

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 8491



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

The Constitution mandates that the State shall responsibly promote the exploration, development, utilization, and conservation of all its mineral resources. The State also recognizes the need to protect and advance the right of the people to a balanced ecology and a wholesome and healthy environment. Moreover, the Philippine Mining Act of 1995 provides for the proper exploration, development, utilization, and processing of all mineral resources in the country.

Quarry wastes are a largely unavoidable by-product of the extraction and processing of aggregates. They are defined as wastes because no market currently exists for them, but unlike many other wastes, they are generally inert and non-hazardous. Quarry wastes are generally considered as waste materials and cause an environmental load due to disposal problem.

The type and amount of waste depends on the nature of the operation. Most sand and gravel workings do not produce much, if any, permanent waste. Even so, it shall be the duty of the State to ensure that the communities living near the quarrying sites as well as the environment be protected and remain healthy.

This bill seeks to mandate licensed sand and granite quarrying contractors to practice proper disposal of waste derived from their quarrying activities.

In view of the foregoing, immediate approval of this measure is earnestly sought.


GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

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AN ACT
MANDATING LICENSED SAND AND GRANITE QUARRYING CONTRACTORS
TO PRACTICE PROPER DISPOSAL OF WASTE MATTER IN QUARRYING
SITES AND FOR OTHER PURPOSES

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

1 **SEC. 1. Declaration of Policy.** – It shall be the policy of the State to responsibly
2 promote the exploration, development, utilization, and conservation of all its mineral
3 resources. The State also recognizes the need to protect and advance the right of the people to
4 a balanced ecology and a wholesome and healthy environment.
5

6 **SEC.2. Effluent Water to be Free from Mud.** – (1) Every licensed sand quarrying
7 contractor shall only use fresh water in connection with his sand quarrying operations and
8 shall make such provision or take such steps as will ensure that all the water, before it leaves
9 the sand quarrying area on which it has been so used, is freed from any mud, sand, silt or any
10 other refuse of the sand quarry which is likely to interfere with the natural flow of water in
11 any river, stream, channel, or watercourse.

12 (2) The Department of Environment and Natural Resources (DENR) in coordination
13 with the Local Government Units (LGUs) may, by notice in writing, require any licensed
14 sand quarrying contractor to provide such spillways, retaining walls, brush dams, settling pits,
15 and other mechanical appliances or devices as the DENR and the concerned Local
16 Government Unit may consider necessary for effectual compliance with paragraph (1) of this
17 Section and may also order the licensed sand quarrying contractor to suspend his sand
18 quarrying contractor to suspend his sand quarrying operations until such provision has been
19 made.

20 (3) The compliance of the licensed sand quarrying contractor with a notice or order
21 made under paragraph (2) above shall not affect any liability incurred by any licensed sand
22 quarrying contractor through breach of paragraph (1) of this Section.
23
24

25 **SEC.3. Disposal of Waste Matter.** – The DENR may give such directions in writing
26 as he may consider necessary for the disposal of all earth, sludge, dirt, sand, silt or other
27 waste water from any sand or granite quarry.

28 The DENR may, by notice in writing, require any licensed quarrying contractor to
29 take such precautions and to construct and maintain such drains, spillways, channels, and
30 other works as may in his opinion be necessary to ensure that earth, sludge, dirt, sand, silt or

1 other waste matter from any sand or granite quarry will not be carried or washed away by
2 storm water or by fresh water used for the purpose of working the sand or granite quarry to
3 any place not being a place where the same may lawfully be deposited.
4

5 **SEC. 4. Penalties.** – Any person who shall violate the provisions of this Act shall be
6 held liable on conviction to a fine not less than One million pesos (P1,000,000.00), and in the
7 case of continuing offense to a fine not less than Fifty thousand pesos (P50,000.00) for every
8 day or part thereof during which the offense continues after conviction.
9

10 **SEC.5. Implementing Rules and Regulations.** – The DENR together with the
11 Department of Interior and Local Government as well as the various Local Government Units
12 (LGUs) shall promulgate the rules and regulations for the effective enforcement of the
13 provisions of this Act.
14

15 **SEC.6. Separability Clause.** – Should any provision of this Act or any part thereof be
16 declared invalid, the other provisions, so far as they are separable from the invalid ones, shall
17 remain in full force and effect,
18

19 **SEC.7. Repealing Clause.** – All laws, orders, issuances, rules, and regulations or
20 parts thereof, inconsistent with this Act are hereby repealed or modified accordingly.
21

22 **SEC.8. Effectivity.** - This Act shall take effect after fifteen (15) days from its
23 publication in the Official Gazette or in two (2) newspaper of general circulation.

Approved,