

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

TWENTIETH CONGRESS
First Regular Session

House Bill No. 2433



Introduced by HON. LINABELLE RUTH R. VILLARICA
4TH DISTRICT, BULACAN

AN ACT
PROHIBITING THE DUMPING OF SEWAGE SLUDGE AND INDUSTRIAL WASTE
INTO THE SEAWATERS AND PROVIDING FOR PENALTIES IN VIOLATION
THEREOF

EXPLANATORY NOTE

The State must protect and facilitate a balanced and healthful ecology for its people. It must also be responsive to environmental issues affecting them.

Considering that the Philippines is a party to the “Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972” or the 1996 London Protocol, this proposed bill seeks to articulate its commitment in this treaty at the municipal level.

The London Protocol as adopted in 1996 was built on and modernized the principles developed under the earlier treaty. It prohibits the dumping of wastes and other matter except for those on a prescribed list, which may be assessed and giving permits for dumping.

This bill was filed during the 17th, 18th and 19th Congresses but due to time constraints no further action was taken on it. This is re-filed for the consideration of the 20th Congress.

Support for the enactment of this measure is earnestly requested.


REP. LINABELLE RUTH R. VILLARICA

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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 the “Sea Dumping Ban Act”.

SEC. 2. *Declaration of Policy.* – It shall be the declared policy of the State to promote the natural balance of the environment for the protection of human health and safety.

SEC. 3. *Definition of Terms.* – For purposes of this Act these terms are defined as follows:

- (a) *Dredged Materials* any waste from any industrial operation located in the Philippines discharged pursuant to a permit issued by the Secretary of Environment and Natural Resources;
- (b) *Industrial Waste* is any solid, semi-solid, or liquid waste generated by a manufacturing or processing plant other than an excluded material; and
- (c) *Sewage Sludge* is any solid, semi-solid, or liquid waste generated by a wastewater treatment plant, other than a dredged material.

SEC. 4. *Materials considered for Dumping.* – The following materials listed in Annex 1 of the London Protocol may be considered for dumping:

- (a) Dredged material
- (b) Sewage sludge
- (c) Fish wastes or material resulting from industrial fish processing operations
- (d) Vessels and platforms or other man-made structures at sea
- (e) Inert, inorganic geological material

- (f) Organic material of natural origin
- (g) Bulky items primarily comprising iron, steel concrete and similarly unarmful materials for which the concern is physical impact, and limited to the circumstances where such wastes are generated at locations with no land-based alternatives
- (h) Carbon dioxide streams from carbon dioxide capture processed for sequestration in sub-seabed geological formations

SEC. 5. *Prohibited Acts.* – No person shall dump into the seawaters or transport for the purpose of dumping into the seawaters, sewage sludge or industrial waste, unless such person has obtained a permit issued by the Secretary of Environment and Natural Resources which authorizes such dumping and transportation.

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

SEC. 6. *Penalties.* – The penalty of imprisonment of not less than six (6) months or a fine in the amount of not less than one hundred thousand pesos (Php 100,000.00) or both, at the discretion of the court, shall be imposed on any person who dumps into the seawaters, or transports for the purpose of dumping into seawaters, sewage sludge or industrial waste. If the offense is committed by a corporation, trust, firm, partnership, association or other entity, the penalty shall be imposed upon the guilty officer or officers of such corporation, trust, firm, partnership or association or other entity.

SEC. 7. *Enforcement Monitoring Report.* – The Secretary of the Department of Environment and Natural Resources, in consultation with the Secretary of the Department of Transportation and Communications, shall submit a report to Congress. The report shall contain an accounting of discharges into the seawaters of the territorial sea, the contiguous zone, and the ocean including:

- (a) the total number of discharges;
- (b) the location, source, volume, and potential environmental effects of each discharge;
- (c) the date of original issuance, review, and reissuance of each discharge permit;
- (d) the number of discharges including that which have been determined by the Secretary of Environment and Natural Resources;
- (e) a schedule for implementing this Act as expeditiously as practicable, and an estimate of the resources required to meet such schedule; and
- (f) recommendations for any additional legislative authorities needed to achieve compliance with such guidelines.

SEC. 8. *Separability Clause.* – If, for any reason any provision of this Act is declared unconstitutional or invalid, such parts or portions not affected thereby shall remain in full force and effect.

SEC. 9. *Repealing Clause.* – All laws, executive orders, presidential decrees, issuances, letters of instruction, administrative order, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified or amended accordingly.

SEC. 10. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or a newspaper of general circulation.

Approved,