

FIFTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

SENATE
OFFICE OF THE SECRETARY

10 JUL 2 2017

SENATE

Senate Bill No. 1192

INTRODUCED BY HON. MANNY VILLAR

EXPLANATORY NOTE

The Constitution, Article II, Section 16 provides that the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. This constitutional provision is not self-executory and the state has the duty to enact laws to effectively respond to environmental problems besetting the country.

The dumping of wastes pollutes our sea waters thereby affecting harmfully the marine resources which undoubtedly a rich source of food for survival of the Filipino people.

Thus, in order to protect our marine resources and in the interest of public health and safety, this bill seeks to penalize the dumping of wastes into sea waters.


MANNY VILLAR

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**AN ACT
TO PROVIDE FOR TERMINATION OF SEA DUMPING OF SEWAGE SLUDGE
AND INDUSTRIAL WASTE**

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

SECTION 1. Short Title. This Act may be cited as the "Sea Dumping Ban Act."

SECTION 2. Declaration of Policy. It is hereby declared the policy of the state to promote a natural balance of the environment for the protection of human health and safety.

SECTION 3. Definition of Terms. For purposes of this Act, the term:

(1) "Alternative System" – means any method for the management of sewage sludge or industrial waste which does not require a permit under this Act.

(2) "Excluded Material" means

(a) Any dredged material discharged by the Philippine Marine Corps of Engineers or discharged pursuant to a permit issued by the Secretary of Environment and Natural Resources;

(b) Any waste from any industrial operation located in the Philippines discharged pursuant to a permit issued by the Secretary of Environment and Natural Resources.

(3) "Industrial Waste" – means any solid, semi-solid, or liquid waste generated by a manufacturing or processing plant other than an excluded material.

(4) "Interim Measure" – means any short-term method for the management of sewage sludge or industrial wastes which:

(a) Is used before implementation of an alternative system; and

(b) Does not require permit under this Act.

(5) "Sewage Sludge" – means any solid, semi-solid, or liquid waste generated by a wastewater treatment plant, other than an excluded material; and

(6) "Interim Measures" – means any short term method for the management of sewage sludge or industrial waste.

SECTION 4. Prohibited Acts. No person shall dump into sea waters or transport for the purpose of dumping into sea water sewage sludge or industrial waste unless said person has obtained a permit issued by the Secretary of Environment and Natural Resources, which authorizes transportation and dumping.

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

SECTION 5. Penalties. Any person who dumps into ocean waters or transport for the purpose of dumping into ocean waters, sewage sludge or industrial waste shall be liable on the amount of not less than fifty thousand pesos or imprisonment of not less than three (3) months or both at the discretion of the court. If the offense is committed by a corporation, trust, firm, partnership or 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.

SECTION 6. Enforcement Monitoring Report. Not later than six (6) months after the date of the effectivity of this Act, the Secretary of the Department of Environment and Natural Resources, in consultation with the Secretary of Department of Transportation and Communication, shall submit a report to Congress. The report under this section shall contain (1) an accounting of discharges into waters of the territorial sea, the contiguous zone and the ocean include:

- (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 the each discharge permit;
- (d) The number of discharges that have been determined by the Secretary of Environment and Natural Resources;
- (e) A schedule for implementing this Act and achieving compliance with guideline promulgated under such 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.

SECTION 7. Separability Clause. If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 8. Repealing Clause. Any law, presidential decree, or issuance, executive order, letter of instruction, administrative order, rule or regulation not contrary

to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 9. Effectivity Clause. This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,