

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

**SIXTEENTH CONGRESS**  
Second Regular Session

House Bill No. 5192



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**INTRODUCED BY HON. MARCELINO "MARCY" R. TEODORO**

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**EXPLANATORY NOTE**

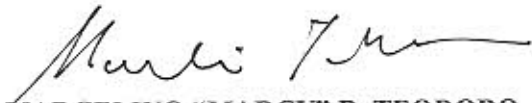
This bill seeks to create a Philippine Pollutant Release and Transfer Registry (PPRTR) – catalogues or registries of potentially harmful pollutant releases or transfers to the environment from a variety of sources, including information on the nature and quantity of such releases and transfers.

PPRTR aims to provide timely, relevant, and comprehensible data to the general public to support the identification and assessment of possible risks to humans and the environment by indicating sources and amounts of potentially harmful releases and transfers to the environment and to reduce their effects on the environment. This will facilitate in minimizing pollution and the release of pollutants from various sectors by encouraging the implementation of cleaner technologies and compliance to environmental rules and regulations. More importantly, by keeping the public informed, the industries will be made accountable and responsible for every action they take. Quoting noted political activist and philosopher Thomas Paine – "*A body of men holding themselves accountable to nobody ought not to be trusted by anybody.*"

This bill, taking into consideration the collaborated efforts of Greenpeace organization and Dean Antonio La Viña of the Ateneo School of Government, also seeks to evaluate the progress of government environmental policies on pollution control and prevention and to assess the extent these national environmental goals can be achieved. Moreover, by allowing the public access to data about the harmful chemicals produced by different industries, they would be able to participate better in environmental decision making.

It is the constitutional mandate of the State to protect the environment for the people. As provided in Section 16 of Article 2 of the 1987 Constitution – *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.*

In view of the foregoing, passage of this bill is earnestly sought.

  
**MARCELINO "MARCY" R. TEODORO**  
Representative  
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**AN ACT INSTITUTING A PHILIPPINE  
POLLUTANT RELEASE AND TRANSFER REGISTRY**

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

**SECTION 1. *Short Title.*** – This Act shall be known as the “Philippine Pollutant Release and Transfer Registry Act.”

**SEC. 2. *Declaration of Policies.*** – It shall be the policy of the State to:

- (a) Protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature, and to protect and promote the people’s right to health, and to attain and maintain a balance between development and environmental protection;
- (b) Maintain a quality of air that protects human health and welfare;
- (c) Pursue economic growth in a manner consistent with the protection, preservation and revival of the quality of our fresh, brackish and marine waters;
- (d) Regulate, restrict, or prohibit the importation, manufacture, processing, sale and distribution, use and disposal of chemical substances and mixtures that present unreasonable risk and/or injury to health or the environment;
- (e) Adopt a systematic, comprehensive and ecological solid waste management program which shall ensure the protection of public health and the environment;
- (f) Adopt and implement full public disclosure of all its transactions involving public interest, and to promote a transparent, open and participatory environmental management regime.

**SEC. 3. *Applicable and Related Laws, Rules and Regulations.*** – The following laws and their pertinent rules and regulations shall be applicable and taken into account in the implementation of the Philippine Pollutant Release and Transfer Registry (PPRTR):

- (a) Republic Act (R.A.) No. 6969 or the Toxic Substances and Hazardous and Nuclear waste Control Act of 1990;
- (b) R.A. No. 8749 or the Philippine Clean Air Act of 1999;
- (c) R.A. No. 9275 or the Philippine Clean Water Act of 2004;
- (d) R.A. No. 9003 or the Ecological Solid Waste Management Act of 2000;
- (e) All other environmental laws, rules, and regulations as may be relevant to the implementation of the PPRTR, including, but not limited to multilateral and bilateral health and environmental agreements to which the Philippines is a party to.

**SEC. 4. *Scope and Coverage.*** – The PPRTR shall cover all forms of pollutants and hazardous and toxic chemicals, and all forms of emissions and discharges to the environment, whether in the air, water, or soil by all facilities and industries operating in the Philippines, subject to the guidelines and procedures of the PPRTR on the disclosure requirement for facilities and industries.

**SEC. 5. *Definition of Terms.*** – As used in this Act, the following terms shall mean:

(a) Pollutant release and transfer registry (PRTR) – catalogues or registries of potentially harmful pollutant releases or transfers to the environment from a variety of sources, including information on the nature and quantity of such releases and transfers; The information shall include among others – (1) releases or transfers to air, water, and soil, as well as about wastes transported to treatment and disposal sites; (2) financial costs resulting from the impact of pollutants and polluting practices to public health and environment; and (3) financial costs to industries should they shift to cleaner alternatives.

It is a means for obtaining regular, periodic information about releases and/or transfers of chemical substances of interest and for making this information accessible to those who may be interested and/or affected by it; it is a tool for promoting efficient and effective policies for environmental protection and sustainable development.

(b) Emission – emission of a substance to the environment whether in pure form or contained in other matter and whether in solid, liquid or gaseous form. It includes emissions from landfills, incinerators, waste management and other disposal facilities, concrete kilns, sewerage systems, tailings dams, and other industrial facilities.

(c) Air pollution – any alteration of the physical, chemical and biological properties of the atmospheric air, or any discharge thereto of any liquid, gaseous or solid substance that will

or is likely to create or to render the air resources of the country harmful, detrimental, or injurious to public health, safety and welfare or which will adversely affect their utilization for domestic, commercial or industrial, agricultural, recreational or other legitimate purposes.

(d) Water pollution – any alteration of the physical, chemical, biological, radiological properties of a body of water resulting in the impairment of its purity or quality, or is hazardous or potentially hazardous to health.

(e) Hazardous wastes – substances that are without any safe commercial, industrial, agricultural or economic usage and to by-products, side-products, process residues, spent reaction, media, contaminated plant or equipment or other substances from manufacturing operations, and as consumer discards from manufactured products.

(f) Hazardous substances/chemicals – are substances which present either: 1) short term acute hazards, such as acute toxicity by ingestion, inhalation or skin absorption, corrosivity or other skin or eye contact hazard or the risk of fire or explosion; or 2) long term environmental hazards, including chronic toxicity upon repeated exposure, carcinogenicity (which may in some cases result from acute exposure but with a long latent period), resistance to detoxification process such as biodegradation, the potential to pollute underground or surface waters, or aesthetically objectionable properties such as offensive odors. It is a chemical for which there is statistically significant evidence (based on at least one study conducted according to established scientific principles) that acute or chronic health effects may occur.

(g) Solid waste – all discarded household, commercial waste, non-hazardous institutional and industrial waste, street sweepings, construction debris, agricultural waste, and other non-hazardous and non-hazardous/ non-toxic waste.

(h) Green chemistry – also known as sustainable chemistry, is the design of chemical products and purposes that reduce or eliminate the use of generation of hazardous substances.

(i) Clean product- is a preventive, integrated, continuous strategy for modifying products, processes and services, to enhance efficiency which improves environmental performance and reduces costs.

**SEC. 6. Lead/ Implementing Agency.** – The Environment Management Bureau (EMB) shall be the lead/ implementing agency for the PPRTR. The EMB shall create a special unit, the PPRTR Office (PPRTRO), whose sole function shall be to manage and administer the PPRTR

The PPRTRO shall be headed by an Executive Director and shall be assisted by competent staff to be determined based on the exigency of the circumstances. The PPRTRO shall be created and established within one (1) month from the effectivity of this Order.

**SEC. 7. Powers and Functions of the PPRTR Office.** – The PPTR shall have the following powers and functions:

- (a) Conduct an assessment of existing infrastructure for the full implementation of the PPRTR;
- (b) Conduct information and dissemination campaign as regards the PPRTR, from inception to its implementation stages;
- (c) Collect, manage, sort and make available to the general public the data and information collected in the system in an effective, efficient, accessible, and timely manner;
- (d) In coordination with the Department of Education, provide a simplified version of the information in PPRTR to elementary and high schools to raise environmental awareness among students;
- (e) Identify and maintain a database of covered industries, facilities and establishments;
- (f) Issue reports and updates regarding the PPRTR for the general public;
- (g) Conduct research and studies on pollution control, prevention, and mitigation and on green chemistry and clean production and to keep the country up to speed with developments and emerging trends related to such;
- (h) Coordinate with other government agencies and the private sector for effective and efficient implementation of the PPRTR;
- (i) Conduct periodic assessments of the PPRTR system and make recommendations for the improvement of the same;
- (j) Perform such other powers and functions as may be designated by the secretary of Environment and Natural Resources; and
- (k) Recommend to the President the best practices consistent with this Act to be feasibly implemented by the National Government uniformly to the national, regional, local, and field offices of its agencies and institutions.

**SEC. 8. Implementing Rules and Regulations.** – The IRR for the PPRTR shall be issued by the Secretary of Environment and Natural Resources within three (3) months from the date of effectivity of this Act. The IRR shall contain, but not be limited to the following information:

- (a) List and schedule of covered substances, chemicals and pollutants, and their classification;
- (b) List of covered facilities, establishments and industries;

- (c) Procedure and method of obtaining, reporting, and disseminating information;
- (d) Procedure for citing non-complaint and violating facilities;
- (e) Guidelines to ensure accessible, timely, relevant and accessible public access to information on the PPRTR, taking into account the right of business and industries to the protection of trade secrets and other intellectual property and related rights.

The information indicated in this provision shall be modified accordingly in consonance with international developments and evolving practices related but not limited to pollution control, prevention, and mitigation, green chemistry, clean production, based from researches, studies, international laws, treaties and conventions, jurisprudence, and the like.

**SEC. 9. *Penalties.*** – Businesses that fail to comply with the requirements of this Act shall be fined an amount not less than FIFTY THOUSAND PESOS (P 50,000.00) but not more than ONE MILLION PESOS (P 1,000,000.00) and/or have their licences to operate revoked, at the discretion of the court.

**SEC. 10. *Transitory Provisions.*** – Existing inventories, records and listings of pollutants, chemicals, and substances as provided for in other laws, rules and regulations, such as but not limited to the Priority Chemicals List (PCL) of the Department of Environment and Natural Resources (DENR), shall be taken into consideration in the formulation of the list and schedules of the PPRTR. Data and information in existing inventories, records, and listings shall be included in the initial list of the PPRTR, provided that all the chemicals in the PCL of the DENR shall be used as the initial list of the system. The consolidation shall be completed within three (3) months from the date of effectivity of this Act.

**SEC. 11. *Funding.*** – Upon the effectivity of this Act, the EMB shall allocate from their existing funds such amounts as may be necessary for the additional funding requirements that may be needed by the PPRTR, subject to the usual government accounting and auditing rules and regulations. Thereafter, the amount of ONE MILLION PESOS (P1,000,000.00) shall be added to the annual budget of the EMB for the PPRTRO.

**SEC. 12. *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.

**SEC. 13. *Repealing Clause.*** – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

**SEC. 14. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,