 1586** states that *"No person, partnership or corporation shall undertake or operate any such declared environmentally critical project or area without first securing an Environmental Compliance Certificate issued by the President or his duly authorized representative."*

Furthermore, **Section 9 of the same decree** states that *"Any person, partnership or corporation found violating Sec. 4 of this Decree, or the terms and conditions in the issuance of the Environmental Compliance Certificate, or the standards, rules and regulations shall be punished by the suspension or cancellation of his/its certificate and/or a fine in the amount not to exceed Fifty Thousand Pesos (P50,000.00) for every violation thereof, at the discretion of the National Environmental Protection Council."* (Underscored now Environmental Management Bureau)

Pursuant to **Section I Rule XIX of the Implementing Rules and Regulations of RA 8749** – *"All sources of air pollution subject to these Implementing Rules and Regulations must have a valid Permit to Operate issued by the Director"*.

Section I Rule LVI of RA 8749 states *"For violations of all other provisions provided in the Act and these Implementing Rules and Regulations, fine of not less than Ten Thousand Pesos (PhP 10,000.00) but not more than One Hundred Thousand Pesos (PhP 100,000.00) or six (6) years imprisonment or both shall be imposed"*.

+

Protect the environment... Protect Life...

In view thereof, you are hereby directed to explain in writing why no penalty shall be imposed upon you within fifteen (15) days upon receipt hereof and to attend a Technical Conference at our Office located at DENR Building, Gov't Center, Sevilla, San Fernando City, La Union on MAR 28, 2019 at 1:00 PM.

Furthermore, you are required to stop the operation of the concrete batching plant until such time that all permit and clearances from concerned Offices are properly secured.

Should you or your authorized representative who could make commitments in your behalf fail to attend the said Technical Conference, this Office shall be constrained to conduct ex-parte hearing of your case and an "ORDER" shall be promulgated for the imposition of fines and penalties in accordance to the provisions of the above-mentioned Republic Acts.

For your strict compliance.

Very truly yours,


ENGR. MARIA DORICA NAZ-HIPE, CESE
Regional Director



Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU RO1
Office of the Regional Director

LETTER-NOV



RECORDS-2019-2-385

March 08, 2019

10:05:18 AM



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
ENVIRONMENTAL MANAGEMENT BUREAU

Regional Office No. 1
DENR Bldg., Government Center, Sevilla, City of San Fernando,
La Union

INVESTIGATION REPORT ON POLLUTION COMPLAINT

Name of Firm : La Union Concreting Solution (LUCS)
Name of Manager : Mr. Michael Wayne Savory Walker
Mailing Address : Brgy. Panicsican, San Juan, La Union
Nature of Business : Manufacturing (Concrete Batching Plant)
Business Address : Brgy. Panicsican, San Juan, La Union
Ownership : Corporation
Date Established : January 2018
Date and Time of Inspection : February 28, 2019; 2:30 PM
Investigation Officer : Engr. Nelson L. Valdez
Engr. Peter Paul S. Asunto

Person(s) Interviewed	Title	Contact No.
Engr. Joselito Viernes	PCO/Property Manager	09478678407
Ms. Malony M. Abaga	Brgy. Kagawad (Complainant)	09193888440

Date Report Prepared: March 01, 2019

A. GENERAL PLANT INFORMATION

1.0 Plant Information

1.1 Type of Industry: Manufacturing (Concrete Batching Plant)

1.2 Land use of adjoining areas (radial distance)

Land Use		
	200 m.	500 m.
Commercial		
Residential	x	x
Light Industrial		
Medium Industrial		
Heavy Industrial		
Agricultural		

1.3 No. of Hours of Operation: 8 hours a day, 6 days a week

1.4 Type of Hours of Operation

() Continuous () Batch () Others: Per order of client

Protect the environment... Protect Life...

Tel. Nos. (072)-242-3057 / 700-2448; Fax No. (072)-700-2449; e-mail: embdenr1@yahoo.com

0319 005

B. COMPLAINT BACKGROUND:

On February 26, 2019, Barangay Council and Residents of Brgy. Panicsican, San Juan, La Union filed complaint to the Presidential Complaint Center, Malacañang, Manila regarding the operation of the Concrete Batching Plant within their barangay. The complaint was forwarded to this Office on the same date.

On February 28, 2019, technical personnel of EMB-1 and in coordination with the Barangay Council of Brgy. Panicsican, San Juan, La Union conducted on-site inspection in the premises of the plant.

C. DISCUSSION OF FINDINGS AND OBSERVATIONS:

C.1 Dusit D2 Hotel & Residences

1.1 No construction activities was noted within the Dusit D2 Hotel & Residences during the time of investigation.

1.2 The construction and operation of Dusit D2 Hotels & Residences is covered with Environmental Compliance Certificate (ECC) no. ECC-OL-RO1-2018-0001 issued on January 03, 2018.

1.3 According to Engr. Viernes, the construction of the hotel & residences was stopped since October 2018 due to issues/problems raised by the concerned barangay.

1.3.1 Notice of Violation dated September 25, 2018 was issued to Dusit D2 Hotel & Residences for violating ECC Condition No. 1,7,10 and 15.

February 11, 2019, Dusit D2 Hotel & Residences represented by Engr. Joselito Viernes attended the Technical Conference.

Commitments:

- To submit explanation letter specifying the grounds to clarify citation under condition no. 1 & 7 of the issued ECC
- Regular submission of CMR

C.2 La Union Concreting Solution (Concrete Batching Plant)

2.1 The installation of the Concrete Batching Plant inside the project area of the Dusit D2 Hotel & Residences is not covered with Environmental Compliance Certificate to comply with the provision of PD 1586 and operating without valid Permit to Operate Air Pollution installation under RA 8749 (Philippine Clean Air Act of 1999).

- 2.2 The subject concrete batching plant was installed inside the coverage area of Dusit D2 Hotel & Residences which is owned by RCL Realty and Consulting Services, Inc. located at Brgy. Panicsican, San Juan, La Union.
- 2.3 The concrete batching plant was installed purposely to supply the needed concrete works for the construction of the proposed Dusit D2 Hotels & Residences.
- 2.4 The concrete batching plant has a capacity of 50 cu. meters per hour with facilities consisting of 3 -units aggregates hopper, conveyor, concrete mixer, 2-cement silo (3,000 bags each) and equipped with 1-unit 281 hp Cummins diesel engine generator set to be use during power interruption.
- 2.5 Based on the gathered information, the concrete batching plant is commercially operating and supplying ready mix concrete outside the Dusit D2 Hotel & Residences.

C.3 Outside Dusit D2 Hotel & Residences

- 3.1 Alleged closed alley/road is a property of Dusit D2 Hotel & Residences. The concrete hollow block perimeter fence was destroyed by some fisherfolks as an access going to the coastal waters prior to the selling of the property from UNIVAC to RCL Realty and Consulting Services, Inc.



Mark in red circle is the alley/access road of the fisher folks and residents living near the coastal water.

D. REMARKS:

Based on the Memorandum of Agreement dated February 07, 2018, the batching plant should operate within one year for the construction of Dusit D2 Hotel & Residences. Thus, La Union Concreting Solution shall cease its operation within the Dusit D2 Hotel & Residences.

E. RECOMMENDATIONS:

1. For issuance of Notice of Violation and invite for Technical Conference to answer violation under PD 1586 and RA 8749.
2. To stop the operation of the concrete batching plant until such time that an ECC and Permit to Operate is secured.

Prepared by:  **ENGR. PETER PAUL S. ASUNTO**
EMS II

Attested by:  **ENGR. ANTONIO L. ESTRADA**
Chief, EMED

Approved by:  **ENGR. MARIA DORICA NAZ-HIPE, CESE**
Regional Director



INVESTIGATION REPORT



RECORDS-2019-2-385

March 08, 2019 10:06:01 AM jhaz





50 CMPII CAPACITY CONCRETE BATCHING PLANT
Brgy. Panisican, San Juan, La Union



MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This Memorandum of Agreement made and entered into by and between:

**RCL REALTY AND CONSULTING SERVICES, INC.,
BRIGHT BEAM, AND UNIVAC**, duly organized and registered
under existing laws of the Republic of the Philippines, represented
herein by **FAUSTO LIRIANO**, (hereinafter referred to as the
"**FIRST PARTY**"),

- and -

LA UNION CONCRETING SOLUTION, duly organized and
registered under existing laws of the Republic of the Philippines,
represented herein by **MICHAEL WAYNE SAVORY
WALKER**, (hereinafter referred to as the "**SECOND PARTY**"),

WITNESSETH: THAT -

WHEREAS, the parties herein have a project at Urbiztondo, San Juan, La Union with
project name Dusitd2 Hotels and residences in waves beach club and residences, hereinafter
referred to as Dusit Hotel;

WHEREAS, the **FIRST PARTY** was granted by the DENR an Environmental
Certificate Clearance (ECC);

WHEREAS, the parties herein have agreed to the following terms and conditions;

1. That the parties will jointly operate a batching plant to supply the ready-mix concrete
needs of Dusit Hotel for the period of one year from the date of agreement;
2. That the **SECOND PARTY** assumes sole responsibility and accountability for any
violation perpetrated by the **SECOND PARTY** as regards the conditions set forth by the
ECC granted to the **FIRST PARTY**;
3. That this Agreement has been executed voluntarily by the parties in their own will and
volition without force or intimidation upon their persons.

IN WITNESS WHEREOF, the parties have hereunto affixed their signatures this
_____ at Bacnotan, La Union, Philippines.

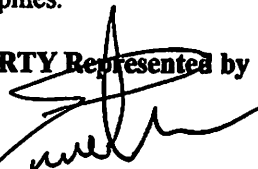
FIRST PARTY Represented by



FAUSTO LIRIANO

VALID ID: Passport
ISSUED ON: June 06, 2013
ISSUED AT: Consulado Gen. Miami

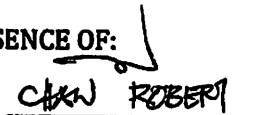
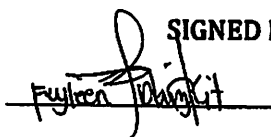
SECOND PARTY Represented by



MICHAEL WAYNE SAVORY WALKER

VALID ID: Passport
ISSUED ON: March 16, 2015
ISSUED AT: I.P.S UK.

SIGNED IN THE PRESENCE OF:



REPUBLIC OF THE PHILIPPINES)
MUNICIPALITY OF BACNOTAN) S.C.
X-----X

ACKNOWLEDGMENT

BEFORE ME, a Notary Public for and in the Municipality of Bacnotan, La Union, personally appeared the above-named parties whom I have identified through competent evidence of identity and who represented to me that the signatures on the foregoing instrument were voluntarily affixed by them for the purposes stated in the instrument and who declared that they have executed the foregoing instrument as their free and voluntary act and deed.

WITNESS MY HAND AND SEAL this FEB 07 2018 at
Bacnotan, La Union, Philippines.

JOC No. 405
PAGE No. 02
BOOK No. 59
SERIES OF 2018

PAOLO GONZALO TUASON GARCINEZ
COMMISSION NO. 005-2017
UNTIL DECEMBER 31, 2018
BACNOTAN, LA UNION
ROL 62213, 04-26-2013
PTR 2688494, 1-03-2018
IBP LIFETIME 1029131, 1-6-2016

ADVERTENCIAS

1. Este pasaporte tendrá validez sólo si está firmado por la persona a quien le fue expedido.
2. Todo pasaporte que presente señales de haber sido alterado carece de validez.
3. Este pasaporte sólo es válido para la persona en cuyo favor se ha expedido, según consta en la página 2.
4. Las expediciones y renovaciones de pasaportes serán hechas por los funcionarios competentes del Ministerio de Relaciones Exteriores. Las renovaciones podrán hacerse en el exterior por los funcionarios competentes de Embajadas y Consulados rentados de la República.
5. Este pasaporte contiene 48 páginas con numeración ordinal sucesiva.

2545247 R

REPUBLICA
DOMINICANA

REGULAR
APellidos - SURNAME

DOM

MM0251990

LIRIANO HERNANDEZ
NOMBRES - GIVEN NAMES

FAUSTO ANTONIO
NACIONALIDAD - NATIONALITY

DOMINICANA
FECHA DE NACIMIENTO - DATE OF BIRTH

21 ENE/JAN 1979
FECHA DE EMISION - DATE OF ISSUE

06 JUN/JUN 2013

COTUI RD
LUGAR DE NACIMIENTO - PLACE OF BIRTH

06 JUN/JUN 2019
FECHA DE VENCIMIENTO - DATE OF EXPIRY

CONSULADO GEN. MIAMI

PRDOMLIRIANO<HERNANDEZ<<FAUSTO<ANTONIO<<<<<<
MM0251990DOM7901210M190606200112684733<<<52

Office of the President
PRESIDENTIAL COMPLAINT CENTER
Malacañang, Manila

TRANSMITTAL

Manila, 26 February 2019

Respectfully transmitted to **Secretary ROY A. CIMATU**, Department of Environment and Natural Resources, Visayas Avenue, Diliman, Quezon City [Attention: **Mr. RODOLFO C. GARCIA, Chief of Staff**], for appropriate action, consistent with existing laws, rules and regulations on the matter, the attached letter of even date, addressed to **PRESIDENT RODRIGOO ROA DUTERTE**, from **Ms. EVANGELINE URSUA**, et al. of Brgy. Panicsican, San Juan, La Union, seeking Presidential intercession relative to issues and concerns which, as stated therein, may be best coordinated/addressed by that Department.

A reply direct to the party/ies concerned, copy furnished the Center, citing **PCC Code No. WG-BEC-02-26-2019-185**, will be highly appreciated.


JAIME LAGUNO MABILIN

Director IV₈

Encl.:a/s
Cc: party/ies concerned
/bec
/

IMPORTANT

The information contained in this communication is privileged, confidential and intended solely for the use of the individual or entity to whom it is addressed and others authorized to receive it. If you are not the intended recipient, you must not disclose or use the information contained in it. If you have received this communication in error, please notify us immediately.

RAHAY HIGNAYAN JOSE P LAUREL STREET, MALACAÑANG, MANILA

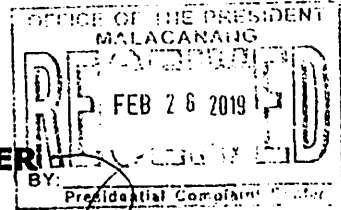


WG - BPC - 2 - 26 2019 - 185

DATE: 2/26/19

PRESIDENT RODRIGO ROA DUTERTE
REPUBLIC OF THE PHILIPPINES
MALACAÑANG, MANILA

Thru: PRESIDENTIAL COMPLAINT CENTER



DEAR PRESIDENT RODY,

We are from Panicsican barangay, San Juan,
La Union. We are the members of barangay council
and residents. Our main complaint is the patching
plan currently on operation in residential area,
concrete continuously being transported / made
and shipping of premises for sale. No building
plan, nor ECC approval, falsely obtained.
No waste management facility for 800 units.
No building approved by barangay, no resolution,
no objection, no public hearing. In addition cut
barangay alley / road is blocked, no access to ocean,
fisherman's job being deprived. Cut off from their income
been an issue for more than 2 years and we did ask
legal authorities but no action. We believe with our
President to help us
poor / low people.
Help us, we badly
in need of your help.
Thank you.

Yours truly,

SIGNATURE

FULL NAME

COMPLETE ADDRESS

CONTACT NOS.

[Signature]
EVANGELINE ANNA
Mester Catbagan
Panicsican, San Juan
La Union.
09193888440

REMINDER

THIS FORM IS **NOT FOR SALE** AND CAN ONLY BE OBTAINED FROM THE CENTER BY PEOPLE WHO WOULD LIKE TO SEEK ASSISTANCE ON THEIR CONCERN. PLEASE INFORM THE ACTION OFFICER/S IF YOUR CONCERN IS A SUBJECT OF A PREVIOUS ACTION FOR THE PREPARATION OF A **FOLLOW-UP LETTER**, IF NECESSARY.

DAGHANG SALAMAT POI

MINUTES OF TECHNICAL CONFERENCE

NAME: DUSIT D2 HOTEL AND RESIDENCES
ADDRESS: Brgy. Panicsican, San Juan, La Union
DATE: February 11, 2019
TIME TC STARTED: 2:00 P.M.
REPRESENTED BY: Joselito Viernes
VIOLATION: Notice of Violation under PD 1586

COMMITMENTS:

1. To submit explanation letter specifying the grounds to clarify citation under condition no. 1 and 7 of ECC.
2. Regular submission of CMR.

Republic of the Philippines
Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU
Regional Office No. 1
San Fernando City, La Union

CERTIFICATE OF APPEARANCE

This is to certify that _____ has personally appeared in the following place(s) to wit:

PURPOSE	DESTINATION	CERTIFYING OFFICER (Name and Signature)	DATE
_____	_____	JASELITO VIEPHER	28 FEB '19
_____	_____	09478678407	
_____	_____	PCO-PROPERTY MNGR.	

This certification is issued in compliance with PD 344, duly implemented by COA General Circular No. 127 dated November 27, 1973 for the purpose of establishing the evidence and duration of their stay thereat.

Republic of the Philippines
Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU
Regional Office No. 1
San Fernando City, La Union

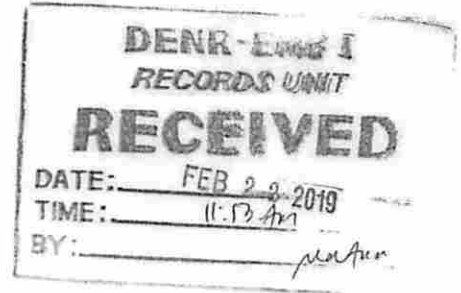
CERTIFICATE OF APPEARANCE

This is to certify that _____ has personally appeared in the following place(s) to wit:

PURPOSE	DESTINATION	CERTIFYING OFFICER (Name and Signature)	DATE
_____	_____	MALONY M. ADAGA	
_____	_____	Brig. KAGAWAD	
_____	_____	09193888470	

This certification is issued in compliance with PD 344, duly implemented by COA General Circular No. 127 dated November 27, 1973 for the purpose of establishing the evidence and duration of their stay thereat.

MIN 6 JAN 20
09175640715
09188121027



To: DENR - EMB

SUBJECT: NOTICE OF VIOLATION CITING UNDER CONDITION #1 & # 7 OF ECC-OL-2018-0001

Dear Sir,

In response to Dusit D2 hotels and residences ECC violation citing are as follows:

Condition #1 - No permit to operate Air Pollution Installation for the operation of the installed 1-unit 50 cmph batching plant and 1-unit generating a set.

The La Union Concreting Solution entity and RCL Realty and Consulting Services, Inc. made and entered a Memorandum of Agreement (MOA) dated 07th Feb. 2018 (refer attached MOA). Due to the non-existence of PCO designated on LUCS, ECC application didn't push through. By the time DENR-EMB advice that every establishment should have their own designated PCO, LUCS immediately initiated undertaking the Basic training course for PCO which was held at Dagupan Village Hotel, Lucao District, Dagupan City, Pangasinan dated August 20 - 24, 2018.

Mr. Arnold A. Bersamina, LUCS representative successfully completed the said seminar and assigned as the official PCO by DENR-EMB with an Accreditation No. PCO1-01072019-3006. Certification was granted on the 7th day of January 2019 valid until the 6th day of January 2022.

During the time of PCO seminar, honorable Ma. Victoria V. Abrera, DENR Regional Director stated that all entities that have no designated PCO will be given full consideration and no violations nor penalty will be imposed. Once the establishment has its own designated PCO, ECC requirements will be mandatory and for strict compliance.

Officially, LUCS entity is now on the process of ECC application (see attached document).

LUCS is using the following equipments:

1 - unit of batching plant 50 cmph

1 - unit of Generator

Also, the specifications are included for securing Air Pollution permits, Sewage Treatment facility (Phil. Water Act) and if required, RA6969 (Toxic substances and hazardous).



Condition #7 - Compliance Monitoring Report shall be prepared and submitted to this office semi-annually (Jan. 15 and July 15).

The Dusit D2 Hotels and Residences under ECC-OL-R01-2018-0001, CMR was submitted and reported last Jan. 15, 2019 by designated PCO of RCL Realty and Consulting Services, Mr. Joselito A. Viernes, with an accreditation no. PCO1-11072018-2901 (see attached file).

The LUCS CMR will comply with aforesaid dates once the ECC application is completed.

With all due respect, may we request your good office to accept our sincere statement for the violations cited by DENR-EMB under ECC-OL- R01-2018-0001.

Sincerely,

A handwritten signature in black ink, appearing to read "Joselito Viernes", is written over a circular stamp or seal.

22 FEB. 2019

PCO, RCL Realty and Consulting Services

Panicsican, San Juan, La Union

Noted by:

A handwritten signature in black ink, appearing to read "Ming Yan Jao", is written over a circular stamp or seal.

Managing Head, RCL Realty and Consulting Services

Panicsican, San Juan, La Union



Republic of the Philippines
Department of Environment and Natural Resource
ENVIRONMENTAL MANAGEMENT BUREAU
Government Center, Brgy. Sevilla, San Fernando City, La Union
Tel. No.(072) 607-3377 Fax No.(072) 700-2449
embdenr1@yahoo.com
Visit us at <http://www.r1.emb.gov.ph/>

January 3, 2018

ECC-OL-R01-2018-0001

Mr. Fausto Antonio H. Liriano

Chairman and CEO

RCL REALTY AND CONSULTING SERVICES, INC.

176 Mc. Arthur Highway, Brgy. Madayegdeg, San Fernando City, La Union

Subject: **ENVIRONMENTAL COMPLIANCE CERTIFICATE**

Dear Mr. Liriano:

This refers to the Environmental Compliance Certificate (ECC) application for the proposed Dusit D2 Hotels & Residences to be located at Brgy. Panicsican, San Juan, La Union.

After satisfying the requirements of the said application, this Bureau has decided to grant an ECC for the above-mentioned project.

With the issuance of this ECC, you are expected to implement the measures presented in the Initial Environmental Examination Checklist (IEEC), intended to protect and mitigate the project's adverse impacts on community health, welfare and the environment. Environmental considerations shall be incorporated in all phases and aspects of the project.

This Certificate does not create any right nor be used as an authorization to implement the project, you may proceed with the implementation only after securing all the necessary and relevant permits from other pertinent Government Agencies. This Office shall be monitoring the project periodically to ensure strict compliance with the stipulations cited in the attached ECC.

Please be guided accordingly.

Ma. Victoria V. Abrera
Regional Director



Republic of the Philippines
Department of Environment and Natural Resource
ENVIRONMENTAL MANAGEMENT BUREAU
Government Center, Brgy. Sevilla, San Fernando City, La Union
Tel. No.(072) 607-3377 Fax No.(072) 700-2449
embdenr1@yahoo.com
Visit us at <http://www.rl.emb.gov.ph/>

ENVIRONMENTAL COMPLIANCE CERTIFICATE
(Issued under Presidential Decree 1586)
ECC-OL-R01-2018-0001

THIS IS TO CERTIFY THAT THE PROPONENTS, **UNIVAC-BRIGHTBEAM-RCL**, represented by the Chairman/CEO of RCL Realty and Consulting Services, Inc., **Mr. Fausto Antonio H. Liriano**, are granted this Environmental Compliance Certificate (ECC), for the proposed **Dusit D2 Hotels & Residences** located in Brgy. Panicsican, San Juan, La Union, by the Department of Environment and Natural Resources (DENR), through the Environmental Management Bureau (EMB).

SUBJECT ONLY to the conditions and restrictions set in this ECC and in the attached document labelled as Annexes A, B and C.

This Certificate is issued with the following details:

PROJECT DESCRIPTION

*This certificate covers the construction and operation of a **1.72-Hectare Tourism Industry - Resort/Hotel Project** consisting of project components/amenities as described in Annex C hereto.*

This Certificate is issued in compliance with the requirements of Presidential Decree No. 1586, and in accordance to DENR Administrative Order (D.A.O.) No. 2003-30. Non-compliance with any of the provisions of this Certificate shall be a sufficient cause for the cancellation of this Certificate and/or imposition of a fine in an amount not to exceed Fifty Thousand Pesos (P50, 000.00) for every violation thereof without prejudice to imposition of fines and penalties under other environmental laws. The EMB, however, is not precluded from reevaluating and correcting any deficiencies or errors that may be found after issuance of this Certificate.

Issued at EMB-R01, Government Center, Brgy. Sevilla, San Fernando City this January 3, 2018.



Recommending Approval:



Engr. Nicanor C. Esteban

OIC-Chief, Clearance & Permitting Division

Approved:



Ma. Victoria V. Abrera

Regional Director



SWORN ACCOUNTABILITY STATEMENT

I, Mr. Fausto Antonio H. Liriano, Chairman/CEO, representing UNIVAC-BRIGHTBEAM-RCL with office address located in 176 Mc. Arthur Highway, Brgy. Madayegdeg, San Fernando City, La Union takes full responsibility in complying with all conditions in this Environmental Compliance Certificate (ECC).

Mr. Fausto Antonio H. Liriano
Signature

TIN : _____

Subscribed and sworn before me this _____, the above-named affiant taking oath presenting _____, issued on _____
_____ at _____.

Notary Public

Doc. No. _____

Page No. _____

Book No. _____

Series of _____



I. CONDITIONS

ENVIRONMENTAL MANAGEMENT

All commitments, mitigating measures and monitoring requirements, contained in the Initial Environmental Examination Checklist Report for the Proposed **Tourism Industry - Resort/Hotel Project**, particularly in the Environmental Management Plan/ Environmental Monitoring Plan, including any modifications and/or additional information as approved by the EMB, shall be instituted to minimize any adverse impact of the project to the environment throughout its implementation, which shall include among others to wit:

1. All necessary permits and/or clearances from concerned offices that have administrative jurisdiction over such projects/operations, i.e. DENR, EMB, LGU, MGB, HLURB, DOT, etc., shall be secured prior to implementation of each phase of the project;
2. Adequate and sufficient engineering measures for slope stabilization and drainage system (such as stone masonry, grouted riprap, concrete lined ditches, cross drainage, catch basin, etc.) including other structural measures which will conform with natural topography shall be constructed / provided particularly along portions near the river, creeks and agricultural lands to divert heavily silted rain water run-off from these areas, and prevent erosion and flooding of the adjoining properties;
3. Any construction activities and/or changes in topography/surface landform as a result of the project implementation shall consider the recommendation of available Geological/Geo-hazard Site Assessment Report, otherwise the Proponent is required to conduct its own geological assessment of the area duly reviewed by the Mines and Geosciences Bureau (MGB), and submit a report to EMB RO1 within ninety (90) days from completion of the study or thirty (30) days prior to project implementation;
4. Implement a beneficial Social Development Program (SDP) that covers livelihood and employment benefits, assistance in social welfare programs for health and education that will involve the employees/workers, host barangay and affected communities, and submit a report to EMB RO1 on an annual basis;
5. Institute environment-friendly innovations to support wildlife conservation and protection specifically the establishment of **Pawikan Conservation Program** as part of its Corporate Social Responsibility and ensure that a nesting site shall be secured from all destructive activities that may compromise the species survival;
6. In compliance to the DENR Memorandum dated February 10, 2004, the proponent shall provide an effective **Sewage Treatment Facility** such that wastewater effluent throughout project implementation shall conform to the standards of water quality as per DENR Administrative Order No. 2016-08

(Water Quality Guidelines and General Effluent Standards of 2016) and RA 9275 (Philippine Water Act of 2004) and submit a **Sewage Treatment Facility layout** within thirty(30) days upon issuance of ECC;

7. Compliance Monitoring Report (Annex 3-1 of RPM) shall be prepared and submitted to this Office semi-annually; the submission of which shall be done not later than every fifteenth day after each semester (January 15 and/or July 15) starting from the issuance of this certificate;
8. Regular Sanitary Housekeeping practices, proper collection of solid and hazardous waste resulting from the implementation/operation of the project shall be strictly observed. The waste management plan shall include adequate facilities for disposal of wastes which shall be done from the start of the construction;

GENERAL CONDITIONS

9. Kitchen wastes shall be provided with a pre-treatment facility such as grease traps and screens prior to its treatment in the primary or secondary treatment facilities. Wastes (grease and fats) generated shall be properly managed/handled, stored and disposed to eliminate odor nuisance (putrefaction) and if possible utilized as organic fertilizer;
10. The proponent's operations shall conform with the provisions of RA 6969 (Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990), RA 9003 (Act Providing for an Ecological Solid Waste Management Program), RA 9275 (Philippine Clean Water Act of 2004), and RA 8749 (Philippine Clean Air Act of 1999), to wit:
 - Secure **Permit to Operate Air Pollution Source/Control Installations & Discharge Permit** for Water Pollution Source/Control Facilities (WPSCF) (*if applicable*);
 - Designate **Pollution Control Officer (PCO)** within sixty (60) days from issuance of this Certificate in pursuant with DAO No. 02, series of 2014 (Revised Guidelines for Pollution Control Officer Accreditation)
 - Submit quarterly **Self Monitoring Report (SMR)**; and
 - Register as **Hazardous Waste Generator**
11. Conduct an effective Information, Education and Communication (IEC) Program to inform and educate all stakeholders, especially its contractors, workers, and local residents about the mitigating measures embodied in its EIA document, the conditions stipulated in this Certificate and the environmental and human safety features of the project for greater awareness, understanding and sustained acceptance of the project. The program shall be submitted to EMB RO1 on an annual basis;
12. Implement an Energy Conservation Program (ECP) (eg. use of alternative fuels, LED lighting fixtures, energy-efficient equipment, etc.) that aims in reducing emissions of greenhouse gases, and provide Emergency Preparedness Response/Contingency Plan (EPR/CP) to provide resilience to climate change,

in compliance to the Kyoto Protocol Agreement. The ECP and EPR/CP shall be submitted to the EMB RO1 as part of the CMR on annual basis;

13. That an ECC Billboard (3' x 5') shall be installed at strategic location containing this message: **"NOTICE TO THE PUBLIC, THIS [Project Name] of [Project Proponent] has been issued an Environmental Compliance Certificate [ECC Ref. No.] by the DENR-Environmental Management Bureau Region 1 on [Date of Issuance],"** to inform the general public within ninety (90) days from receipt of the ECC (Memo Circular No. 02, Series of 1996);
14. In case of abandonment, the Proponent shall notify the EMB RO1 within three (3) months prior to the abandonment and shall submit its abandonment mitigating plan for approval;

II. RESTRICTIONS


15. No activities shall be undertaken other than what were stipulated in the EIA documents. Should there be any expansion of the project beyond the project description or any change in the activity or transfer of location shall be subjected to a new Environmental Impact Assessment;
16. No further infrastructure development activities shall be allowed outside the perimeter of the project (declared salvage zone) and in the foreshore area to safeguard the marine turtle habitat and nesting site;
17. Proponent shall ensure to secure a Foreshore Lease Agreement (FLA) prior construction of any permanent structures within foreshore areas; and submit a copy to EMB RO1 prior implementation of project phase; and
18. In case of transfer of ownership of this project, these same conditions and restrictions shall apply and the transferee shall be required to notify the EMB RO1 within fifteen (15) days from the transfer of ownership to allow the necessary changes brought about by such transfer.



PROJECT ASSESSMENT PLANNING TOOL

For the assistance of the Proponent and the Government agencies concerned in the management of the Project and for better coordination in mitigation of the impacts of the Project on its surrounding areas and the environment, and by way of recommendation, forwarding these recommendations to the parties and authorities concerned for appropriate action.

OTHER REGULATORY REQUIREMENTS/CONDITIONS	CONCERNED GOVERNMENT AGENCIES/ENTITIES
1. Compliance with the Sanitation Code of the Philippines;	DOH
2. Compliance with the Labor Code of the Philippines	DOLE – Bureau of working condition
3. Compliance with the Building Code of the Philippines	LGU Concerned
4. Compliance with the Ecological Solid Waste Management Act.	LGU Concerned
5. Secure tree cutting permit	FMB – DENR
ENVIRONMENTAL PLANNING RECOMMENDATIONS FOR THE PROPONENT	
6. Priority of employment shall be given to qualified local residents. Adequate public information for jobs available to local residents in the affected areas shall be provided;	


Engr. Nicanor C. Esteban
 OIC-Chief, Clearance & Permitting Division


Ma. Victoria V. Abrera
 Regional Director

PROJECT COMPONENTS

*The Project Components of the **Proposed Dusit D2 Hotels and Residences** of **UNIVAC-BRIGHTBEAM-RCL** located at Brgy. Panicsican, San Juan, La Union shall only be limited to the following facilities/components as indicated in the submitted EIA*

COMPONENT	FACILITIES	DESCRIPTION/AREA
Eight-Storey Hotel	174 Rooms Two-level Parking Area	One Unit 7,200 m ² 1,700 m ² for 154 cars
Condo Hotel Building		One-Unit
Condo Building		Three units
Two-Storey Condo		Ten (10) clusters
Other Support Facilities	Gym/Fitness Center Lobby/Reception Area Spa Ballroom Swimming Pools (adult and kiddie) Sky Lounge Restaurant/ Bar All-Day Dining Restaurant 1000-capacity Function Room Garden/Landscaping Shops/offices Wharf/Jetty Admin Offices Materials storage facility Septic tank Sewage treatment plant Powerhouse Public washrooms/Toilets Laundry Area Powerhouse	140 m ² - 80 pax capacity 340 m ² 550 m ² Adult – 475 m ² ; Kiddie – 40 m ² 350 m ² 580 m ² 210 m ² - 120 pax capacity 1,300 m ² 200 m ² 20 m ² 870 m ² Six (6) units – 640 m ² Two (2) units 300 m ³ max capacity 300 m ² 120 m ² 335 m ² 300 m ²

document:



Engr. Nicanor C. Esteban
OIC-Chief, Clearance & Permitting Division



Ma. Victoria V. Abrera
Regional Director