

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila
TWENTIETH CONGRESS
First Regular Session
House Bill No. 3990



INTRODUCED BY REPRESENTATIVE PM VARGAS

AN ACT
MANDATING THE ESTABLISHMENT OF COMPOSTING FACILITIES IN
EVERY BARANGAY OR CLUSTER OF BARANGAYS AS PART OF
COMPREHENSIVE SOLID WASTE MANAGEMENT, AMENDING FOR THE
PURPOSE REPUBLIC ACT NO. 9003, OTHERWISE KNOWN AS THE
“ECOLOGICAL SOLID WASTE MANAGEMENT ACT”,
AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The State provides that it shall adopt a systematic, comprehensive, and ecological solid waste management program, and as such, passed into law the Republic Act 9003, better known as the “Ecological Solid Waste Management Act” in 2000, as well as the Local Government Code of 1991 or RA 7160.

Since these laws have been implemented, evidence has revealed that the “overly simplistic transfer of responsibility to the Local Government Units has resulted in decades of mediocre policy grounding.”¹ Provisions of the laws, while devolved to the barangay level, did not translate to effective and efficient collection, treatment, and disposal of wastes across the country.

With 18.05 million tons of solid waste generated annually, biodegradables comprise more than half of the classified wastes² which requires composting and organic matter processing hubs for proper disposal.

To address the proper treatment and disposal of biodegradable wastes,

¹ Domingo, Sonny N. and Arvie Joy A. Manejar, 2021. “An Analysis of Regulatory Policies on Solid Waste Management in the Philippines: Ways Forward”, Philippine Institute for Development Studies. Accessed Online on October 20, 2022

² Filipino Environment Planner, 2022. “ 15 Statistics About Solid Waste Management in the Philippines that Every Filipino Should Know” <https://enptinio.com/statistics-philippines-solid-waste-management/> Accessed on October 20, 2022

this bill seeks to amend RA 9003 by focusing on the appropriate treatment of compostable solid wastes through the establishment of a materials recovery facility in every barangay across the country. By ensuring the presence of proper viable solid waste treatment at the barangay level, citizens will be encouraged to do their part in solid waste management, while communities contribute to creating a positive impact on the environment, making it more sustainable and livable.

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

A handwritten signature in blue ink, appearing to be 'PM VARGAS', is positioned above the printed name.

REP. PM VARGAS

Fifth District, Quezon City

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

SECTION 1. Short Title. – This Act shall be known as the “*Barangay Composting Facility Act.*”

SECTION 2. Objectives. – The establishment of a Composting Facility in every barangay or cluster of barangays has the following objectives:

- (a) To provide a sustainable solution forming part of a comprehensive and ecological solid waste management;
- (b) To bring about a waste management process adaptable to the topographical location of any proponent, waste generation volume, and cost-efficiency, in contrast to sanitary landfills and controlled dumpsites, among others;
- (c) To ensure an environmentally sound method that encourages resource recovery and utilization of recovered resources;
- (d) To set forth a waste minimization measure aimed to diminish solid waste entering the final disposal system;
- (e) To comply with the mandatory Solid Waste Diversion, Solid Waste Management Plan, and LGU Materials Recovery Facility requirements of the law through resource recovery activities;
- (f) To utilize recovered resources as an income generation undertaking that may be commercially distributed as organic fertilizers or soil enhancers, both of which are valuable to agriculture and horticulture.

SECTION 3. *Definition of Terms.* – For purposes of this Act, the following terms shall be defined as follows:

- (a) Board – refers to the multi-level provincial, city, municipal Solid Waste Management Boards pertaining to the Local Government Units ladder created under Republic Act No. 9003 and tasked to develop corresponding Solid Waste Management Plans within their respective areas of jurisdiction, in coordination with the National Solid Waste Management Commission;
- (b) Composting – the controlled decomposition of organic matter by micro-organisms, mainly bacteria and fungi, into a humus-like product;
- (c) Composting Facility – a waste diversion site where the organic components of solid wastes is decomposed under controlled conditions;
- (d) Composting Technologies – the acceptable composting methods most beneficial to the proponent in terms of establishment and administration cost and its operating efficiency while giving consideration upon its locational topography, waste generation volume, and general waste characterization of the area.

SECTION 4. *Amendatory Provisions.* – Chapter III, Article 5 of Republic Act No. 9003 is hereby renamed from “Composting” to “Composting Program”. New sections, Section 34, 35, and 36 shall be inserted under Article 5. The succeeding Sections under the same Act shall be renumbered accordingly. Article 5 shall be read as follows:

ARTICLE 5 COMPOSTING PROGRAM

SECTION 34. *ESTABLISHMENT OF BARANGAY COMPOSTING FACILITY.* – THERE SHALL BE ESTABLISHED A COMPOSTING FACILITY IN EVERY BARANGAY OR CLUSTER OF BARANGAYS AS AN INTEGRAL PART OF SOLID WASTE DIVERSION MEASURES IN ACCORDANCE WITH SECTION 20 OF THIS ACT. THE COMPOSTING FACILITY MAY BE WITHIN OR SEPARATE FROM THE MATERIALS RECOVERY FACILITY, AND SHALL BE ESTABLISHED IN A BARANGAY-OWNED OR -LEASED LAND OR ANY SUITABLE OPEN SPACE TO BE DETERMINED BY THE BARANGAY THROUGH ITS SANGGUNIAN. THE DETERMINATION OF SITE AND ACTUAL ESTABLISHMENT OF THE FACILITY SHALL LIKEWISE BE SUBJECT TO THE GUIDELINES AND CRITERIA SET PURSUANT TO THIS ACT.

SECTION 35. *GUIDELINES FOR THE ESTABLISHMENT OF BARANGAY COMPOSTING FACILITY.* – FOR THE PURPOSE OF THIS ACT, THE BARANGAY COMPOSTING FACILITY SHOULD COMPLY WITH THE FOLLOWING CONSIDERATIONS:

(A) AS FAR AS PRACTICABLE, THE COMPOSTING FACILITY SHOULD BE ADJACENT OR PRACTICALLY CONNECTED TO THE EXISTING BARANGAY MATERIALS RECOVERY FACILITY (MRF);

(B) THE FACILITY SHALL BE ESTABLISHED ON ANY SUITABLE OPEN SPACE OWNED BY THE BARANGAY OR OWNED BY THE CITY OR MUNICIPALITY WHERE THE PROPONENT BARANGAY IS SITUATED, THE ESTABLISHMENT OF WHICH SHALL BE PURSUANT TO THE CORRESPONDING BARANGAY OR CITY/MUNICIPAL RESOLUTION, AS THE CASE MAY BE, BEING ADOPTED FOR SUCH PURPOSE;

(C) THE COMPOSTING FACILITY DIMENSION AND CAPACITY MUST BE AT LEAST PROPORTIONATE TO THE COMPOSTABLE WASTE GENERATION VOLUME OF THE BARANGAY. FOR THE PURPOSE, THE CLUSTERING OF THE BARANGAYS IS HIGHLY ENCOURAGED TO ACCOMMODATE TARGETED VOLUME OF COMPOSTABLE MATERIALS;

(D) THE ENTIRE FACILITY, INCLUDING ITS EQUIPMENT AND OPERATION, MUST SATISFY THE STANDARD SERVICE EFFICIENCY AND SAFETY PRESCRIBED BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR), THROUGH THE ENVIRONMENTAL MANAGEMENT BUREAU (EMB);

(E) SUFFICIENT HUMAN RESOURCES APPROPRIATE TO THE COMPOSTING FACILITY DESIGN OR TECHNOLOGY SHALL BE DEPLOYED, AFTER TRAINING COMPLETION TO BE CONDUCTED FOR FREE BY THE DENR-EMB;

(F) FACILITY COMPLIANCE WITH SUCH OTHER REASONABLE GUIDELINES AS MAY BE SUBSEQUENTLY IMPOSED BY THE DENR-EMB OR THE IMPLEMENTING RULES AND REGULATIONS OF THIS ACT.

SECTION 36. COMPOSTING FACILITY TECHNOLOGY AND DESIGN. – THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, THROUGH THE ENVIRONMENTAL MANAGEMENT BUREAU (DENR-EMB), SHALL PROVIDE SEVERAL STANDARD COMPOSTING FACILITY TECHNOLOGIES AND DESIGNS WHICH MAY BE ESTABLISHED BY THE BARANGAY, TAKING INTO CONSIDERATION THE TOPOGRAPHICAL LOCATIONS OF THE PROPONENTS, ENVIRONMENTALLY-SOUND FRAMEWORKS, AND COST-EFFECTIVE STRUCTURES.

SECTION ~~{34}~~ 37. Inventory of Markets for Composts. – Xxx

SECTION 5. *Appropriations.* – The amount necessary for the implementation of this Act shall be sourced from the appropriations of all concerned agencies and local government units. Additional funds and possible fund sources as may be necessary for the implementation of this Act shall be identified and provided by the Department of Budget and Management.

SECTION 6. *Implementing Rules and Regulations.* – Within ninety (90) days upon the effectivity of this Act, The Department of Environment and Natural Resources, through its Environmental Management Bureau (DENR-EMB), in coordination with the National Solid Waste Management Commission, the National Ecology Center, the Department of Interior and Local Government (DILG), and concerned local government units, shall formulate the implementing rules and regulations necessary to carry out the provisions of this Act.

SECTION 7. *Separability Clause.* - If any part, section, or provisions of this Act is held invalid or unconstitutional, other provisions not affected thereby shall remain in full force and effect.

SECTION 8. *Repealing Clause.* - All other statutes, executive orders, and administrative issuances or rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 9. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,