

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session



7693

HOUSE BILL NO. _____

Introduced by: **"KUYA" JOSE ANTONIO R. SY-ALVARADO**

EXPLANATORY NOTE

The National Disaster Risk Reduction and Management council (NDRRMC) is an entity engage in the planning and facilitating disaster preparedness for Natural calamities such as earthquake, fire, typhoons and other similar calamities. However, the NDRRMC planning and calamity preparedness does not include management of hazardous substances, materials, chemical, biological and radioactive agents.

This bill seeks to provide proper training, precautionary measures and systematic response to address accidents involving hazardous materials in order to prevent or minimize damage to properties, injuries or death.

Hence, this proposal is submitted for consideration.

"KUYA" JOSE ANTONIO R. SY-ALVARADO 

*Representative
First District of Bulacan*

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HOUSE BILL NO. _____

Introduced by: **"KUYA" JOSE ANTONIO R. SY-ALVARADO**

AN ACT
MANDATING THE CONDUCT OF EMERGENCY PREPAREDNESS DRILLS IN
FACILITIES HANDLING, STORING, AND TRANSPORTING HAZARDOUS
MATERIALS

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

SECTION 1. **Short Title.** - This Act shall be known as "HazMat Accidents Preparedness Act".

SECTION 2. **Declaration of Policy.** - It is the policy of the State to ensure systematic, safe, and orderly response to hazardous material releases and/or accidents so as to reduce the risks on the lives, limb, and properties of the people by providing education, training, and preparedness programs.

SECTION 3. **Definition of Terms.** -

a. *Emergency* - refers to a serious, unexpected, and often dangerous situation requiring immediate action, such as but not limited to hazardous material releases and/or biological, chemical or radiological accidents.

b. *Facility* - means all buildings, equipment, structures, and other stationary items which are located on a single site or on contiguous or adjacent sites and which are owned or operated by the same person (or by any person which controls, is controlled by, or under common control with, such person).

c. *Hazardous material (HazMat)* - any item or agent (biological, chemical, radiological, and/or physical), which has the potential to cause harm to humans, animals, or the environment, either by itself or through interaction with other factors.

d. *Motor vehicles* - shall mean any vehicle propelled by any power other than muscular power using the public highways, but excepting road rollers, trolley cars, street-sweepers, sprinklers, lawn mowers, bulldozers, graders, fork-lifts, amphibian trucks, and cranes if not used on public highways, vehicles which run only on rails or tracks, and tractors, trailers and traction engines of all kinds used exclusively for agricultural purposes.

e. *Release* - means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles) of any hazardous chemical, extremely hazardous substance, or toxic chemical.

SECTION 4. ***Emergency Preparedness Protocols in Facilities Handling, Storing, and Transporting HazMats.*** - Facilities handling, storing, and transporting HazMats shall have emergency preparedness protocols in case of releases, accidents, and other potential risks relative to the management, storage, and transportation of HazMats. Drills shall likewise be conducted to properly carry out these protocols.

SECTION 5. ***Conduct of Emergency Preparedness Drills in Facilities Handling and Storing HazMats.***

a. Emergency preparedness drills on HazMat releases and/or accidents shall be conducted on a monthly basis in facilities handling, storing, and transporting hazardous materials. Provided nighttime drills shall be done at least thrice a year.

b. The drills shall include: (i) the establishment of emergency communications system and evacuation routes and plans in case of Haz Mat releases, accidents and other hazardous phenomena (ii) practice and instruction concerning the location, use and operation of hazardous material protection suits, footwear, masks, gloves and other protective equipment, and (iii) evaluation of every concluded drill on the efficacy and efficiency of the plans, the problems/intervening threats encountered, and the potential remedies to such problems.

c. A record of all drills shall be kept, and persons in charge of the facilities shall file quarterly written reports with the Regional Disaster Risk Reduction and Management Council (RDRRMC), giving the time and date of each drill held.

SECTION 6. ***Conduct of Emergency Preparedness Drills for Motor Vehicles Transporting Haz Mats.***

a. All facilities using or contracting motor vehicles for transporting HazMats shall conduct at least two (2) emergency preparedness, containment, and evacuation drills in a year. Provided night time drills shall be done at least once a year. The first emergency drill shall be conducted during the first quarter of the year and the second during the third quarter.

b. Each drill shall include the practice and instruction concerning the proper evacuation of the vehicles and proper containment of HazMats in case of releases, accidents, and other hazardous phenomena during transportation.

c. Facility operators and drivers shall be trained and instructed by the RDRRMC to enable them to carry out the provisions of this Act.

d. The person(s) in charge of the facilities shall certify in writing to the RDRRMC that the drills required herein have been conducted, giving the time and date of each drill held.

SECTION 7. ***Implementing Agency.*** - The National Disaster Risk Reduction and Management Council (NDRRMC) and its regional and local offices shall oversee the implementation of this Act in each locality and shall keep record of the reports submitted by the facilities handling hazardous materials.

SECTION 8. ***Penalties.*** - Building administrators or any person in charge of the administration or management the facilities who refuse or fail to carry out the provisions of this Act shall be given a warning for the first offense; a fine of Six Thousand Pesos (Php6,000.00) for the second offense; a fine of Twelve Thousand Pesos (Php12,000.00) for the third offense; and imprisonment of one (1) month and a fine of Thirty Five Thousand Pesos (Php35,000.00) for subsequent offenses. The fines shall go to the funds of the local NDRRMC office and shall be used for disaster prevention and mitigation programs of the locality.

SECTION 9. **Repealing Clause.** - All laws, decrees, executive orders, memorandum circulars inconsistent with the provisions of this Act are hereby amended, repealed or modified accordingly.

SECTION 10. **Effectivity.** - This act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,

