

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 857



Introduced by HON. LINABELLE RUTH R. VILLARICA
4TH DISTRICT, BULACAN

EXPLANATORY NOTE

The State must protect and facilitate a balanced and healthful ecology for its people. It must also be responsive to environmental issues affecting them.

Presently, however, there is no enabling law that prohibits this basic environmental policy. The dumping of sewage sludge and industrial waste into Philippine seawaters must be prohibited.

This proposed bill seeks to minimize if not eliminate the pollution and destruction of our seawaters and marine resources which is a rich source of food for the survival of Filipinos.

Support for the enactment of this measure is earnestly requested.


REP. LINABELLE RUTH R. VILLARICA

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AN ACT PENALIZING THE DUMPING OF SEWAGE SLUDGE AND INDUSTRIAL
WASTE INTO THE SEAWATERS

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Short Title.* – This Act shall be known as the “Sea Dumping Ban Act”.

SEC. 2. *Declaration of Policy.* – It shall be the declared policy of the State to promote the natural balance of the environment for the protection of human health and safety.

SEC. 3. *Definition of Terms.* – For purposes of this Act these terms are defined as follows:

- (a) *Alternative System* is a method of managing sewage sludge or industrial waste which does not require a permit under this Act;
- (b) *Excluded Materials* are any dredged materials discharged by the Philippine Army Corps of Engineers or discharged pursuant to a permit issued by the Secretary of Environment and Natural Resources; and any waste from any industrial operation located in the Philippines discharged pursuant to a permit issued by the Secretary of Environment and Natural Resources;
- (c) *Industrial Waste* is any solid, semi-solid, or liquid waste generated by a manufacturing or processing plant other than an excluded material;
- (d) *Interim Measure* is any short-term method for the management of sewage sludge or industrial waste, which is used before the implementation of an alternative system; and does not require a permit under this Act;
- (e) *Sewage Sludge* is any solid, semi-solid, or liquid waste generated by a wastewater treatment plant, other than an excluded material.

SEC. 4. *Prohibited Acts.* – No person shall dump into the seawaters or transport for the purpose of dumping into the seawaters, sewage sludge or industrial waste, unless such person has obtained a permit issued by the Secretary of Environment and Natural Resources which authorizes such dumping and transportation.

The Secretary of Transportation and Communication shall not issue any permit under this Act which authorizes a person to dump into the seawaters, or to transport for the purpose of dumping into the seawaters, sewage sludge or industrial waste, unless that person was authorized by a permit issued by him or by a court order to dump into the seawaters or to transport for the purpose of dumping into ocean waters, sewage sludge or industrial wastes.

SEC. 5. *Penalties.* – The penalty of imprisonment of not less than six (6) months or a fine in the amount of not less than one hundred thousand pesos (Php 100,000.00) or both, at the discretion of the court, shall be imposed on any person who dumps into the seawaters, or transports for the purpose of dumping into seawaters, sewage sludge or industrial waste. If the offense is committed by a corporation, trust, firm, partnership, association or other entity, the penalty shall be imposed upon the guilty officer or officers of such corporation, trust, firm, partnership or association or other entity.

SEC. 6. *Enforcement Monitoring Report.* – The Secretary of the Department of Environment and Natural Resources, in consultation with the Secretary of the Department of Transportation and Communications, shall submit a report to Congress. The report shall contain an accounting of discharges into the seawaters of the territorial sea, the contiguous zone, and the ocean including:

- (a) the total number of discharges;
- (b) the location, source, volume, and potential environmental effects of each discharge;
- (c) the date of original issuance, review, and reissuance of each discharge permit;
- (d) the number of discharges including that which have been determined by the Secretary of Environment and Natural Resources;
- (e) a schedule for implementing this Act as expeditiously as practicable, and an estimate of the resources required to meet such schedule; and
- (f) recommendations for any additional legislative authorities needed to achieve compliance with such guidelines.

SEC. 7. *Separability Clause.* – If, for any reason any provision of this Act is declared unconstitutional or invalid, such parts or portions not affected thereby shall remain in full force and effect.

SEC. 8. *Repealing Clause.* – All laws, executive orders, presidential decrees, issuances, letters of instruction, administrative order, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified or amended accordingly.

SEC. 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or a newspaper of general circulation.

Approved,