



SENATE
P. S. Res No. 875

'18 SEP -4 P 5 :30

Introduced by Senator Maria Lourdes Nancy S. Binay

RESOLUTION
DIRECTING THE PROPER SENATE COMMITTEES TO CONDUCT AN
INQUIRY, IN AID OF LEGISLATION, ON THE WASTE MANAGEMENT
GUIDELINES SET BY THE DEPARTMENT OF HEALTH

1 WHEREAS, Article II, Section 16 of the 1987 Philippine Constitution provides
2 the State shall protect and advance the right of the people to a balanced and
3 healthful ecology in accord with the rhythm and harmony of nature;

4 WHEREAS, Article I, Section 2(d) of Republic Act No. 9003, otherwise known
5 as the Ecological Solid Wastes Management Act of 2000, provides it to be the policy
6 of the State to ensure the proper segregation, collection, transport, storage,
7 treatment, and disposal of solid waste through the formulation and adoption of the
8 best environmental practice in ecological waste management excluding incineration;

9 WHEREAS, Rule 8.1 of Department of Environment and Natural Resources
10 (DENR) Administrative Order No. 2005-10 provides all projects/activities involving
11 collection, transport, treatment and disposal of sewage shall be in accordance with
12 the guidelines on sanitation set by the Department of Health (DOH);

13 WHEREAS, Chapter XVII, Section 72 of Presidential Decree No. 856 (P.D. No.
14 856), otherwise known as the Code of Sanitation of the Philippines, provides the
15 approval of the Secretary of Health or his duly authorized representative is required
16 in the following matters:

17 (a) Construction of any approved type of toilet for every house
18 including community toilet which may be allowed for a group of
19 small houses of light materials or temporary in nature;

- 20 (b) Plans of individual sewage disposal system and the sub-surface
21 absorption system, or other treatment device;
- 22 (c) Location of any toilet or sewage disposal system in relation to a
23 source of water supply;
- 24 (d) Plans, design data and specification of a new or existing sewerage
25 system or sewage treatment plant;
- 26 (e) The discharge of untreated effluent of septic tanks and/or sewage
27 treatment plants to bodies of water;
- 28 (f) Manufacture of septic tanks; and
- 29 (g) Method of disposal of sludge from septic tanks or other treatment
30 plants;

31 WHEREAS, the Implementing Rules and Regulations (IRR) of Chapter XVII –
32 "Sewage Collection and Disposal, Excreta Disposal, and Drainage" of P.D. No. 856
33 mandates the strict compliance of all public and private sewage and excreta
34 collection and disposal system project planned by any government agency or
35 instrumentality including government-owned or controlled corporations, private
36 organizations, firms, individuals or other entities;

37 WHEREAS, Section 3.2.4 (a) of the IRR of Chapter XVII of P.D. No. 856
38 provides no person shall discharge or permit or cause to be discharged the effluent
39 from an individual sewage disposal system or other putrescible or offensive wastes
40 from his premises unless an application for an operational permit has been approved
41 by the local health authority;

42 WHEREAS, Section 3.2.4 (c) of the IRR of Chapter XVII of P.D. No. 856
43 provides the local health authority at any reasonable time may inspect the sewage
44 disposal system, sample the effluent, or take any other step which he deems
45 necessary to ensure compliance with these rules and regulations. The local health
46 authority may utilize inspection and reports submitted by the local health officer,
47 sanitary engineer or other qualified national or local government personnel to
48 determine operational compliance;

49 WHEREAS, an article from the Philippine Daily Inquirer, dated February 22,
50 2018, reported on the environmental problems occurring in Panglao, Bohol as the
51 result of resort owners and investors failing to comply with environmental laws and
52 regulations;

53 WHEREAS, the Philippine Daily Inquirer article further reported on the waste
54 management procedures of some resorts on Alona Beach where sewage and other
55 wastes are emptied directly into holes on the ground which affects the waters
56 surrounding coral reefs and other sensitive marine habitats;

57 WHEREAS, the Environment Management Bureau of Region 7 (EMB-7)
58 provided in a report that in the last quarter of 2017, the total coliform levels of water
59 in Panglao, Bohol was below the safe level or 1,000 most probable number (MPN) at
60 284.15 MPN per 100ml;

61 WHEREAS, the increase in coliform bacteria is attributed to the waste disposal
62 practices of tourist boats and the lack of wastewater treatment facilities in the
63 resorts of Panglao;

64 WHEREAS, a Senate inquiry on the matter is necessary in order to ensure
65 compliance to waste management guidelines set by the DOH to prevent further
66 damages to the natural environment and achieve sustainable development;

67 BE IT RESOLVED, AS IT IS HEREBY RESOLVED, to direct the proper Senate
68 Committees to conduct an inquiry, in aid of legislation, on the waste management
69 guidelines set by the Department of Health.

Adopted,


MARIA LOURDES NANCY S. BINAY
Senator