

ENVIRONMENTAL MANAGEMENT BUREAU DISPOSITION FORM

*RECORDS-2019-2-208

Subject:	Memo dtd 2/4/19 from Raymundo Gayo with subject: Submission of CSW re: the conduct of investigation of complaint against the operation of piggery in Brgy. Polong West, Bugallon, Pangasinan.		
Document Date:	Feb 04, 2019	Document Type:	Memo - External
To/For	Remarks	From	Date

ORD

For appropriate action - RECORDS

MVB

2/19/2019

12:44:19 PM

c/EMED

Plc review the report + recommend & corresponding CSW,
Thank you.

Sir Xlt

for signature Report

Dor. 3/20

3/2/19

RM

for signature

c/eman

3/6/19

MAR 07 2019

AS

Signed 3/8/19

Received: NU 3/8/19

EMED

IC scheduled on March 28, 2019 @ 11:00 A.M

Rumb

mailing

Dor.

3/12/19

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 | |



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Regional Office No. I
Government Center, Sevilla, City of San Fernando, La Union

REGIONAL DOCUMENT ACTION TRACKING SLIP

REGIONAL DOC. NO.	PP 193771	Date:	February 15, 2019
Originating Office:	PENRO Pangasinan	RECORDS UNIT DATE RECEIVED: 2/18/19 TIME: 1:44 RECEIVED BY: SPS	
Signatory/Sender:	Raymundo C. Gayo		
Address:			
Subject:	Memo dated February 4, 2019- Submission of Complete Staff Work (CSW) regarding the conduct of investigation of complaint against the operation of piggery in Brgy. Polong West, Bugallon, Pangasinan		
Addressee:	ORD Staff		
Document Type:	Memorandum		
Attachments:			
Routed to	Date/Time Received	Released to Date/Time	ACTION REQUIRED/TAKEN
ORD Staff Office of the RD EMB			<p>- Referred to the Office of the RD for EMB the attached report in CSW re: complaint of a piggery operation in Brgy. Polong, Bugallon, Pang.</p> <p>Thank you, Jine 2/18/19</p>



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Provincial Environment and Natural Resources Office
Telephone Nos. (075) 516-2162/523-7447
AB Fernandez West, Dagupan City

February 4, 2019

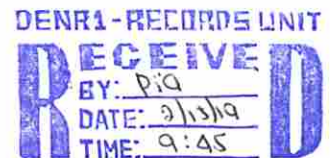
MEMORANDUM

**FOR : The Regional Executive Director
DENR Region 1**

**The Regional Director
EMB Region 1**

FROM : The OIC, PENR Officer

**SUBJECT : SUBMISSION OF COMPLETE STAFF WORK (CSW)
REGARDING THE CONDUCT OF INVESTIGATION OF
COMPLAINT AGAINST THE OPERATION OF A PIGGERY IN
BRGY. POLONG WEST, BUGALLON, PANGASINAN**



196771

We are forwarding the report in CSW format of the EMB-PEMU Focal Person relative to the result of the investigation conducted against the operation of a piggery owned by a certain Mr. John T. Malicdem located at Brgy. Polong West, Bugallon, Pangasinan.

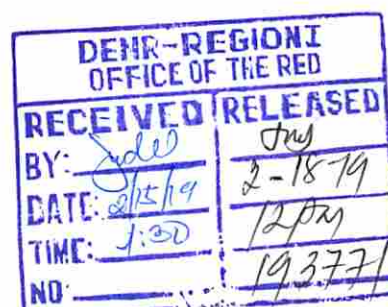
Report disclosed, the piggery is operating without the necessary permits coming from the LGU concerned and DENR.

For his/her information.

ENGR. RAYMUNDO C. GAYO, DPA

cc:

**The OIC, CENR Officer
CENRO Dagupan City**





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

February 06, 2019

MR. JOHN T. MALICDEM

Owner

JOHN T. MALICDEM PIGGERY

Brgy. Polong West, Bugallon

Pangasinan

NOTICE OF TECHNICAL CONFERENCE

Dear Mr. Malicdem:

This refers to the investigation conducted on January 17, 2019 by a technical personnel of this Office regarding the operation of your piggery project located at the above stated address which found that you are discharging regulated effluent without valid discharge permit from the Environmental Management Bureau, a violation of Section 14 of the Rules and Regulations Implementing RA 9275 otherwise known as the Philippine Clean Water Act of 2004.

Whereas, Section 14 of the IRR of RA 9275 states that *"The Department shall require owners or operators of facilities that discharge regulated effluents pursuant to this Act to secure a permit to discharge. The discharge permit shall be the legal authorization granted by the Department to discharge wastewater."*

Whereas Section 28 further states that *"any person who commits any of the prohibited acts provided... or violates any provisions of this Act or its Implementing Rules and Regulations, shall be fined by the secretary, upon the recommendation of PAB in the amount of not less than Ten Thousand Pesos (P10,000.00) nor more than Two Hundred Thousand Pesos (P200,000.00) for every day violation."*

In view thereof, you are hereby directed to explain in writing why no penalty shall be imposed upon you within ten (10) days upon receipt hereof and to attend a Technical Conference at my Office located at DENR Bldg., Gov't Center, Sevilla, San Fernando City, La Union on MAR 28, 2019 at 11:00 AM.

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.

Very truly yours,



NOTC



RECORDS-2019-2-208

March 08, 2019 09:53:42 AM


ENGR. MARIA DORICA NAZ-HIPE, CESE
Regional Director

Protect the environment... Protect Life...

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

INVESTIGATION REPORT ON POLLUTION COMPLAINT

Name of Firm/Establishment : John T. Malicdem Piggery
 Head of the Establishment : Kgd. John T. Malicdem – Owner
 Address & Coordinates : Brgy. Polong West, Bugallon, Pangasinan
 15.97389°N, 120.19891°E
 Contact Number : 09204585121
 Ownership : Sole Proprietorship
 Investigating Officer : Engr. Elmer C. Ventura
 Date and Time of Inspection : January 17, 2019, 1:30PM
 Date of Report Prepared : January 21, 2019

Persons Interviewed:

Names of Persons contacted	Position	Address
Kgd. John T. Malicdem	Owner/Brgy. Kagawad	Brgy. Polong West, Bugallon, PA
Kgd. Dexter G. Baloto	Brgy. Kagawad	Brgy. Polong West, Bugallon, PA

A. Complaint Background:

On January 16, 2019, the undersigned received a call from the EMB1-EMED QRT that a Memorandum from the Office of the PENRO Pangasinan dated January 8, 2019, which was received by this Office on January 16, 2019, regarding the complaint by a concerned citizen against a piggery located at Brgy. Polong West, Bugallon, Pangasinan.

Based on the complaint, the piggery was allegedly owned by the family of Mr. Juan Malicdem. The said piggery emits foul odor early in the morning and before dusk or during the night, causing dizziness, difficulty in breathing and loss of appetite among residents in the area.

The undersigned proceeded to the Barangay Hall of Polong West, Bugallon, Pangasinan and met Kgd. John T. Malicdem (piggery owner) and Kgd. Dexter G. Baloto. The undersigned and the said barangay officials went to the complaint site for the conduct of investigation.

B. General Information:

1. Type of Industry: Commercial Piggery
2. Land use of adjoining areas (radial distance)

Land Use	<200 m	200 m	500 m
Residential	√		
Commercial			
Agricultural	√		

3. No. of Hours of Operation: 24 hours per day
4. DENR Permits: None

Protect the environment... Protect Life...

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

C. Findings and Observations:

1. Inside the firm/establishment:

- 1.1 The piggery is within the compound of the owner and was located at the back of the barangay open gym (basketball court).
- 1.2 The piggery has two (2) units conventional type piggery house with 4-units and 8-units pig pens respectively. The two piggery house has a floor area of approximately 70sq.m. and 130sq.m. respectively of which can accommodate a total of more than 120-hogs.
- 1.3 As of date of investigation, the piggery accommodates a total population of 61-hogs which composed of 3-sows, 54-growers (2-6month old) and 4-piglets.
- 1.4 No adequate Wastewater Treatment Facility (WTF) was provided where wastewater together with the pig manure were discharge only to the earth lagoon provided to each of the piggery house.
- 1.5 It was also observed that the owner has series of 3-units fish pond adjacent to the piggery with a total area of approximately 5,400sq.m.
- 1.6 Source of water for the fishpond comes from the Cabatuan River, approximately 170 meters south of the piggery, where waters from the said river flow in to the ponds during rainy season.
- 1.7 No signs of leak or breaching found from the earth lagoons that will affect the fish ponds and further to the nearby river.

2. Outside the firm/establishment:

- 2.1 The residential area is at least 60 meters Northeast to Northwest of the piggery and the Barangay Hall with the Open Gym were adjacent North of it.
- 2.2 The western and eastern of the piggery area are agricultural lands and the nearby Cabatuan River is approximately 170 meters south of it.


D. Remarks:

1. During investigation, no foul odor present outside the respondent's property. However, minimal foul odor near the piggery house is present but tolerable.
2. It was also noted that the operation of the piggery has no Barangay Clearance and other permits from the LGU of Bugallon.
3. The piggery is under Category B: Non-ECP (IEE) of which an Environmental Compliance Certificate (ECC) shall be secured and shall be covered by the permitting requirements of DAO 2005-10 (IRR of Clean Water Act of 2004).

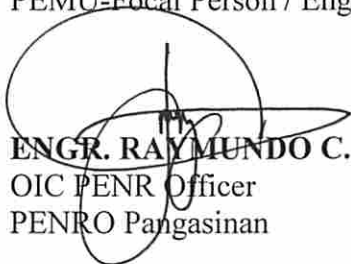
E. Recommendations:

1. The LGU of Bugallon, Pangasinan to stop temporarily the operation of the piggery due to lack of Clearances and Permits from Barangay and Municipality.
2. The Barangay Officials of Polong West together with Sanitary and Zoning Officials of Bugallon, Pangasinan shall conduct a consultation dialogue with the respondent, complainant and the residents of the said barangay regarding the operation of piggery, if permissible in said Barangay, otherwise, stoppage of the piggery operation shall be implemented.
3. If permissible, aside from Clearances and Permits from LGU of Bugallon, the respondent shall be required to apply for Environmental Compliance Certificate (ECC) and Wastewater Discharge Permit in this Office under PD 1586 and RA 9275 respectively. Also, the respondent shall provide appropriate Wastewater Treatment Facility (WTF) that will treat wastewaters from the operation of the piggery.
4. Respondent to implement good sanitation practices to minimize the odor emission.
5. The complaint is more on foul odor which is categorized as "Nuisance", this complaint shall be endorsed to LGU concerned for their resolution of the case as required under the Manual of Operation Handbook for devolved Environmental Management (DAO 30, series of 1992 pursuant to the Local Government Code).
6. Furnish a copy of this report and letters to the Office of DENR-1 RED.

Prepared by:


ELMER C. VENTURA
PEMU-Focal Person / Engineer III

Noted by:


ENGR. RAYMUNDO C. GAYO, DPA
OIC PENR Officer
PENRO Pangasinan

Recommending Approval:


ANTONIO L. ESTRADA
Chief, EMED

Approved by:


ENGR. MARIA DORICA NAZ-WIPE, CESE
Regional Director



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

INVESTIGATION REPORT



RECORDS-2019-2-208

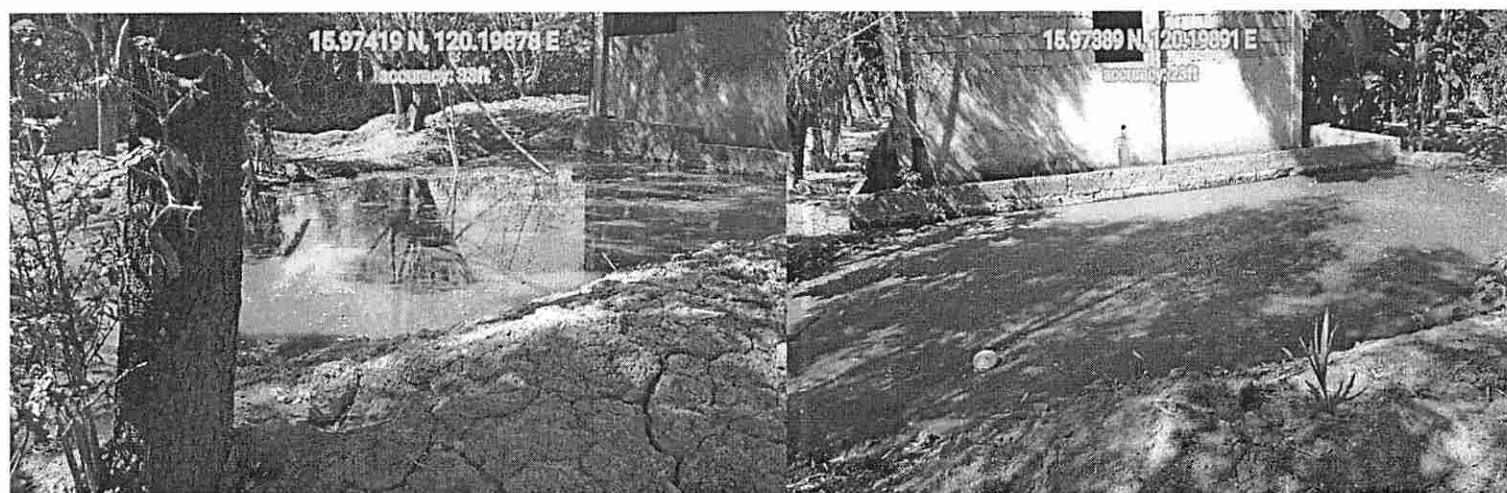
March 08, 2019 09:54:37 AM

F. Picture Documentation:

Photos taken during the investigation of complaint on foul odor from a piggery owned by Kgd. John T. Malicdem located at Brgy. Polong West, Bugallon, Pangasinan, (January 17, 2019).



PHOTOS SHOWING THE TWO UNITS PIGGERY HOUSE WHICH CAN ACCOMMODATE A POPULATION OF MORE THAN 120 HOGS.



PHOTOS SHOWING TWO UNITS EARTH LAGOON OF THE PIGGERY.



PHOTOS SHOWING THREE UNITS FISHPOND ADJACENT TO THE PIGGERY WHERE SOURCE OF WATER COMES FROM CABATUAN RIVER APPROXIMATELY 170METERS AWAY FROM THE SAID PIGGERY.

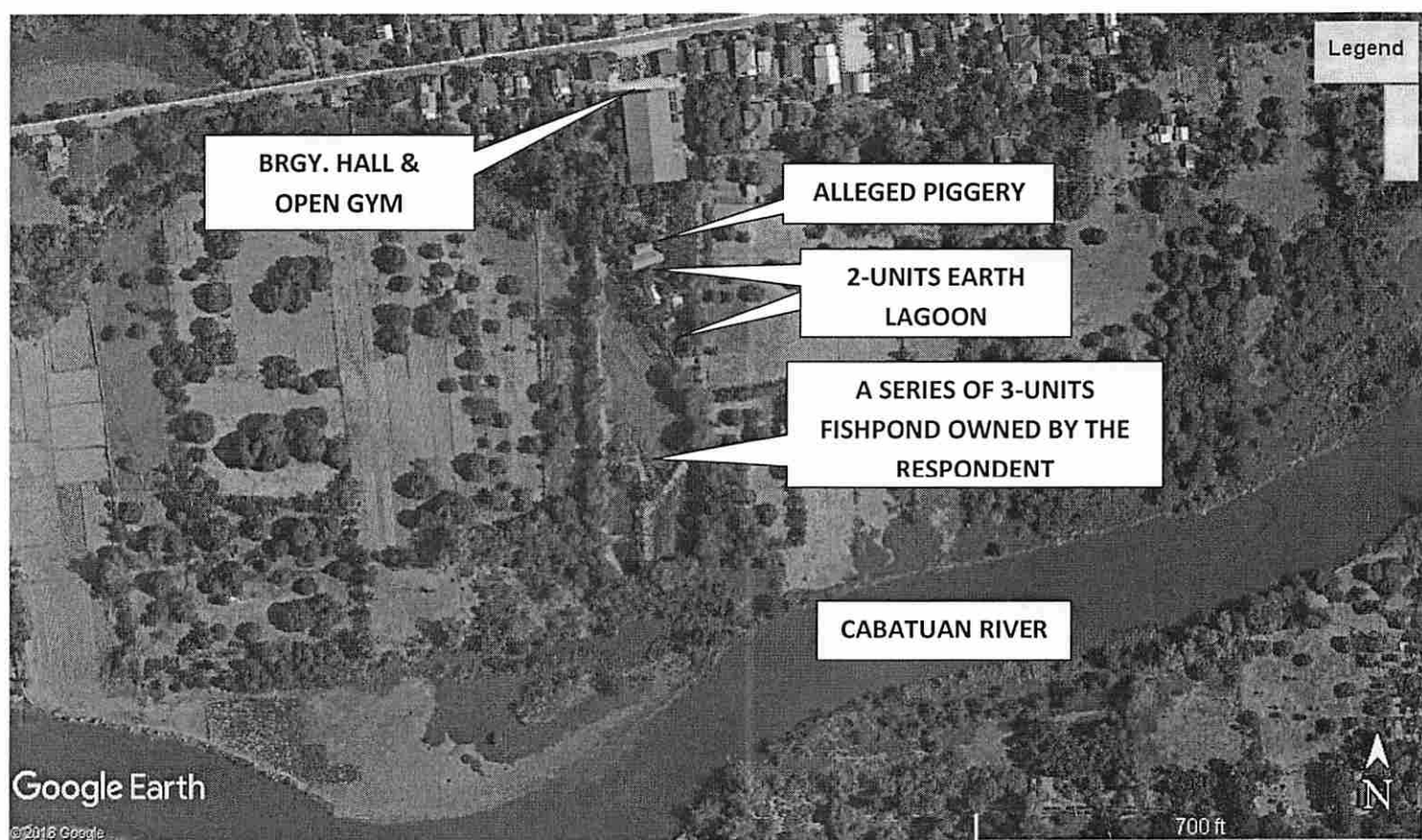


IMAGE SHOWING THE LOCATION MAP OF THE ALLEGED PIGGERY IN BRGY. POLONG WEST
BUGALLON, PANGASINAN OWNED BY MR. JOHN T. MALICDEM.



Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
Provincial Environment and Natural Resources Office
Telephone Nos. (075) 523-7447; (075) 516-2162
A.B. Fernandez West, Dagupan City

January 8, 2018

MEMORANDUM

TO : OIC, CENR Officer
Dagupan City

FROM : The OIC, PENR Officer

SUBJECT : **ANONYMOUS COMPLAINT RE MALADOROUS PIGGERY**

We are referring to you the attached letter from a concerned citizen, complaining about a piggery, located at Brgy. Polong West, Bugallon, Pangasinan that emits foul odor early in the morning and before dusk or during the night, causing dizziness, difficulty in breathing and loss of appetite among residents in the area. The said piggery is allegedly owned by the family of Juan Malicdem, also a resident of the said area.

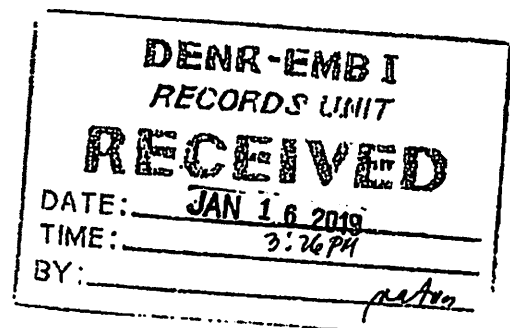
In this regard, please send immediately your concerned personnel together with your embedded EMB personnel to investigate this matter and if the situation warrants, take appropriate action consistent with our environmental laws, rules and regulations.

For information and compliance please.


DMO V. GIOVANNI G. GAMO
In-Charge, Office of the PENRO

cc: Regional Executive Director
DENR-RI, San Fernando City, La Union

Regional Director
EMB, San Fernando City, La Union



ANONYMOUS COMPLAINT RE: MALODOROUS PIGGERY
Yahoo/Inbox

Concerned Citizen <concernedresidentofpolong@gmail.com>
To: cenrodagupan@yahoo.com
Cc: cenrpenropang@yahoo.com
4 Jan at 4:34 PM

ATTY. ARLYN KATHERINE C. BUDUHAN
OIC-CENR Officer
CENRO Dagupan
Bonuan Tondaligan, Dagupan City

Dear Atty. Buduhan:
Greetings!

This is to anonymously report a piggery located at Barangay Polong West, Bugallon, Pangasinan (at the back of the Barangay's open gym and near the Barangay Hall) which is owned by the family of "Jun" Malicdem.

This complain is relative to the malodourous odor that comes from the piggery, which reaches the nearby households early in the morning, before dusk or even during the night.

It has been observed by affected households that the owners seem to put effort in putting off the odor only when there are scheduled events in the open gym and visitors are expected. Additionally, the piggery is located near a river and several households that rely on artesian water pumps which sources water from the underground.

The malodourous odor may be associated with the possible ineffective waste management of the piggery. If my suspicions are correct that there is no effective waste management in the piggery, then I am deeply concerned with the long-term environmental and health effects of the neglect of the piggery's caretaker/owner.

Some residents in nearby households have already been suffering from the malodorous smell. Headaches, difficulty in breathing, and loss of appetite are some of the common complaints since the piggery started.

Although residents have already stopped drinking water from the pumps way before the piggery started due to water-borne diseases, I fear that if the ineffective waste management of the piggery continues, the residents will not be able to use the groundwater for any purpose in the future.

As a concerned citizen, it is my responsibility to raise this concern to your good office to help hinder the foreseeable negative consequences that may result from this and to encourage the piggery owner/caretaker to use favorable measures in maintaining their piggery.

In view of the foregoing, I would like to ask for your help to address this environmental and health issue in our Barangay.

In case you wish to visit the piggery, we wish that you make your visit discrete to avoid politicking, especially that the election is nearing. Furthermore, the identities of the potential witnesses should be held confidential for their safety.

I also wish to suggest that you make a recommendation to the Municipality of Bugallon to issue an ordinance that would monitor the proliferation of backyard piggeries in its barangays, especially those which had been subject to complaints from affected residents. The ordinance may be anchored on the pertinent provisions of Republic Act No. 8749 (The Philippine Clean Air Act), Republic Act No. 9275 (The Philippine Clean Water Act), and other pertinent laws, rules, and regulations.

I am hoping for your immediate action on this case at hand. I wish to have a copy of your action report on this matter after fifteen (15) working days upon receipt of this complaint letter (as per Republic Act No. 6713).

Thank you and God Bless.

Respectfully,
A Concerned Citizen