

# ENVIRONMENTAL MANAGEMENT BUREAU DISPOSITION FORM

\*RECORDS-2019-4-213

Complaint re: alleged dust and noise pollution against Mr. Chester Herico, Officer-in-Charge of MCX International, Inc/Cement Warehouse/Viking Construction located at California Avenue, Canaaoay, SFLU	
Document Date: Apr 12, 2019	Document Type: Letter - Complaint
To/For	Remarks

4/12/2019 9:22:12 AM

ORD

RUSH/URGENT - RECORDS

Advance copy to sir Nelson

for investigation  
5/2/19

Nelson

please conduct  
investigation (8888)

C. Herico

9/15/19

Heico

for signature

PS.

5/6/19

MAY 06 2019

Heico

for signature of her

PS.

5/16/19

MAY 23 2019

signed

Legal

for TC schedule

PS.

5/29/19

EMED

TC sched on Sun. 8, 2019 @ 10:00  
for scanning and mailing. 17

5/30

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      |                               |

PS - sha



**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

April 23, 2019

**MR. ALAIN C. LEE**

Owner  
MIGHTY BUILT DEVELOPMENT CORPORATION  
Brgy. Canaoay, City of San Fernando  
La Union

Dear Mr. Lee:

This is in connection with the complaint filed by Mr. Ernesto R. Gomez Jr. on April 12, 2019 regarding dust and noise pollution emanating inside your warehouse building located at Brgy. Canaoay, City of San Fernando, La Union.

Please be informed that investigation was conducted by Technical Personnel of this Office on **April 22, 2019** and the results of inspection are the following:

1. The warehouse building has a floor area of 2500 square meter and adjacent to the residence of the complainant located at Canaoay, City of San Fernando, La Union.
2. The warehouse building has available stock of 60,000 bags of cement during the time of inspection.
3. There is no dust emission and noise noted inside the warehouse building during time of inspection since the firm has no loading and unloading of cement. However, the allegation of dust pollution is possible considering the work activity of the firm.
4. The firm have 24-hours operation for 3 consecutive days if delivery of cement will arrive at the seaport at the Poro Point, City of San Fernando, La Union.

In view of the above information you are invited to attend a meeting at our office located at Government Center, Sevilla, City of San Fernando, La Union on JUN 18 2019 2019 at 10:00 A.M to discuss the mitigating measures to address the pollution complaint.

If you are not available, please send an authorized representative who can commit on your behalf. However, failure to attend the said meeting shall be constrain this office to pursue more drastic measures against you under the provisions of RA 8749 "Philippine Clean Air Act of 1999".

For your information and strict compliance.

Very truly yours,



**COMMUNICATION LETTER**



**RECORDS-2019-4-213**

May 24, 2019 10:54:50 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](mailto:embdenr1@yahoo.com)



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La Union

**INVESTIGATION REPORT ON POLLUTION COMPLAINT**

Name of Firm : Mighty Built Development Corporation (MBDC)  
Name of CEO/COO : Mr. Alain C. Lee  
Mailing Address: 7E Atherton Place, Laging Handa, Tomas Morato,  
Quezon City 1103  
Nature of Project : Warehouse Building  
Project Address : Canaoay, City of San Fernando, La Union  
Ownership : Corporation  
Date Established : April 2018  
Date and Time of Inspection : April 22, 2019; 11:10 AM  
Investigation Officer : Engr. Nelson L. Valdez  
: Engr. Christian Bob M. Cruz

Person(s) Interviewed	Title	Contact No.
Eliseo Arabe Jr.	In-Charge - MBDC	09989973314
Franz Tabutol	Bro. In Law of Complainant	

Date Report Prepared: April 23, 2019

**A. GENERAL PLANT INFORMATION**

- 1.0 Plant Information  
1.1 Type of Project: Warehouse Building  
1.2 Land use of adjoining areas (radial distance)

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

**B. COMPLAINT BACKGROUND:**

On April 12, 2019, EMB-1, received pollution complaint personally filed by Mr. Ernesto R. Gomez Jr. a resident of Canaoay, City of San Fernando, La Union regarding the Operation of warehouse building owned by Mighty Built Development Corporation which creates emission of dust and noise during time of unloading and loading of cement.

On April 22, 2019, technical personnel of EMB-1 conducted on-site inspection on the premises of the project.

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### C. DISCUSSION OF FINDINGS AND OBSERVATIONS:

1. The warehouse building has a floor area of 2,500 square meters and presently used as storage area of cement coming from Indonesia which owned by Mighty Built Development Corporation.
2. The establishment engaged in whole selling of cement.
3. The building has available stock of 61,000 bags of cement during time of inspection.
4. No dust emission and noise was noted since no loading and unloading of cement during the time of inspection.
5. The residence of the complainant is adjacent to the warehouse building on the north direction. The concrete fence with a height of 1.80 meter serve as their boundary line (see attached picture).

### D. REMARKS:

1. The firm is covered with CNC bearing no. CNC-OL-R01-2018-05-00263 issued on May 8, 2018
2. According to Franz Tabutol, generation of dust and noise will happen if the firm has schedule of delivery of cement coming from seaport at Poro Point, City of San Fernando, La Union.
3. Based on the interview with the supervisor (Mr. Ernesto R. Arabe Jr.) the firm will have 24-hours operation for 3 consecutive days if delivery of cement will arrive at the seaport at the Poro Point, City of San Fernando, La Union.
4. Based on the zoning permit issued by City of San Fernando, La Union, the location of the firm is classified as commercial zone.
5. The generation of dust and noise is possible since the firm engaged in unloading and loading of cement inside the warehouse building.

### E. RECOMMENDATION:

1. To invite the respondent and complainant to discuss the possible mitigating measures to address the emission of dust and noise produced during the time of unloading and loading of cement inside the warehouse building.

Prepared by:

  
**CHRISTIAN BOB M. CRUZ**  
EMS II

  
**NELSON L. VALDEZ**  
Engineer IV

Attested by:

  
**ANTONIO L. ESTRADA**  
Chief, EMED

Approved by:

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



Department of Environment and Natural Resources  
ENVIRONMENTAL MANAGEMENT BUREAU R01  
Office of the Regional Director

INVESTIGATION REPORT



RECORDS-2019-4-213

May 24, 2019 10:55:20 AM

0519 011



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

ENVIRONMENTAL MANAGEMENT BUREAU

REGION 1

RECORDS UNIT

DATE RECEIVED: 4/12/19  
TIME: 8:35  
RECEIVED BY: MB

## COMPLAINT BLOTTER

Date: 12 APRIL 2019 Time: 0820H

Name of Complainant: ERNESTO R GOMEZ UJR

Address: 116-D CANADAY, SAN FERNANDO, LA UNION

Contact Number: 0945. 541. 4467

Complaint Received thru: ( ) letter Complaint ( ) Phoned - in Complaint ( ) Others, Specify

Complained Party: MCX International Inc / CEMENT WAREHOUSE

Name of Firm: VIKING Construction / MR CHESTER HERICO  
OFFICE IN CHARGE

Owner:

Location: CALIFORNIA AVE, CANADAY, SFC LA UNION

NATURE OF COMPLAINT:

- POLLUTION (dust)

- NOISE OF TRUCKS

? REQUEST TIME OF OPERATION

4 AM - 10 PM ?

Logged by: NEAND N L. VALDE  
4-12-19