

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Sixteenth Congress
First Regular Session

HOUSE BILL NO. 1059

Introduced by Honorable Neptali M. Gonzales II

EXPLANATORY NOTE

This bill seeks to provide for a comprehensive hazardous and radioactive waste management, providing penalties for violations thereof, and for other purposes.

It is the policy of the State to advance the protection of human health and the environment from the potential risks of hazardous and radioactive waste within the framework of sustainable development.

Towards this end there is a need for the establishment of a systematic administration of activities which will provide for the identification, listing, collection, segregation, storage, transport, recovery, reuse, processing, reprocessing, treatment and disposal of hazardous and radioactive waste.

Records show that hazardous substances discarded from our commercial and industrial establishments cause serious illnesses and pose danger to human lives and the environment.

To combat this prevailing problem, there is a need to develop and implement a comprehensive hazardous and radioactive waste management program. Hence, the approval of this bill is earnestly recommended.


NEPTALI M. GONZALES II

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AN ACT
PROVIDING FOR A COMPREHENSIVE HAZARDOUS AND RADIOACTIVE
WASTES MANAGEMENT, PROVIDING PENALTIES FOR VIOLATIONS
THEREOF AND FOR OTHER PURPOSES

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

CHAPTER I
GENERAL PROVISIONS

1 SECTION 1. **Title.** – This Act shall be known as the “Philippine
2 Hazardous and Radioactive Wastes Management Act of 2013”.

3 SEC. 2. **Declaration of Policy.** – It is hereby declared the policy of
4 the State to advance the protection of human health and the environment
5 from the potential risks of hazardous and radioactive wastes within the
6 framework of sustainable development. Towards this end, the State shall:

1 (a) Develop and implement national and local integrated and
2 comprehensive hazardous and radioactive wastes management programs
3 focusing on pollution prevention and resource conservation recovery, which
4 shall:

5 (1) Improve waste management techniques, organizational
6 arrangements, methods of collection, separation and recovery of
7 wastes;

8 (2) Promote environmentally safe disposal of residues;

9 (3) Minimize the generation of hazardous and radioactive wastes
10 by encouraging cleaner production, process substitution, resource
11 recovery, recycling and reuse, and treatment; and

12 (4) Institutionalize public participation in the development and
13 implementation of such programs;

14 (b) Promulgate guidelines for the generation, collection, segregation,
15 transport, recovery, storage, treatment and disposal of hazardous and
16 radioactive wastes including emergency and contingency plans for accidents
17 involving such wastes;

18 (c) Prohibit the entry, even in transit, of hazardous and radioactive
19 wastes into the Philippine territorial limits for whatever purpose consistent
20 with multilateral international agreements and protocols;

21 (d) Promote a national research and development program for
22 improved hazardous and radioactive wastes management and resource
23 conservation techniques;

1 (e) Formulate and enforce a system of accountability for generators,
2 including the promotion of extended producer responsibility, product
3 stewardship and responsible care program;

4 (f) Promote international environmental standards on waste
5 management; and

6 (g) Strengthen the integration of hazardous and radioactive wastes
7 management and resource conservation and recovery topics into the
8 academic curricula of formal and non-formal education in order to promote
9 environmental awareness and action among the citizenry.

10 SEC. 3. **Coverage of this Act.** - This Act shall apply to the
11 generation, possession, collection, recovery, reuse, storage, transport,
12 treatment and disposal of hazardous and radioactive wastes in the country
13 for whatever purposes: *Provided*, That this Act shall cover the entry, even in
14 transit, into Philippine territorial limits of such wastes.

15 SEC. 4. **Definition of Terms.** - As used in this Act:

16 (a) *Abandoned underground mines* shall refer to worked out mineral
17 mines with deep shafts extending to about one to two thousand feet below
18 the ground surface.

19 (b) *Best Available Techniques (BAT)* shall refer to any technology that
20 shall take into consideration the costs and benefits of a measure as well as
21 the precaution and prevention such as, but not limited to:

22 (1) The nature, effects and mass of releases concerned;

23 (2) The consumption and use of raw materials in the process
24 and its energy efficiency;

1 (3) The need to prevent or reduce to a minimum the overall
2 impact of releases to the environment; and

3 (4) The need to ensure occupational health and safety at the
4 workplaces.

5 (c) *Best Environmental Practices (BEP)* shall refer to practices that are
6 generally accepted as “environmentally friendly”, taking into consideration
7 the nature, traditions and culture of the locality. For this purpose,
8 technological advances and changes in scientific knowledge and
9 understanding shall likewise be considered in determining acceptable
10 practices in preserving the environment.

11 (d) *Borehole facilities* shall refer to those that entail the emplacement
12 of solid radioactive waste in an engineered facility of relatively narrow
13 diameter, bored and operated directly from the surface. These cover a range
14 of design concepts with depths ranging from a few meters up to several
15 hundred meters and its diameters can vary from a few tens of centimeters
16 up to more than one meter.

17 (e) *Carcinogen* shall refer to any substance that can cause or
18 contribute to the incidence of cancer.

19 (f) *Collection* shall refer to the act of removing hazardous waste from
20 the source or from a storage point.

21 (g) *Construction* shall refer to the erection or building of new
22 structures.

23 (h) *Contaminated site* shall refer to a place or spot where the soil
24 quality exceeds the soil standards set pursuant to Section 17 hereof.

1 (i) *Corrective action* shall refer to the steps taken to assess, prioritize
2 and clean up hazardous and radioactive wastes from the Treatment, Storage
3 and Disposal Facilities (TSDFs) and/or contaminated sites in order to
4 protect health and the environment.

5 (j) *Corrosivity* shall refer to a state where the waste has one of the
6 following properties:

7 (1) It is aqueous and has a pH less than or equal to 2 or greater
8 than or equal to 12.5; or

9 (2) It is liquid and corrodes steel (SAE 1020) at a rate greater
10 than 6.35 mm (0.250 inch) per year at a test temperature of 55°C
11 (130°F).

12 (k) *Degradability* shall refer to the ability of a compound to be reduced
13 to simpler forms through a breakdown of its structure.

14 (l) *Deep injection well* shall refer to a well-used for subsurface injection
15 of waste fluids and solids derived from industries such as geothermal and oil
16 and gas into an injection zone;

17 (m) *Department* shall refer to the Department of Environment and
18 Natural Resources (DENR);

19 (n) *Disposal* shall refer to the discharge, deposit, injection, dumping,
20 spilling, leaking or placing of any hazardous and radioactive wastes into or
21 on any land or water so that such wastes or any constituent thereof may
22 enter the environment or be emitted into the air or discharged into any
23 waters, including ground waters.

24 (o) *Generation* shall refer to the act or process of producing hazardous
25 and radioactive wastes.

1 (p) *Generator* shall refer to a person, natural or juridical, who
2 produces hazardous and radioactive wastes.

3 (q) *Geological repository* shall refer to the isolation of high level
4 radioactive waste using a system of engineered and natural barriers at
5 depths up to several hundred meters in a geologically stable formation.

6 (r) *Hazardous waste* shall refer to a substance discarded from
7 commercial and industrial establishments, institutions and healthcare
8 facilities which, because of the concentration, or physical, chemical or
9 infectious characteristics, may cause or significantly contribute to increases
10 in mortality or serious illnesses, or pose an unreasonable risk and potential
11 threat to human health and the environment.

12 (s) *Hazardous and radioactive waste management* shall refer to the
13 systematic administration of activities which provide for the identification,
14 listing, collection, segregation, storage, transport, recovery, reuse,
15 processing, reprocessing, treatment and disposal of hazardous and
16 radioactive wastes.

17 (t) *Healthcare waste* shall refer to waste originating from minor or
18 scattered sources (healthcare units) that is generated or produced as a
19 result of the following activities: diagnosis, treatment or immunization of
20 human beings or animals; research pertaining to the above activities; and
21 production or testing of biologicals;

22 (u) *Ignitability* shall refer to the characteristic of hazardous wastes
23 that could cause a fire during transport, storage or disposal. Waste matter
24 exhibits the characteristics of ignitability if a sample thereof has any of the
25 following properties:

1 (1) It is a liquid matter that has flash point less than 60°C
2 (140°F);

3 (2) It is not a liquid matter and is capable, under standard
4 temperature and pressure, of causing fire through friction, absorption
5 of moisture or spontaneous chemical changes and, when ignited,
6 burns so vigorously and persistently that it creates a hazard;

7 (3) It is an ignitable gas; or

8 (4) It is an oxidizer.

9 (v) *Injection zone* shall refer to a geological formation, group of
10 formation or a part of a formation located below the underground source of
11 potable water, and which receives waste fluids or solids through a deep
12 injection well.

13 (w) *International environmental standards* shall refer to the
14 requirements or standards under existing international environmental
15 agreements to which the Philippines is a party.

16 (x) *Landfill* shall refer to a waste disposal site designed, constructed,
17 operated and maintained in a manner that exerts engineering control over
18 significant potential environmental impacts arising from the development
19 and operation of the facility.

20 (y) *Land disposal* shall refer to the placement of hazardous and
21 radioactive wastes on the surface, near surface and at depths within the soil
22 column.

23 (z) *Land treatment or land farming* shall refer to a managed technology
24 that involves the controlled application of waste on the soil surface and/or
25 the incorporation of waste or contaminated soils into the upper soil zone.

1 (aa) *Level 1 Hospital* shall refer to an emergency hospital that
2 provides:

3 (1) Initial clinical care and management to patients requiring
4 immediate treatment, as well as primary care on prevalent diseases in
5 the locality;

6 (2) Clinical services that include general medicine,
7 pediatrics, obstetrics and nonsurgical gynecology and minor surgery;

8 (3) General administrative services and may provide ancillary
9 services (primary clinical laboratory, first level radiology, pharmacy);
10 and

11 (4) Nursing care for patients who require minimal category of
12 supervised care for twenty-four (24) hours or longer.

13 (bb) *Level 2 Hospital* shall refer to a non-departmentalized hospital
14 that provides:

15 (1) Clinical care and management on the prevalent diseases in
16 the locality;

17 (2) Clinical services that include general medicine,
18 pediatrics, obstetrics and gynecology, surgery and anesthesia;

19 (3) Appropriate administrative and ancillary services (secondary
20 clinical laboratory, first level radiology, pharmacy); and

21 (4) Nursing care provided in the Level 1 Hospital as well as
22 intermediate, moderate and partial category of supervised care for
23 twenty-four (24) hours or longer.

24 (cc) *Level 3 Hospital* shall refer to a departmentalized hospital that
25 provides:

(1) Clinical care and management on the prevalent diseases in the locality as well as particular forms of treatment, surgical procedure and intensive care;

(2) Clinical services provided in the Level 2 Hospital as well as specialty clinical care;

(3) Appropriate administrative and ancillary services (tertiary clinical laboratory, second level radiology, pharmacy); and

(4) Nursing care provided in the Level 2 Hospital as well as total and intensive skilled care.

(dd) *Level 4 Hospital* shall refer to a teaching and training hospital (with at least one (1) Accredited Residency Training Program for Physicians) that provides:

(1) Clinical care and management on the prevalent diseases in the locality as well as specialized and subspecialized forms of treatment, surgical procedure and intensive care;

(2) Clinical services provided in the Level 3 Hospital as well as subspecialty clinical care;

(3) Appropriate administrative and ancillary services (tertiary clinical laboratory, third level radiology, pharmacy); and

(4) Nursing care provided in the Level 3 Hospital as well as continuous and highly specialized critical care.

(ee) *Manifest or consignment note* shall refer to a form prescribed by the Department and the Philippine Nuclear Research Institute (PNRI) accompanying hazardous and radioactive wastes from the point of generation, through transport, to final disposition.

1 (ff) *Military munitions* shall refer to all types of both conventional and
2 chemical ammunition products and their components produced by or for the
3 military for national defense and security, including munitions produced by
4 other parties under contract with, or acting as agent for, the Department of
5 National Defense (DND).

6 (gg) *Mined cavities* shall refer to the emplacement of radioactive waste
7 at some depths inside mines or caverns which are either man-made or
8 natural.

9 (hh) *Mutagens* shall refer to any substances that can cause a change
10 in genetic material.

11 (ii) *Near surface facilities* shall refer to the disposal site of radioactive
12 waste with or without engineered barrier on or below ground surface where
13 the final protective covering is of the order of a few meters thick or in
14 caverns a few tens of meters below the earth's surface.

15 (jj) *On-site treatment facilities* shall refer to facilities of generators who
16 treat their own hazardous and radioactive wastes, either by themselves or
17 through a service provider, inside their facilities in compliance with waste
18 acceptance criteria promulgated by the Department, the Department of
19 Health (DOH) and the PNRI.

20 (kk) *Open burning* shall refer to the low temperature thermal
21 destruction of wastes by means of direct exposure to fire. For this purpose,
22 this shall apply to the traditional small-scale methods of community
23 sanitation called "*sigá*".

24 (ll) *Partial treatment* shall refer to any process used to modify the
25 characteristics of a hazardous or radioactive waste without totally negating

1 its hazardous characteristics. This may include volume reduction,
2 conditioning, moisture reduction and neutralization, among others.

3 (mm) *Persistence* shall refer to the substantial length of time a
4 compound, once introduced into the environment, stays there; or the
5 property of a substance whose half-life in water, sediment or soil exceeds
6 duration of fifty (50) days.

7 (nn) *Person(s)* shall refer to any being, natural or juridical, susceptible
8 of rights and obligations, or of being the subject of legal relations.

9 (oo) *People's organization* (PO) shall refer to a nonprofit and nonstock
10 association of citizens in a locality embracing a common goal to protect the
11 environment and ultimately public health.

12 (pp) *Radioactive wastes* shall refer to materials that contain or are
13 contaminated with radionuclides at concentrations or activities greater than
14 clearance levels as established by the PNRI. These also refer to disused
15 sealed sources for which no use is foreseen.

16 (qq) *Reactivity* shall refer to the state of a waste, or a representative
17 sample of the waste, exhibiting any of the following properties:

18 (1) It is normally unstable and readily undergoes violent change
19 without detonating;

20 (2) It reacts violently with water;

21 (3) It forms potentially explosive mixtures with water;

22 (4) When mixed with water, it generates toxic gases, vapors or
23 fumes in a quantity sufficient to present danger to human health or
24 the environment;

1 (5) It is a cyanide- or sulfide-bearing waste which, when exposed
2 to pH conditions between 2 and 12.5, can generate toxic gases, vapors
3 or fumes in a quantity sufficient to present a danger to human health
4 or the environment;

5 (6) It is capable of detonation or explosive reaction if subjected
6 to a strong initiating source or if reacted under confinement; or

7 (7) It is readily capable of detonation or explosive decomposition
8 or reaction at standard temperature and pressure.

9 (rr) *Resource recovery* shall refer to the collection, extraction or
10 recovery of recyclable materials from the waste stream for the purpose of
11 recycling, generating energy or producing a product suitable for beneficial
12 use: *Provided*, That such resource recovery facilities exclude incineration.

13 (ss) *Recycle* shall refer to the process of minimizing the generation of
14 waste by recovering usable products that might otherwise become waste.

15 (tt) *Segregation* shall refer to a waste management practice of
16 separating different materials found in hazardous waste in order to promote
17 recycling and reuse of resources and to reduce the volume of waste for
18 collection and disposal. This also refers to separating radioactive wastes
19 according to level of activity, physical form and half-life.

20 (uu) *Special hazardous wastes* shall refer to substances discarded
21 from households consisting of consumer or industrial goods or products
22 which become hazardous at the end of its useful life by virtue of its
23 hazardous content which may be released to the environment upon
24 indiscriminate disposal.

1 (vv) *Storage* shall refer to the containment of hazardous and
2 radioactive wastes, either on a temporary basis or for a period of years,
3 consistent with the guidelines as prescribed by the Department and in such
4 a manner as not to constitute disposal of such wastes.

5 (ww) *Surface impoundments* shall refer to pits, ponds, lagoons and
6 dike areas that are either natural topographic depression or man-made
7 excavations that are primarily of earthen materials. These are designed and
8 constructed to hold or store, treat and/or dispose liquid waste or waste
9 containing free liquids through processes such as evaporation, cooling,
10 aeration, photo decomposition and/or settling.

11 (xx) *Sustainable development* shall refer to development which meets
12 the needs of the present without compromising the ability of future
13 generations to meet their own needs.

14 (yy) *Special hazardous wastes collectors* shall refer to entities which
15 receive or collect special hazardous wastes under a take-back program or
16 similar collection mechanism for the purpose of consolidating the wastes
17 from households or consumers preparatory to delivery to an accredited
18 recycling or treatment facility.

19 (zz) *Technical demonstration* shall refer to the initial exhibition of a
20 new technology process or practice or a significantly new combination or use
21 of technologies, processes or practices, subsequent to the development
22 stage, for the purpose of proving technological feasibility and cost
23 effectiveness.

1 (aaa) *Thermal treatment* shall refer to the controlled heating which
2 involves a prescribed heating rate, maximum temperature and cooling cycle
3 to produce the property and grain structure required.

4 (bbb) *Toxicity* shall refer to the degree of danger posed by a substance
5 to human or animal due to its acute lethality, chronic and subchronic
6 toxicity, carcinogenicity, teratogenicity or mutagenicity, among others.

7 (ccc) *Treatment* shall refer to any method, technique or process
8 designed to change the physical, chemical or biological character or
9 composition of any hazardous and radioactive wastes so as to render such
10 waste nonhazardous, safer for transport, amenable for recovery, amenable
11 for storage or reduced in volume.

12 (ddd) *Treatment, Storage and Disposal Facility (TSDF)* shall refer to a
13 site where a hazardous substance is treated, stored or disposed.

14 (eee) *Waste acceptance criteria* shall refer to a list of parameters which
15 describes the minimum characteristics which the waste should possess
16 before it may be placed or accepted in a TSDF.

17 CHAPTER II

18 MANAGEMENT SYSTEM

19 SEC. 5. ***Identification and Listing of Hazardous Wastes.*** – Within
20 six (6) months from the effectivity of this Act, the Department shall, after
21 notice and public consultation, develop, formulate and publish criteria for
22 identifying and listing the characteristics of hazardous wastes, taking into
23 account, but not limited to, toxicity, persistence, reactivity and degradability
24 in nature, potential for accumulation in tissue and other related factors

1 such as ignitability, corrosivity and other hazardous characteristics. Such
2 criteria shall be reviewed and revised every four (4) years thereafter, or as
3 the need arises: *Provided*, That the Department, in coordination with the
4 DOH and the PNRI, shall also identify or list those hazardous and
5 radioactive wastes that contain certain constituents such as identified
6 carcinogens, mutagens or teratogens that endanger human health:
7 *Provided, further*, That the Department, in coordination with the DND
8 and appropriate government agencies, shall formulate criteria for identifying
9 when military munitions become hazardous and radioactive wastes. For
10 purposes of this Act, the term "military munitions" includes chemical and
11 conventional munitions: *Provided, finally*, That within six (6) months from
12 the effectivity of this Act, the Department, in coordination with the
13 Department of Trade and Industry (DTI) and the Department of the Interior
14 and Local Government (DILG), after public consultation, shall formulate
15 criteria for identifying and listing the categories of special hazardous waste
16 products to be tracked and regulated, taking into account, but not limited
17 to, the presence of toxicity, reactivity, ignitability and corrosivity.

18 SEC. 6. ***Notification of Hazardous and Radioactive Waste***
19 ***Activity.*** – Upon the effectivity of this Act, any person generating or
20 managing hazardous or radioactive waste is required to notify in writing the
21 Department, the DOH and the PNRI of their hazardous or radioactive waste
22 activities specifying, among others, the types of waste, quantities and
23 containers used for storage, including incidents involving hazardous and
24 radioactive wastes.

1 SEC. 7. ***National Hazardous and Radioactive Wastes Status***

2 ***Report.*** – The Department, in coordination with the DOH, the PNRI and
3 other concerned agencies, shall, within six (6) months after the formulation
4 of the criteria for identifying and listing of hazardous and radioactive wastes
5 pursuant to Section 6 hereof, prepare a National Hazardous and Radioactive
6 Wastes Management Status Report which shall be used as a basis in
7 formulating the National Hazardous and Radioactive Wastes Management
8 Framework as provided in Section 8 of this Act. The said report shall
9 include, but not limited to, the following:

10 (a) Inventory of existing hazardous and radioactive wastes and their
11 depots and facilities;

12 (b) General waste characterization, taking into account, but not
13 limited to, the source, type and quantity of hazardous and radioactive
14 wastes generated;

15 (c) Projection of hazardous and radioactive wastes generation
16 including quantity for reduction, recovery and reuse;

17 (d) Listing of TSDFs including transporters of hazardous and
18 radioactive wastes; and

19 (e) Listing of identified contaminated sites.

20 SEC. 8. ***National Hazardous and Radioactive Wastes***

21 ***Management Framework.*** – Within eighteen (18) months from the
22 effectivity of this Act, the Department, in coordination with the DOH, the
23 PNRI and other appropriate agencies and entities, shall prepare and
24 formulate a National Hazardous and Radioactive Wastes Management
25 Framework, herein referred to as the “Framework”, that shall embody

1 policies established pursuant to this Act. Specifically, the Framework shall
2 contain the following:

3 (a) Hazardous and radioactive wastes control strategies and
4 techniques;

5 (b) Proper hazardous and radioactive wastes transport, treatment,
6 storage and disposal systems;

7 (c) Waste reduction goals and targets;

8 (d) Period of compliance for waste reduction;

9 (e) Information and education campaign;

10 (f) Human resources development; and

11 (g) Roles and responsibilities of relevant government agencies.

12 The Framework shall be adopted as the official blueprint for
13 hazardous and radioactive wastes management with which all relevant
14 government agencies must comply with.

15 **SEC. 9. *Use of Best Available Technology and Best Environmental***
16 ***Practices in Hazardous and Radioactive Wastes Management.* –**

17 Generators and owners of TSDFs are required to use best available
18 technologies and best environmental practices (BAT/BEP) in hazardous and
19 radioactive wastes management. The Department, in coordination with the
20 Inter-Agency Technical Advisory Council (IATAC) created herein, shall
21 formulate criteria in assessing the proposed BAT/BEP to be used. In the
22 formulation of these criteria, consideration shall be given, among others, to
23 the relative economic feasibility of the technology. Further, such technology
24 shall render the waste sufficiently low in toxicity, reactivity, corrosivity and

1 ignitability as to present the least possible risk to human health and safety
2 and to the environment.

3 SEC. 10. ***Requirements for Generators of Hazardous and***
4 ***Radioactive Wastes.*** – Within six (6) months after the effectivity of this
5 Act, the Department, the DOH and the PNRI shall establish requirements for
6 generators of such hazardous and radioactive wastes necessary to protect
7 human health and the environment. These requirements shall ensure that
8 the generators shall be responsible for the proper management of the wastes
9 generated and bear the costs for proper storage, transport, treatment and
10 disposal of such wastes. Further, such requirements shall include, but not
11 limited to, the following:

12 (a) Recordkeeping practices that accurately identify the quantities of
13 such hazardous and radioactive wastes generated, the constituent thereof
14 which are significant in quantity or in potential harm to human health or
15 the environment, and the disposition of such wastes;

16 (b) Use of appropriate storage facilities and containers to prevent the
17 release of materials to the environment;

18 (c) Labeling practices for any containers used for the storage,
19 transport or disposal of such hazardous and radioactive wastes that will
20 identify accurately such wastes;

21 (d) Use of a manifest or consignment note system and any other
22 means necessary to assure that all hazardous and radioactive wastes
23 generated are designated and/or recorded for treatment, storage or disposal
24 in TSDFs with appropriate permit issued pursuant to this Act. The manifest
25 shall also record transportation details of said wastes;

1 (e) Emergency and contingency plans for effective action to minimize
2 damage and contain and mitigate effects of spills and accidents in
3 connection with the generation, transport, storage or disposal of such
4 wastes;

5 (f) When it is necessary to transport the wastes, the generators shall
6 only engage the services of transporters and TSDFs holding permits issued
7 pursuant to this Act; and

8 (g) The waste generator of radioactive wastes shall submit a certificate
9 of transport from its Radiological Health and Safety Officer (RHSO) for the
10 transport of radioactive wastes to the treatment facility.

11 SEC. 11. ***Requirements Applicable to Transporters of Hazardous***
12 ***and Radioactive Wastes.*** – Within six (6) months after the effectivity of
13 this Act, the Department, in coordination with the DOH, the PNRI and the
14 Department of Transportation and Communications (DOTC), shall establish
15 requirements applicable to transporters of hazardous and radioactive wastes
16 necessary to protect human health and the environment. Such
17 requirements shall include, but not limited to, the following:

18 (a) Recordkeeping of such wastes transported, and their source and
19 delivery points;

20 (b) Use of carriers duly registered with the DOTC;

21 (c) Transport of wastes only if properly labeled;

22 (d) Transport of wastes only to TSDF which the generator designates
23 in the manifest form to be a facility holding the appropriate permit issued
24 pursuant to this Act;

1 (e) Emergency and contingency plans for effective action to minimize
2 the damage and contain and mitigate effects of spills and accidents in
3 connection with the transport of such wastes; and

4 (f) Coordination with other concerned government agencies in the
5 event that the transport of such hazardous and radioactive wastes to
6 designated TSDFs requires security escort or police protection/assistance.

7 SEC. 12. ***Requirements Applicable to Owners of Hazardous and***
8 ***Radioactive Wastes Treatment, Storage and Disposal Facilities.*** -

9 Within six (6) months after the effectivity of this Act, the Department, in
10 coordination with the DOH and the PNRI, shall establish requirements
11 applicable to owners of TSDFs of hazardous and radioactive wastes
12 necessary to protect human health and the environment: Provided, That the
13 Department, the DOH and the PNRI shall, where applicable, distinguish
14 requirements appropriate for new and existing facilities at the time of the
15 effectivity of this Act. Such requirements shall include, but not limited to,
16 the following:

17 (a) Performance standard for the design, construction, operation,
18 maintenance and monitoring of the facility;

19 (b) Requirements and standards to ensure adequate resources,
20 including human and financial, throughout the life cycle of the facility;

21 (c) Requirements and standards for the closure, decommissioning and
22 post-closure care, monitoring and maintenance and use of the facility;

23 (d) Waste acceptance requirements and procedures, approved by the
24 Department, the DOH and the PNRI, for different types of hazardous and
25 radioactive wastes packages; and

1 (e) Management, engineering controls and use of personnel protective
2 equipment to minimize the exposure of workers to the hazardous wastes
3 and medical surveillance of workers directly involved in the collection,
4 transport, storage or disposal of hazardous wastes.

5 SEC. 13. **Categories of TSDFs for Hazardous and Radioactive**
6 **Wastes.** – Within six (6) months after the effectivity of this Act, the
7 Department shall formulate specific, relevant and appropriate standards,
8 including waste acceptance criteria, for the various categories of TSDFs
9 identified hereunder: *Provided*, That no waste shall be accepted unless it
10 complies with the waste acceptance criteria formulated pursuant to this Act:
11 *Provided, further*, That the Department shall revise, as the need arises, the
12 regulations, standards and guidelines applicable to the categories listed
13 hereunder, taking into account the improvements in the technology of
14 control and measurement: *Provided, finally*, That such regulations shall
15 specify criteria for the acceptable location of new and existing TSDFs as
16 necessary to protect human health and the environment. The categories of
17 TSDFs are as follows:

18 (a) Facilities that conduct on-site storage, treatment and disposal of
19 hazardous wastes generated or produced at the premises through industrial
20 or commercial processes and activities other than disposal via sewer.

21 The Department shall encourage on-site treatment of hazardous
22 wastes by, among other things, providing for incentives: *Provided*, That
23 generators who undertake partial treatment of wastes shall not be
24 considered as on-site facility operators for purposes of this category:
25 *Provided*, however, That mining operations shall fall under this category;

1 (b) Commercial or industrial hazardous waste thermal treatment
2 facilities.

3 TSDFs in this category are facilities that conduct on-site and off-site
4 thermal treatment: *Provided*, That the Department shall promulgate
5 regulations on hazardous wastes used as fuel and raw materials: *Provided*,
6 *further*, That the Department may also exempt from the requirements hereof
7 facilities which burn *de minimis* quantities of hazardous wastes as fuel, as
8 defined by the Department, if:

9 (1) The wastes are burned at the same facility at which such wastes
10 are generated;

11 (2) The waste is burned to recover useful energy, as determined by
12 the Department, on the basis of the design and operating
13 characteristics of the facility and the heating value and other
14 characteristics of the waste; and

15 (3) The waste is burned in a type of device determined by the
16 Department to be designed and operated at a sufficient destruction and
17 removal efficiency such that the protection of human health and the
18 environment is assured;

19 (c) Landfills that accept hazardous wastes for disposal.

20 The Department shall, after due review and public consultation,
21 promulgate regulations concerning the prohibition of specified hazardous
22 wastes in landfills: *Provided*, That the placement of such specified
23 hazardous wastes in landfills may be allowed upon determination by the
24 Department that the prohibition for disposal of such wastes in landfills is
25 not required in order to protect human health and the environment for as

1 long as the wastes remain hazardous, taking into account the following
2 factors:

3 (1) The long-term uncertainties associated with land disposal;

4 (2) The goal of managing hazardous wastes in an appropriate manner in
5 the first instance; and

6 (3) The persistence, toxicity, mobility and propensity to bioaccumulate
7 of such hazardous wastes and their hazardous constituents.

8 For this purpose, the disposal of hazardous wastes in landfills is
9 deemed to be protective of human health and the environment if it is
10 determined that there will be no migration of hazardous constituents of the
11 wastes from the disposal unit or injection zone: *Provided, however,* That the
12 disposal of any liquid in landfills shall be prohibited: *Provided, further,* That
13 the disposal in landfills of wastes containing hazardous solvents, pesticides
14 and polycyclic hydrocarbons such as, among others, furans and dioxins, as
15 determined by the Department, after public consultation, are prohibited,
16 unless the Department determines the prohibition of the disposal of such
17 wastes is not required in order to protect human health and the
18 environment for as long as the wastes remain hazardous, taking into
19 account the factors referred to in subparagraphs (1) to (3) of this category.

20 Within six (6) months from the preparation of the status report, the
21 Department shall review, classify and rank, subject to public consultations,
22 all hazardous wastes listed pursuant to this Act other than those wastes
23 which are referred to in paragraph 3 of this category or deep injection wells.
24 Within twelve (12) months thereafter, the Department, when necessary,
25 shall promulgate regulations prohibiting disposal in landfills of such

1 hazardous wastes listed and ranked: *Provided*, That the Department shall
2 promptly publish in a newspaper of general circulation notice of such
3 determination, together with an explanation of the basis for such
4 determination: *Provided, further*, That the storage of hazardous and
5 radioactive wastes in landfills is hereby prohibited;

6 (d) Facilities that recycle or reprocess hazardous wastes which are not
7 generated or produced at the premises.

8 The Department, in coordination with the Department of Science and
9 Technology (DOST), shall promulgate standards for this category of TSDFs.
10 Facilities in this category are those that receive off-site treatment of
11 hazardous wastes and recover valuable materials from hazardous wastes,
12 use hazardous wastes as input materials or fuel for production, or produce
13 compost by biological treatment of hazardous wastes. It also includes, but
14 not limited to, reclaimers of spent lead-acid batteries, precious metals and
15 oil recyclers;

16 (e) Other off-site treatment facilities.

17 Facilities in this category are those facilities that receive hazardous
18 wastes outside the premises and transform physical and/or chemical
19 characteristics of hazardous wastes by physicochemical or thermal
20 treatment other than incineration in order to dispose of them into landfills;

21 (f) Facilities that store hazardous and radioactive wastes which are not
22 generated or produced at the premises within allowable period.

23 The storage of any hazardous and radioactive waste is prohibited,
24 unless such storage is solely for the purpose of the accumulation of such
25 quantities of hazardous wastes as are necessary to facilitate the proper

1 recovery, treatment or disposal but shall not be longer than what is
2 prescribed by the Department; and

3 (g) Other land disposal facilities.

4 Facilities under this category shall include, among others, deep
5 injection wells, borehole facilities, near surface facilities, mined cavities,
6 surface impoundments, land treatment units/land farming and abandoned
7 underground mines.

8 SEC. 14. **Closure Plan.** – The owner of a TSDF shall submit a closure
9 plan, including the funds and human resources necessary for the same,
10 subject to the review and approval of the Department.

11 SEC. 15. **Post-Closure of Facility.** – The owner of a TSDF must
12 close the facility upon the termination of its operation and shall, after such
13 closure, provide for its protection during a post-closure care period, in
14 accordance with the requirements of the Department and the closure plan,
15 including the funds and human resources necessary for the same. The
16 protection shall include, but not limited to, monitoring, repair and
17 maintenance. The owner shall maintain a hazardous waste facility permit
18 for the post-closure care period pursuant to Chapter VII hereof.

19 SEC. 16. **Environmental Impact Statement (EIS) System.** – Prior to
20 the establishment of TSDFs, all government agencies and private
21 corporations, firms and entities which intend to set up TSDFs shall be
22 subject to the Environmental Impact Statement (EIS) System pursuant to
23 the provisions of Presidential Decree No. 1586 and its implementing rules
24 and regulations.

1 SEC. 17. **Formulation of Soil Quality Standards for Identification**
2 **of Contaminated Sites.** – Within six (6) months from the effectivity of this
3 Act, the Department, in coordination with other relevant government
4 agencies, shall formulate soil quality standards which shall be used to
5 determine contaminated sites.

6 SEC. 18. **Registry of Contaminated Sites.** – The Department shall
7 maintain a registry of confirmed contaminated sites in the country based on
8 the soil quality standards set pursuant to Section 17 hereof: *Provided*, That
9 the Department shall take all necessary actions to insure that the registry
10 provides a complete listing of all such sites, their exact locations and the
11 types of waste found at each site: *Provided, further*, That in developing and
12 maintaining the registry, the Department shall assess, based upon new
13 information received, the relative priority of the need for action at each site
14 to remedy environmental and health problems resulting from the presence of
15 hazardous and radioactive wastes at such sites: *Provided, finally*, That any
16 site classified as properly closed or remediated where no evidence of present
17 or potential adverse impact exists shall be deleted from the registry.

18 SEC. 19. **Import and Export of Hazardous and Radioactive Wastes.**
19 – In accordance with Section 2(c) hereof, the Department and the PNRI shall
20 promulgate the rules and regulations on the import and export of hazardous
21 and radioactive wastes consistent with relevant multilateral international
22 agreements and protocols.

23 SEC. 20. **Market-Based Instruments, Responsible Care and Product**
24 **Stewardship Program.** – Within six (6) months from the effectivity of this

1 Act, the Department shall, in coordination with the manufacturers of
2 commercial or industrial products, identify and implement market-based
3 instruments, extended producer responsibility, responsible care and
4 products stewardship programs that shall promote cleaner production,
5 waste minimization and resource recovery: *Provided*, That the Department
6 shall identify and list products that shall be covered by such programs.

7 CHAPTER III

8 RADIOACTIVE WASTES

9 SEC. 21. ***Listing of Radioactive Wastes.*** – Within six (6) months
10 from the effectivity of this Act, the DOST and the PNRI, in coordination with
11 the Department, after public consultation, shall formulate and publish the
12 criteria for identifying and listing the types of radioactive wastes to be
13 monitored and regulated.

14 SEC. 22. ***Classification of Radioactive Wastes.*** – The PNRI shall
15 establish the waste classification system based on internationally acceptable
16 guidelines. The classification system shall be based primarily on the safety
17 aspects of radioactive waste disposal: *Provided*, That other stages of
18 radioactive waste management may also be developed by the PNRI.

19 SEC. 23. ***Management of Radioactive Wastes.*** – Pursuant to
20 Sections 10, 11 and 12 hereof, the PNRI shall promulgate the rules and
21 regulations on radioactive wastes management. The rules and regulations
22 shall be based on the Best Available Technique to limit the outflow of
23 radioactive substances to the environment, taking into account the benefits
24 as well as the cost of the measures to be undertaken. The measures shall be

1 both technically and economically feasible: *Provided*, That said rules and
2 regulations may be based on, but not limited to, the following methods of
3 managing radioactive waste:

4 (a) *Dilute and Disperse*. – Radioactive waste with activity level that can
5 be disposed of as ordinary waste into the sewage and municipal landfills,
6 among other areas;

7 (b) *Delay and Decay*. – Storage of short-lived radionuclides under well-
8 controlled conditions until the radioactivity has decayed to a level which
9 meets the established exemption or clearance limits for such waste; and

10 (c) *Characterization, Segregation, Treatment, Conditioning, Transport,*
11 *Storage and Disposal*. – Management of radioactive waste containing long-
12 lived radionuclides, including disused sealed sources, and other wastes
13 that cannot be managed under subsections (a) and (b) of this section.

14 The acceptable storage period for conditioned wastes prior to the
15 establishment of a final disposal repository shall be for a maximum period of
16 fifty (50) years.

17 SEC. 24. ***Guidelines for the Acceptance of Radioactive Wastes by***
18 ***Transporters and TSDFs***. – Within six (6) months after the effectivity of
19 this Act, the PNRI shall formulate specific, relevant and appropriate waste
20 acceptance criteria for transporters and TSDFs of radioactive wastes:
21 *Provided*, That no radioactive waste shall be accepted unless it complies
22 with the waste acceptance criteria formulated pursuant hereof.

1 Department and the DILG, after public consultation, shall formulate the
2 criteria for identifying and listing the categories of hazardous healthcare
3 wastes to be tracked and regulated. In the formulation of such criteria, the
4 DOH shall take into account, but not limited to, the presence of infectious
5 agents, toxicity, reactivity, ignitability and corrosivity.

6 SEC. 30. ***Management of Hazardous Healthcare Wastes in***
7 ***Hospitals and Other Healthcare Facilities.*** – Pursuant to Sections 10,
8 11 and 12 hereof, the DOH shall promulgate the rules and regulations on
9 the effective management of hazardous healthcare wastes in hospitals and
10 other healthcare facilities. The rules and regulations shall include, but not
11 limited to, the following:

12 (a) Hospitals and other healthcare facilities shall practice or implement
13 waste minimization and segregation;

14 (b) Segregation at source shall be the responsibility of the waste
15 generator;

16 (c) Appropriate storage receptacles or bins shall be provided for each
17 healthcare waste category;

18 (d) Labeling of receptacle per waste category shall likewise be
19 implemented for identification of waste and management measures in case
20 of accidents;

21 (e) All hazardous healthcare wastes shall be collected and stored in
22 designated on-site storage areas until transported to a TSDF;

1 (f) Treatment of hazardous healthcare wastes on-site shall be done
2 through appropriate treatment methods;

3 (g) Upon the approval of the Department, healthcare facilities with
4 capacity to manage hazardous healthcare wastes on-site may also treat for a
5 fee the hazardous healthcare wastes generated by other healthcare facilities:
6 *Provided*, That in the case of treatment of radioactive healthcare wastes,
7 approval of the PNRI shall be secured;

8 (h) For hazardous healthcare liquid waste, all healthcare facilities shall
9 provide wastewater treatment facilities and comply with the effluent
10 standards set by the DENR. The treatment and disposal of sludge shall
11 conform to the provisions of this Act; and

12 (i) To ensure the proper management of hazardous healthcare wastes, a
13 committee on hazardous healthcare waste management may be created in
14 all healthcare facilities: *Provided*, That in all Level 1, Level 2, Level 3 and
15 Level 4 Hospitals, the creation of a committee on hazardous healthcare
16 waste management shall be mandatory. The committee shall also develop
17 an emergency plan to ensure an immediate and appropriate action once an
18 emergency occurs. For other healthcare establishments, a hazardous
19 healthcare waste management officer shall be designated.

20 CHAPTER V

21 SPECIAL HAZARDOUS WASTES

22 SEC. 31. ***Collection of Special Hazardous Wastes.*** – The local

1 government units (LGUs) shall be responsible for the collection of special
2 hazardous wastes, as listed by the Department in accordance with Section 5
3 hereof, from persons and households: *Provided*, That the LGUs may enter
4 into agreement with entities duly accredited by the Department for the
5 collection of special hazardous wastes.

6 SEC. 32. ***Responsible Care Program for Special Hazardous Wastes.***

7 – The LGUs shall enact appropriate ordinances implementing responsible
8 care, extended producer responsibility or product stewardship program that
9 shall include, but not limited to, take-back or return-to-supplier schemes
10 that shall promote cleaner production, waste minimization and resource
11 recovery.

12 SEC. 33. ***Transport, Treatment, Storage and Disposal of Special***
13 ***Hazardous Wastes.*** – Upon collection of special hazardous wastes by the
14 LGUs pursuant to Section 31 hereof, the transport, treatment, storage and
15 disposal of special hazardous wastes shall be regulated in accordance with
16 this Act.

17 CHAPTER VI

18 INSTITUTIONAL MECHANISM

19 SEC. 34. ***Lead Agency.*** – The Department shall be the primary
20 government agency responsible for the implementation and enforcement of
21 this Act, including in Philippine Economic Zone Authority (PEZA) areas,
22 special economic zones and freeports, unless otherwise provided herein. As
23 such, it shall have the following functions, powers and responsibilities:

24 (a) Prepare a National Hazardous and Radioactive Wastes Report;

- 1 (b) Prepare a National Hazardous and Radioactive Wastes Management
2 Framework;
- 3 (c) Develop and promulgate criteria for identifying and listing the
4 characteristics of hazardous and radioactive wastes;
- 5 (d) Establish, enforce, review and revise standards for generators of
6 hazardous and radioactive wastes;
- 7 (e) Establish, enforce, review and revise standards for transporters of
8 hazardous and radioactive wastes;
- 9 (f) Establish, enforce, review and revise standards applicable to owners
10 and operators of facilities for the treatment, storage and disposal of
11 hazardous and radioactive wastes;
- 12 (g) Exercise jurisdiction over all aspects of generation, possession,
13 collection, destruction, recovery, use, storage, transportation, entry into,
14 even in transit, treatment and disposal of hazardous and radioactive
15 wastes;
- 16 (h) Evaluate applications for and issue permits and licenses pursuant
17 to this Act;
- 18 (i) Revoke, modify or deny, in accordance with the standards, rules and
19 regulations, hazardous waste transporter licenses, TSDFs permits and other
20 permits/licenses issued in accordance with this Act;
- 21 (j) Establish a cooperative effort among the national government, LGUs,
22 academic institutions, civil society and the private sector to attain the
23 objectives of this Act;
- 24 (k) Develop and implement programs to achieve goals and objectives set
25 under this Act;

1 (l) Accept, receive and administer grants or other funds or gifts from
2 public and private agencies for the purpose of carrying out the provisions of
3 this Act. Funds received by the Department pursuant to this section shall
4 accrue to the Hazardous and Radioactive Wastes Management Fund;

5 (m) Secure necessary scientific, technical, including laboratory facilities,
6 by contract or otherwise;

7 (n) Encourage, coordinate, participate in or conduct studies,
8 investigations, research and technical demonstrations relating to hazardous
9 and radioactive wastes management as it may deem advisable and
10 necessary for the discharge of its duties pursuant to this Act;

11 (o) Encourage waste reduction, resource recovery, exchange and energy
12 conservation in hazardous and radioactive wastes management;

13 (p) Oversee any corrective action work undertaken pursuant to the rules
14 and regulations issued in accordance with this Act;

15 (q) Formulate and undertake the appropriate protocol with other
16 concerned agencies for immediate coordinated responses to hazardous and
17 radioactive wastes-related emergency incidents;

18 (r) Issue order against any person or entity and impose fines, penalties
19 and other administrative sanctions to compel compliance with the
20 provisions hereof, standards, rules and regulations issued pursuant to this
21 Act; and

22 (s) Exercise such powers and perform such other functions as may be
23 necessary to carry out the objectives of this Act.

24 SEC. 35. **Role of the DOH.** – The DOH shall be primarily responsible
25 in performing the following duties and responsibilities:

1 (a) Develop, promulgate and publish criteria in identifying and listing
2 the categories of hazardous healthcare wastes to be monitored and
3 regulated;

4 (b) Develop and promulgate the rules and regulations on the effective
5 management of hazardous healthcare wastes in hospitals and other
6 healthcare facilities; and

7 (c) Exercise such powers and perform such other functions as may be
8 necessary to carry out the provisions of this Act.

9 SEC. 36. **Role of the PNRI.** – The PNRI shall be primarily responsible
10 in performing the following duties and responsibilities:

11 (a) Develop and promulgate regulations establishing a program for the
12 monitoring of the radioactive wastes listed pursuant to this Act;

13 (b) Develop, promulgate and publish the criteria for identifying and
14 listing the types of radioactive wastes to be monitored and regulated;

15 (c) Develop and promulgate the rules and regulations on the radioactive
16 waste management pursuant to Section 23 hereof;

17 (d) Formulate specific, relevant and appropriate waste acceptance
18 criteria for transporters and TSDFs of radioactive wastes pursuant to
19 Section 24 hereof;

20 (e) Exercise jurisdiction over all aspects of generation, possession,
21 collection, recovery, transport, entry, even in transit, into Philippine
22 territory, treatment, storage and disposal of radioactive wastes; and

23 (f) Exercise such powers and perform such other functions as may be
24 necessary to carry out the provisions of this Act.

1 SEC. 37. **Role of the LGUs.** – The LGUs shall have the following duties
2 and responsibilities:

3 (a) Share the responsibility for the implementation, enforcement and
4 monitoring of the provisions of this Act within their territorial jurisdiction
5 such as the registration and compliance monitoring of generators,
6 transports and TSDFs;

7 (b) Prepare a compliance scheme in accordance with their special
8 hazardous waste management program;

9 (c) Segregation and collection of special hazardous wastes;

10 (d) Emergency preparedness and response;

11 (e) Participate in all efforts concerning hazardous and radioactive
12 wastes management; and

13 (f) Enact appropriate ordinances to implement the LGUs' role in this
14 Act.

15 SEC. 38. **Inter-Agency Technical Advisory Council (IATAC).** –
16 For purposes of policy integration and harmonization and coordination of
17 functions, there is hereby created an inter-agency technical advisory council
18 (IATAC) attached to the Department which shall be composed of the
19 following officials or their duly authorized representatives:

20 (a) Secretary of Environment and Natural Resources, as Chairperson;

21 (b) Secretary of Health, as Co-chairperson;

22 (c) Secretary of Science and Technology, as Co-chairperson;

23 (d) Secretary of Agriculture, as member;

24 (e) Secretary of Finance;

25 (f) Secretary of Trade and Industry;

- 1 (g) Secretary of National Defense;
- 2 (h) Secretary of Foreign Affairs;
- 3 (i) Secretary of Transportation and Communications;
- 4 (j) League of Cities;
- 5 (k) League of Municipalities;
- 6 (l) League of Provinces;
- 7 (m) League of Barangays;
- 8 (n) Director General of the Philippine Export Zone Authority;
- 9 (o) Representative from civil society organizations;
- 10 (p) Representative from the industry;
- 11 (q) Representative from the TSDF operators; and
- 12 (r) Representative from the academe.

13 The IATAC shall have the following functions, among others:

14 (1) Develop and promulgate the criteria in assessing the proposed
15 BAT/BEP to be used in accordance with Section 9 hereof; and

16 (2) Constitute and authorize a multidisciplinary body to conduct an
17 annual audit to determine the compliance of TSDF operators with the terms
18 and conditions in the permits and licenses issued pursuant to this Act.

19 Representatives of civil society organizations, the academe, TSDF
20 operators and the industry shall be nominated through a process designed
21 by the IATAC and shall be appointed by the President for a term of three (3)
22 years.

23 SEC. 39. ***The IATAC Technical Working Group.*** – The IATAC
24 shall be supported by a technical working group (TWG) which shall be
25 composed of representatives from the following:

- 1 (a) Environmental Management Bureau (EMB) of the Department;
- 2 (b) Environmental and Occupational Health Office of the DOH;
- 3 (c) PNRI of the DOST;
- 4 (d) Industrial Technology Development Institute of the DOST;
- 5 (e) Bureau of Health Facilities and Services of the DOH;
- 6 (f) Bureau of Soil and Water Management of the Department of
7 Agriculture (DA);
- 8 (g) Fertilizer and Pesticide Authority of the DA;
- 9 (h) Bureau of Customs of the Department of Finance (DOF);
- 10 (i) Bureau of International Trade Relations of the DTI;
- 11 (j) Board of Investments of the DTI;
- 12 (k) Bureau of Import Services of the DTI;
- 13 (l) DND;
- 14 (m) Land Transportation Office (LTO) of the DOTC;
- 15 (n) Occupational Health and Safety Center of the Department of Labor
16 and Employment (DOLE);
- 17 (o) Philippine Coast Guard;
- 18 (p) civil society organizations;
- 19 (q) industry; and
- 20 (r) academe.

21 The TWG shall provide technical support to the IATAC. Representatives
22 of civil society organizations, the industry and the academe shall be
23 nominated through a process designed by the IATAC.

24 SEC. 40. **Linkage Mechanism.** – The Department and its concerned
25 agencies may coordinate and enter into agreement with other government

1 agencies, civil society, industrial sector and other concerned sectors in the
2 furtherance of the policies of this Act: *Provided*, That the Department shall
3 coordinate with the DILG and the Philippine National Police (PNP) in the
4 enforcement of the requirements for transporters issued pursuant to this
5 Act.

6 SEC. 41. **Visitorial Powers.** – The Department, the PNRI and the DOH
7 or their duly authorized representatives shall have access to, and the right
8 to copy therefrom, the records required to be maintained pursuant to the
9 provisions of this Act. The Secretary of the Department and the DOH and
10 the Director of the PNRI or their authorized representatives shall likewise
11 have the right to enter the premises of any generator, transporter or TSDF
12 any time to question any employee or investigate any fact, condition or
13 matter which may be necessary to determine any violation, or which may aid
14 in the effective enforcement of this Act and its implementing rules and
15 regulations. This section shall not apply to private dwelling places unless
16 the visitorial power is otherwise judicially authorized.

17 CHAPTER VII

18 PERMITS AND FEES

19 SEC. 42. **Permits for Treatment, Storage or Disposal of Hazardous**
20 **and Radioactive Wastes.** – (a) Any person owning an existing or a new
21 TSDF of hazardous or radioactive wastes identified or listed pursuant to this
22 Act is required to secure a permit or license pursuant to this section. The
23 Department and the PNRI shall prescribe reasonable fees for the issuance of
24 the said permit or license.

1 (b) Duration of Permit. – Any permit under this section shall be issued
2 annually during the first three (3) years of operation as a TSDF. Thereafter,
3 the Department and the PNRI may issue a permit or license which is valid
4 for five (5) years to a TSDF which has satisfactorily complied with the rules
5 and regulations issued pursuant to this Act for the first three (3) years of
6 operation: *Provided*, That an annual audit shall be conducted by a
7 multidisciplinary body constituted and authorized by the IATAC created
8 pursuant hereof.

9 (c) Permit Modification, Suspension and Revocation. – The Department
10 and the PNRI shall modify, suspend and revoke such permit upon a
11 determination of noncompliance by a TSDF with the relevant provisions of
12 this Act or the terms and conditions of the permit.

13 (d) Interim Status. – A permit to operate a TSDF issued prior to this
14 Act shall be valid and in force for a period of twelve (12) months after the
15 effectivity of this Act: *Provided*, That the required application for the TSDF
16 permit or license shall have been filed within the said twelve (12)-month
17 period: *Provided, further*, That this paragraph shall not apply to any facility
18 which has been previously denied a TSDF permit or license or if the
19 authority to operate the facility has been previously terminated.

20 SEC. 43. ***Hazardous and Radioactive Waste Transporter License.*** –

21 (a) Any person transporting any hazardous and radioactive waste is required
22 to secure a waste transporter license from the Department, subject to
23 payment of a reasonable fee.

24 (b) Duration of License. – A waste transporter license issued under this
25 section shall be valid for a period of one (1) year.

1 (c) License Modification, Suspension and Revocation. – The Department
2 and the PNRI shall modify, suspend and revoke such license upon a
3 determination of noncompliance by a transporter with the relevant
4 provisions of this Act or the terms and conditions of the permit.

5 A license is not required for the transport of any hazardous or
6 radioactive waste on the premises where it is generated or onto a property
7 owned by the generator thereof located within a one (1) kilometer radius
8 from said premises or within the same industrial estate: *Provided*, That the
9 Department is notified in writing prior to the transfer and a week after the
10 transfer has been completed. Nothing in this section shall be interpreted to
11 preclude the Department and the PNRI from inspecting unlicensed
12 hazardous waste transporting equipment and requiring that it be adequate
13 to provide protection for the health of humans and the environment.

14 SEC. 44. **Hazardous Waste Disposal Fee.** – All hazardous waste
15 disposal facilities shall collect, on behalf of the government, from each
16 hazardous waste generator or transporter disposing such waste at the
17 disposal site, a fee that shall accrue to the hazardous waste management
18 fund. The fee shall be established by the Department, taking into
19 consideration the following:

20 (a) Strong economic inducement for generators to modify their
21 production or management processes;

22 (b) Cost of administering hazardous and radioactive wastes
23 management;

24 (c) Cost of damages caused by hazardous and radioactive wastes on the
25 surrounding environment, including that of rehabilitation;

1 (d) Category of waste; and

2 (e) Classification of waste.

3 The fee, which shall be established after due public consultation, shall
4 be based on the quantity of waste disposed.

5 CHAPTER VIII

6 FINANCING HAZARDOUS WASTES MANAGEMENT

7 SEC. 45. ***Financial Liability for Environmental Rehabilitation.*** –

8 The Department shall require generators and owners of TSDFs to put up an
9 Environmental Guarantee Fund (EGF) as part of the Environmental
10 Management Plan attached to the Environmental Compliance Certificate
11 (ECC) pursuant to Presidential Decree No. 1586 and its implementing rules
12 and regulations. The EGF shall finance the needs of emergency response,
13 clean up or rehabilitation of areas that may be damaged during the
14 generation, transport, treatment, storage or disposal of hazardous and
15 radioactive wastes. Liability for damages shall continue even after the
16 termination of the project and until the lapse of a given period indicated in
17 the ECC, as determined by the Department.

18 The EGF may be in the form of a trust fund, environmental insurance,
19 surety bonds, letters of credit, self-insurance and any other instrument
20 which may be identified by the Department. The choice of the guarantee
21 instrument or combinations thereof shall depend, among others, on the
22 assessment of the risks involved. Proponents required to put up guarantee
23 instruments shall furnish the Department with evidence of availment of
24 such instruments.

1 and NGOs shall enjoy tax- and duty-free importation of machinery,
2 equipment, technology, vehicles and spare parts used for transport,
3 processing, storage and treatment of hazardous and radioactive wastes
4 including cleaner production and waste minimization technologies: *Provided,*
5 That the importation of such machinery, equipment, technology and spare
6 parts shall comply with the following conditions:

7 (1) These are not manufactured domestically in sufficient quantity,
8 of comparable quality and at reasonable prices;

9 (2) These are reasonably needed and will be used actually, directly
10 and exclusively for the abovementioned activities; and

11 (3) The approval of the Board of Investments (BOI) of the DTI for
12 the importation of such machinery, equipment, technology and spare
13 parts: *Provided, further,* That the sale, transfer or disposition of such
14 machinery, equipment, technology, vehicles and spare parts, without
15 prior approval of the BOI, within five (5) years from the date of
16 acquisition shall be prohibited; otherwise, the registered enterprise,
17 LGU or NGO concerned and the buyer, transferee or assignee shall be
18 solidarily liable to pay twice the amount of tax and duty exemption
19 given it.

20 (b) Exemption from Value-Added Tax (VAT) on the Sale of Domestic
21 Capital Equipment. - Within five (5) years from the effectivity of this Act,
22 the sale of domestic capital equipment, including its spare parts to
23 registered enterprises, LGUs and NGOs to be used for the processing,
24 storage and treatment of hazardous and radioactive wastes, shall be
25 exempted from the VAT imposed under the National Internal Revenue Code

1 of 1997, as amended: *Provided*, That the said incentive shall be subject to
2 the same conditions and prohibitions cited in the preceding paragraph.

3 (c) Tax Exemption of Donations, Legacies and Gifts. - All donations,
4 gifts and legacies made by any person or entity in favor of the registered
5 enterprises, LGUs and NGOs, for the support and maintenance of the
6 program for effective hazardous and radioactive wastes management, shall
7 be exempt from the donor's tax and such amount of donation shall be
8 deductible from the gross income of the donor pursuant to Section 34,
9 paragraph (h) of the National Internal Revenue Code of 1997, as amended.

10 (d) Financial Assistance Program. - Government financial institutions
11 such as the Development Bank of the Philippines (DBP), the Land Bank of
12 the Philippines (LBP), the Government Service Insurance System (GSIS) and
13 such other government institutions providing financial services shall, in
14 accordance with and to the extent allowed by the enabling provisions of their
15 respective charters or applicable laws, accord high priority to extending
16 financial services to individuals, enterprises or private entities engaged in
17 hazardous, radioactive, medical and special hazardous wastes management.

18 (e) Extension of Grants to LGUs. - Cities or municipalities whose
19 special hazardous wastes management programs have been duly accredited
20 by the Department or have adopted innovative waste management programs
21 may be entitled to receive grants for the purpose of developing their
22 technical capacities toward actively participating in the program for effective
23 and sustainable waste management.

24 (f) Tax Exemption on Hazardous Wastes Generated Within PEZA Areas,
25 Freeports and Other Special Ecozones. - Hazardous waste materials

1 generated within PEZA areas, freeports and other special ecozones shall be
2 allowed to be brought to the Philippine customs territory for the sole
3 intention of recycling and/or treatment and shall be exempted from the
4 payment of any tax due on said hazardous wastes: *Provided*, That said
5 recyclable hazardous waste materials are identified and listed in accordance
6 with Section 5 of this Act.

7 CHAPTER X

8 CIVIL LIABILITY AND PENAL PROVISIONS

9 SEC. 49. ***Generator's Liability.*** – The generator is primarily
10 responsible for the management of hazardous and radioactive wastes until
11 said wastes have been certified as properly treated or disposed by duly
12 accredited TSDFs: *Provided*, That for wastes that are exported outside of the
13 country and treated and disposed in accordance with international
14 agreements, the TSDFs in the country of destination shall issue the
15 certificate of treatment and disposal. All other environmental service
16 providers involved in the transport, treatment, storage and disposal of said
17 wastes shall be jointly and severally liable with the generator in the event of
18 any adverse environmental impacts due to the improper management of the
19 wastes.

20 SEC. 50. ***Prohibited Acts.*** – The following acts are prohibited:

- 1 (a) Discarding, throwing or dumping of hazardous or radioactive wastes
2 listed pursuant to this Act in public places such as roads, sidewalks, canals,
3 esteros, parks, establishments and municipal solid waste facilities, or
4 causing or permitting the same;
- 5 (b) Undertaking activities involving the collection or transport of
6 hazardous or radioactive wastes in violation of the standards and other
7 requirements or permits set forth in this Act;
- 8 (c) Causing or permitting the collection of nonsegregated or unsorted
9 hazardous waste;
- 10 (d) Operating TSDFs without permits issued pursuant to this Act;
- 11 (e) Transporting hazardous or radioactive wastes without the required
12 permit or license pursuant to this Act;
- 13 (f) The mixing of source-separated recyclable material with other
14 hazardous waste in any vehicle, box, container or receptacle used in
15 hazardous or radioactive waste collection or disposal;
- 16 (g) Disposal of hazardous or radioactive wastes in open and controlled
17 dumps as enjoined in this Act, or causing and permitting the same;
- 18 (h) Establishment and operation of open and controlled dumps for
19 hazardous or radioactive wastes;
- 20 (i) Transporting and dumping of collected hazardous or radioactive
21 wastes in areas other than facilities prescribed under this Act;
- 22 (j) Open burning of hazardous or radioactive wastes;
- 23 (k) Transporting any hazardous or radioactive wastes to a TSDF which
24 is not authorized to receive such wastes pursuant to this Act;

1 (l) Treating, storing or disposing of any hazardous or radioactive waste
2 without permit or license to do so pursuant hereof, or in knowing violation
3 of any material condition or requirement of such permit or license, or in
4 violation of any standard promulgated pursuant to this Act;

5 (m) Making any false material statement, representation or certification
6 in any application, label, permit, record, report, manifest or other document
7 filed, maintained or required to be maintained under this Act;

8 (n) Falsifying, tampering with or rendering inaccurate any monitoring
9 device or result therefrom used, filed, maintained or required to be
10 maintained under this Act;

11 (o) Generating, treating, storing, transporting, disposing of or handling
12 any hazardous or radioactive waste, and who, in connection therewith,
13 knowingly destroying, altering or concealing any record required to be
14 maintained pursuant to this Act;

15 (p) Owning, maintaining or operating any hazardous or radioactive
16 waste disposal facility in a manner which permits any act or hazardous
17 waste management practice in violation of standards or rules and
18 regulations issued pursuant to this Act;

19 (q) Failing to notify the Department, the DOH and the PNRI of
20 hazardous or radioactive waste activities pursuant to Section 6 hereof;

21 (r) Importing or causing or permitting the entry, even in transit, of any
22 hazardous or radioactive waste into Philippine territory in violation of the
23 provisions of this Act and its implementing rules and regulations and
24 relevant international agreements and protocols;

1 (s) Constructing, substantially altering or operating, including all
2 post-closure activities and operations specified in the rules and regulations,
3 a hazardous or radioactive waste TSDF without first obtaining a permit as
4 specified in this Act; and

5 (t) Site preparation, construction, expansion or operation of TSDFs
6 without an ECC required pursuant to Presidential Decree No. 1586 and this
7 Act.

8 For purposes of this provision, the term "hazardous waste" shall include
9 special hazardous and healthcare waste.

10 SEC. 51. **Fines, Damages and Penalties.** – Unless otherwise
11 provided herein, any person who commits any of the prohibited acts
12 provided in the immediately preceding section or violates any of the
13 provisions of this Act or its implementing rules and regulations shall be
14 fined by the Pollution Adjudication Board (PAB) in the amount of not less
15 than Ten thousand pesos (P10,000.00) but not more than One hundred
16 thousand pesos (P100,000.00) for every violation: *Provided, That for*
17 *violation of Section 50 involving prohibited acts under paragraphs (a), (g),*
18 *(h), (i), (l), (p), (s) and (t), the fine shall be imposed for every day of violation.*

19 For purposes of the application of the fines, the PAB, within one (1) year
20 upon the effectivity of this Act, shall establish a fine rating system to adjust
21 the maximum fine based on the violator's ability to pay, degree of
22 willfulness, degree of negligence, degree of severity of the offense, history of
23 noncompliance and degree of recalcitrance.

1 The fines herein prescribed shall be reviewed and revised, whenever
2 necessary, every three (3) years to compensate for inflation and to maintain
3 the deterrent function of such fines.

4 The PAB may order the closure, suspension of development or
5 construction, or cessation of operations until such time that proper
6 environmental safeguards are put in place and/or compliance with this Act
7 or its rules and regulations are undertaken, without prejudice to the
8 issuance of an *ex parte* order for such closure, suspension of development or
9 construction, or cessation of operations during the pendency of the case:
10 *Provided*, That if the prohibited act undertaken shall require clean-up and
11 rehabilitation, the offender shall also be required to restore or compensate
12 for the restoration of the area. The PAB may also award such damages as it
13 may deem just under the circumstances in favor of the private complainant
14 in the case.

15 In case of gross violation of this Act, the PAB shall issue a resolution
16 recommending that the proper government agencies file criminal charges
17 against the violators. Gross violation shall mean any of the following:

18 (a) Deliberate disposal of hazardous or radioactive wastes without the
19 required permit issued pursuant to this Act;

20 (b) Three (3) or more violations of paragraphs (a), (d), (e), (g), (k), (l) and
21 (m) of Section 50 hereof within a period of two (2) years; or

22 (c) Blatant disregard of the orders of the PAB such as the nonpayment
23 of fines, breaking of seals or operation of the source of pollution despite the

1 existence of an order for closure, discontinuance or cessation of operation or
2 the unjustified refusal for the entry or access to any premises of an
3 authorized Department representative.

4 In these cases, the offender shall be punished a fine of not less than
5 One hundred thousand pesos (P100,000.00) but not more than Three
6 million pesos (P3,000,000.00) and/or with imprisonment of not less than
7 three (3) years but not more than ten (10) years at the discretion of the
8 court. If the offender is a juridical person, the chief executive officer and the
9 pollution control officer or its equivalent shall suffer the penalty herein
10 provided: *Provided*, That the officers and incorporators of TSDFs who
11 violated the post-closure requirements issued pursuant to Section 15 hereof
12 shall be banned from setting up TSDFs and hazardous and radioactive
13 wastes transport companies, and engaging in the operation of the same.

14 If the offender is an alien, he or she shall, after service of the sentence
15 prescribed above, be deported without further administrative proceedings.

16 The fines herein prescribed shall be reviewed and revised, whenever
17 necessary, every three (3) years to compensate for inflation and to maintain
18 the deterrent function of such fines.

19 SEC. 52. **Administrative Sanctions.** – Local government officials and
20 officials of government agencies concerned who fail to comply with and
21 enforce rules and regulations promulgated relative to this Act shall be
22 charged administratively in accordance with Republic Act No. 7160 or the
23 Local Government Code and other existing laws, rules and regulations.

1 SEC. 53. **Administrative Action.** – Without prejudice to the right of
2 any affected person to file an administrative action, the Department, the
3 DOH and the PNRI shall, on its own instance or upon verified complaint by
4 any person, institute administrative and civil proceedings against any
5 person who violates:

6 (a) Standards or limitations provided under this Act; or

7 (b) Any order, rule or regulation issued by the Department, the DOH or
8 the PNRI with respect to such standards or limitations.

9 SEC. 54. **Citizen Suit.** – For purposes of enforcing the provisions of
10 this Act or its implementing rules and regulations, any citizen may file an
11 appropriate civil, criminal or administrative action in the proper courts or
12 bodies against the following:

13 (a) Any person who violates or fails to comply with the provisions of this
14 Act or its implementing rules and regulations; or

15 (b) The Department or other implementing agencies with respect to
16 orders, rules and regulations issued inconsistent with this Act; or

17 (c) Any public officer who willfully or grossly neglects the performance of
18 an act specifically enjoined as a duty by this Act or its implementing rules
19 and regulations, or abuses his authority in the performance of his duty, or,
20 in any manner, improperly performs his duties under this Act or its
21 implementing rules and regulations: *Provided, however,* That no suit can be
22 filed until after a thirty (30)-day notice has been given to the public officer
23 and the alleged violator concerned and no appropriate action has been taken
24 thereon.

1 The court shall exempt such action from the payment of filing fees,
2 except fees for actions not capable of pecuniary estimations, and shall,
3 likewise, upon *prima facie* showing of the nonenforcement or violation
4 complained of, exempt the plaintiff from the filing of an injunction bond for
5 the issuance of a preliminary injunction.

6 Within thirty (30) days, the court shall make a determination if the
7 complaint herein is malicious and/or baseless and shall accordingly dismiss
8 the action and award attorney's fees and damages.

9 SEC. 55. *Suits and Strategic Legal Action Against Public*
10 *Participation (SLAPP) and the Enforcement of this Act.* – Where a suit
11 is brought against a person who filed an action as provided in Section 54 of
12 this Act, or against any person, institution or government agency that
13 implements this Act, it shall be the duty of the investigating prosecutor or
14 the court, as the case may be, to immediately make a determination not
15 exceeding thirty (30) days whether the said legal action has been filed to
16 harass, vex, exert undue pressure or stifle such legal recourses of the
17 person complaining of or enforcing the provisions of this Act. Upon
18 determination thereof, evidence warranting the same, the court shall
19 dismiss the case and award attorney's fees and double damages.

20 This provision shall also apply and benefit public officers who are sued
21 for acts committed in their official capacity, there being no grave abuse of
22 authority, and done in the course of enforcing this Act.

CHAPTER XI

MISCELLANEOUS PROVISIONS

1 SEC. 56. **Mandatory Public Hearings.** – Mandatory public hearings
2 for the Framework shall be undertaken in accordance with the process to be
3 formulated by the Department.

4 SEC. 57. **Research on Hazardous and Radioactive Wastes**
5 **Management.** – The Department, after consultations with the cooperating
6 agencies, shall encourage, cooperate with and render financial and other
7 assistance to appropriate government and private agencies, institutions and
8 individuals in the conduct and promotion of researches, experiments and
9 other studies on hazardous and radioactive wastes management,
10 particularly those relating to:

11 (a) Adverse health welfare effects of the release into the environment of
12 hazardous and radioactive wastes, and methods to eliminate said effects or
13 minimize the health risks;

14 (b) The operation and financing of hazardous and radioactive wastes
15 disposal programs;

16 (c) The planning, implementation and operation of resource recovery
17 and resource conservation systems;

18 (d) The production of usable forms of recovered resources, including
19 fuel from hazardous waste;

20 (e) The development and application of new and improved methods of
21 collecting, separating and disposing of hazardous and radioactive wastes,
22 and processing and recovering materials and energy from hazardous and
23 radioactive wastes;

1 (f) Cleaner production technologies;

2 (g) Improvements in land disposal practices for hazardous and
3 radioactive wastes; and

4 (h) Development of new uses of recovered resources and identification of
5 existing or potential markets of recovered resources.

6 In carrying out hazardous and radioactive wastes researches and
7 studies, the Department, the DOH and the PNRI or their authorized
8 representatives may award grants or enter into contracts with government
9 agencies, NGOs and private persons.

10 SEC. 58. **Public Education and Information.** – The Department, the
11 DOH and the PNRI, in coordination with the Department of Education
12 (DepED), the TESDA, the Commission on Higher Education (CHED), the
13 DILG, the Philippine Information Agency (PIA) and the LGUs, shall conduct a
14 continuing education and information campaign on hazardous and
15 radioactive wastes management. Such education and information program
16 shall:

17 (a) Aim to develop public awareness of the impacts of hazardous and
18 radioactive wastes and how to prevent or minimize their adverse effects;

19 (a) Concentrate on activities which are feasible and which will have the
20 greatest impact on the hazardous and radioactive wastes management; and

21 (b) Encourage the general public, accredited NGOs and POs to publicly
22 endorse and patronize environment-friendly products.

1 SEC. 59. *Environmental Education in the Formal and Nonformal*

Sectors. - The national government, through the DepED and in coordination with concerned government agencies, NGOs and private institutions, shall strengthen the integration of environmental concerns in school curricula at all levels, with particular emphasis on hazardous and radioactive wastes management principles in order to promote environmental awareness and action among the citizenry.

8 SEC. 60. ***Business and Industry Role.*** – The Department, the DOH
9 and the PNRI shall encourage commercial and industrial establishments,
10 through appropriate incentives other than tax incentives, to initiate,
11 participate and invest in integrated hazardous and radioactive wastes
12 management projects; to manufacture environment-friendly products; to
13 introduce, develop and adopt innovative processes that shall recycle and
14 reuse materials, conserve raw materials and energy, reduce waste and
15 prevent pollution; and to undertake community activities to promote and
16 propagate effective hazardous and radioactive wastes management
17 practices.

18 CHAPTER XII

19 FINAL PROVISIONS

20 SEC. 61. **Appropriations.** – The Secretaries of the Department of
21 Environment and Natural Resources, the DOH and the DOST shall include
22 in their respective programs the implementation of this Act, the funding of
23 which shall be included in the annual General Appropriations Act.

1 In addition, the Departments may accept donations, contributions,
2 grants, requests or gifts, in cash or in kind, from various sources, domestic
3 or foreign, for purposes relevant to hazardous and radioactive wastes
4 management functions: *Provided*, That, in case of donations from foreign
5 governments, acceptance thereof shall be subject to prior clearance and
6 approval of the President of the Philippines upon the recommendation of the
7 Secretary of Foreign Affairs.

8 Receipts from donations shall be accounted for in the books of the
9 recipient government agency in accordance with pertinent accounting and
10 auditing rules and regulations.

11 SEC. 62. ***Implementing Rules and Regulations.*** – Within one (1) year
12 after the effectivity of this Act, the Department, the DOH and the PNRI,
13 respectively, shall promulgate the implementing rules and regulations of this
14 Act: *Provided*, That rules and regulations issued by other government
15 agencies and instrumentalities relative to hazardous and radioactive wastes
16 management consistent with this Act shall supplement the rules and
17 regulations issued by the DENR, the DOH and the PNRI pursuant to the
18 provisions of this Act.

19 There shall be a mandatory review of the implementing rules and
20 regulations and standards set pursuant to the

21 SEC. 63. ***Joint Congressional Oversight Committee.*** – There is
22 hereby created a Joint Congressional Oversight Committee to monitor the
23 implementation of this Act. The Committee shall be composed of five (5)
24 Senators and five (5) Representatives to be appointed by the Senate

1 President and the Speaker of the House of Representatives, respectively.
2 The Oversight Committee shall be co-chaired by a Senator and a
3 Representative designated by the Senate President and the Speaker of the
4 House of Representatives, respectively.

5 SEC. 64. **Transitory Provision.** – Pending the establishment of
6 the Framework under Section 8 hereof and the promulgation of the
7 implementing rules and regulations of this Act, pertinent existing laws,
8 regulations, programs and projects on hazardous and radioactive wastes
9 management shall be enforced: *Provided*, That, for specific undertakings,
10 these may be revised in the interim in accordance with the intentions of this
11 Act.

12 SEC. 65. **Report to Congress.** – The Department shall report to
13 Congress not later than March 30 of every year following the approval of this
14 Act, giving a detailed account of its accomplishments and progress on
15 hazardous and radioactive wastes management during the year and make
16 the necessary recommendations in areas where there is need for legislative
17 action.

18 SEC. 66. **Separability Clause.** – If any provision of this Act or the
19 application of such provision to any person or circumstance is declared
20 unconstitutional, the remainder of this Act or the application of such
21 provision to other persons or circumstances shall not be affected by such
22 declaration.

23 SEC. 67. **Repealing Clause.** – Republic Act No. 6969, Executive Order
24 No. 192, Republic Act No. 9003, Republic Act No. 7160 and Republic Act No.

1 2067, as amended, are partly modified. All laws, decrees, issuances, rules
2 and regulations or parts thereof inconsistent with the provisions of this Act
3 are hereby repealed or modified accordingly.

4 SEC. 68. **Effectivity.** – This Act shall take effect fifteen (15) days after
5 its publication in at least two (2) newspapers of general circulation.

Approved,