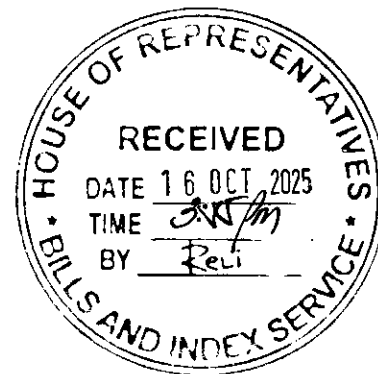


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session
5604
House Bill No. _____



Introduced by Representative
ARTHUR C. YAP

EXPLANATORY NOTE

The increasing population as well as the rapid urbanization has brought serious waste management concerns. At the same time, it led to thinning sources of energy, particularly to a country like the Philippines, which is heavily dependent on imported fossil fuels, that are major contributors to environmental degradation.

There is a dire need for measures to effectively deal with the problem of waste disposal and look for alternative sources of energy.

The bill seeks to establish a national energy policy and regulatory framework for facilities utilizing waste-to-energy technologies. Waste-to-Energy (WTE) shall be classified as another kind of renewable energy resource. A WTE facility shall be both a solid waste management treatment facility and an energy production facility.

The Secretary of the Department of Energy shall become a member of the National Solid Waste Management Commission (NSWMC), which in addition to its powers and functions under Republic Act No. 9003, or the Solid Waste Management Law, shall include a WTE strategy in the National Solid Waste Management Framework. It shall serve as the lead agency in ensuring streamlined standards, criteria, and guidelines for WTE facilities.

A systematic and comprehensive ecological solid waste management program would ensure the protection of the public's health and the environment. It would lead to the development and utilization of environmentally sustainable, new and alternative technologies in resource recovery, resource conservation, processing, treatment, and disposal of solid waste.

For the foregoing reasons, the immediate consideration and approval of this bill is earnestly urged.

A handwritten signature in black ink, consisting of a stylized 'A' followed by a cursive 'C' and 'YAP'.

ARTHUR C. YAP

Representative

Republic of the Philippines
HOUSE OF REPRESENTATIVES
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TWENTIETH CONGRESS
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House Bill No. 5604

INTRODUCED BY REPRESENTATIVE
ARTHUR C. YAP

AN ACT
ESTABLISHING A NATIONAL ENERGY POLICY AND
REGULATORY FRAMEWORK FOR FACILITIES
UTILIZING WASTE-TO-ENERGY TECHNOLOGIES

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

1 **SECTION 1. *Short Title.*** - This Act shall be referred to as the “Waste-
2 to-Energy Act of 2025”.

3 **Sec. 2. *Declaration of Policy.*** - It is hereby declared the policy of the
4 State to:

5 a) Ensure protection of the public's health and the environment through a
6 systematic and comprehensive ecological solid waste management
7 program;

8 b) Strengthen its commitment to solid waste avoidance and volume
9 reduction by supplementing the latter with other solid waste
10 management treatment technologies to include waste-to-energy;

11 c) Encourage the development and utilization of environmentally
12 sustainable new and alternative technologies in resource recovery,

resource conservation, processing, treatment, and disposal of solid waste, such as waste-to-energy facilities;

d) Support the utilization of waste-to-energy facilities in order to attain sustainable energy and energy security;

e) Strengthen the integration of solid waste management, waste-to-energy promotion, and environmental protection towards healthful cities amidst economic growth and development; and

f) Promote collaboration, cooperation, and participation of various sectors in coordinated approaches to solid waste management and waste treatment technology towards national development and jobs creation.

Sec. 3. *Scope and Application.* - This Act shall apply to all local government units and waste-to-energy facilities.

Sec. 4. *Definition of Terms.* - For purposes of this Act, the following terms shall be defined as stated below:

a) *Agricultural waste* refers to waste generated from planting or harvesting of crops, trimming or pruning of plants, and wastes or run-off materials from farms or fields;

b) *Biomedical waste or hazardous healthcare waste* refers to waste from healthcare facilities that may pose a variety of environmental and health risks.

It can be further classified into sharps waste, infectious waste, pathological and anatomical waste, pharmaceutical waste, genotoxic waste, chemical waste, radioactive waste, and pressurized containers as defined by the Department of Health (DOH);

1 c) *City or Municipal Solid Waste Management Board* refers to the entity
2 established by each city or municipality pursuant to Section 12 of
3 Republic Act No. 9003, otherwise known as the Ecological Solid Waste
4 Management Act of 2000;

5 d) *Chemical and industrial waste* refers to discarded solid, liquid, or
6 gaseous chemicals from laboratories, industrial establishments, or other
7 sources such as diagnostic and experimental work, environmental
8 work, cleaning, housekeeping, and disinfecting procedures;

9 e) *Clustering* is a strategy of pooling available resources of local
10 government units (LCDs) for the establishment of a common solid
11 waste management treatment facility or service;

12 f) *Collection* refers to the act of removing solid waste from the source or
13 from a communal storage point;

14 g) *Disposal* refers to the deposit, or placing of any solid waste into an
15 approved disposal site pursuant to Republic Act No. 9003;

16 h) *Disposal site* refers to a facility where solid waste is finally deposited
17 and placed pursuant to Republic Act No. 9003;

18 i) *Emission* means any air contaminant, pollutant, gas stream, or
19 unwanted sound from a known source which is passed into the
20 atmosphere;

21 j) *Hazardous waste* refers to substances that are without any safe
22 commercial, industrial, agricultural, or economic usage and are
23 shipped, transported, or brought from the country of origin for dumping
24 or disposal into or in transit through any part of the Philippines. It shall

1 reaction media, contaminated plant or equipment, or other substances
2 from manufacturing operations and as a customer discards of
3 manufactured products, or a combination of solid waste which, because
4 of its quantity, concentration, physical, chemical, or infectious
5 characteristics, may:

6 i) Cause or significantly contribute to an increase In mortality or an
7 increase in a serious irreversible or incapacitating reversible illness,
8 or

9 ii) Pose a substantial present or potential hazard to human health or the
10 environment when improperly treated, stored, transported, or
11 disposed of, or otherwise managed;

12 k) *Incineration in a WTE facility* refers to a waste treatment and resource
13 recovery technology that involves the controlled combustion of waste
14 materials for the purpose of recovering energy from it, and whose
15 emissions and effluents are compliant with the guidelines pursuant to
16 this Act and other relevant laws, rules, and regulations;

17 l) *Local Government Solid Waste Management Plan* refers to the ten (10)
18 year solid waste management plan, consistent with the National Solid
19 Waste Management Framework, prepared by the LGUs pursuant to
20 Section 16 of Republic Act No. 9003;

21 m) *Municipal waste* refers to waste produced from activities within LGUs
22 which include a combination of domestic, commercial, institutional,
23 and industrial wastes and street litters pursuant to Republic Act No.
24 9003;

1 n) *National Solid Waste Management Commission (NSWMC)* refers to the
2 body created and primarily tasked with overseeing the implementation
3 of solid waste management plans and prescribing policies to achieve
4 the objectives of Republic Act No. 9003;

5 o) *National Solid Waste Management Framework* refers to a document
6 prepared by the NSWMC based on the National Solid Waste
7 Management Status Report pursuant to Section 15 of Republic Act No.
8 9003;

9 p) *National Solid Waste Management Status Report* refers to a document
10 prepared by the Department of Environment and Natural Resources
11 (DENR), which is used as a basis in formulating the National Solid
12 Waste Management Framework pursuant to Section 14 of Republic Act
13 No. 9003;

14 q) *Poisonous and toxic fumes* refer to any emissions and fumes which are
15 beyond internationally accepted standards, including but not limited to
16 the World Health Organization (WHO) air quality guidelines, as
17 provided in Republic Act No. 8749, otherwise known as the Philippine
18 Clean Air Act of 1999;

19 r) *Processing fee* refers to the amount paid to avail of the services of a
20 waste-to-energy facility as defined herein;

21 s) *Provincial Solid Waste Management Board* refers to the entity
22 established by each province pursuant to Section 11 of Republic Act
23 No. 9003;

1 t) *Residue* refers to substances that remain after a process in a waste-to-
2 energy facility such as preparation, separation, purification,
3 evaporation, combustion, distillation, or filtration;

4 u) *Resource recovery* refers to the collection, extraction, or recovery of
5 recyclable materials from the waste stream for the purpose of recycling,
6 generating energy, or producing a product suitable for beneficial use;

7 v) *Sanitary landfill* refers to a waste disposal site designed, constructed,
8 operated, and maintained in a manner that exerts engineering control
9 over significant potential environment impacts arising from the
10 development and operation of the facility pursuant to Republic Act No.
11 9003;

12 w) *Segregation* refers to a solid waste management practice of separating
13 different materials found in solid waste in order to promote recycling
14 and re-use of resources, facilitate waste treatment processes, and to
15 reduce the volume of waste for collection and disposal pursuant to
16 Republic Act No. 9003;

17 x) *Solid waste* refers to all discarded household waste, commercial waste,
18 non-hazardous institutional and industrial waste, street sweepings,
19 construction debris, agricultural waste, and other non-hazardous or
20 non-toxic solid waste. It shall not include:

21 i) Waste identified or listed as hazardous waste of a solid, liquid,
22 contained gaseous, or semisolid form, which may cause or
23 contribute to an increase in mortality or in serious or incapacitating
24 reversible illness, or acute or chronic effect on the health of persons

1 ii) Infectious waste from hospitals such as equipment, instruments,
2 utensils, and fomites of a disposable nature from patients who are
3 suspected to have or have been diagnosed as having communicable
4 diseases and must therefore be isolated as required by public health
5 agencies, laboratory wastes as pathological specimens, and
6 disposable fomites that may harbor or transmit pathogenic
7 organisms, and surgical operating room pathologic materials from
8 outpatient areas and emergency rooms, and

9 iii) Waste resulting from mining activities, including contaminated soil
10 and debris;

11 y) *Solid waste management treatment facility* refers to any resource
12 recovery system or component thereof; any system, program or facility
13 for resource conservation; or any facility for the collection, source
14 separation, storage, transportation, transfer, processing, treatment, or
15 disposal of solid waste;

16 z) *Solid waste management* refers to the discipline associated with the
17 control of generation, storage, collection, transfer and transport,
18 processing, and disposal of solid wastes in a manner that is in accord
19 with the best principal of public health, economics, engineering,
20 conservation, aesthetics, and other environmental considerations, and
21 that is also responsive to the public attitudes;

22 aa) *Waste* refers to any material misplaced, unused or rejected by persons
23 as worthless or unwanted. It includes, among others, agricultural,
24 biomedical, chemical and industrial, hazardous, municipal, and solid

1 bb)*Waste-to-Energy (WTE)* refers to an energy system with a process of
2 converting WTE feedstock with various technologies, usually the
3 conversion of non-recyclable waste materials Into usable heat,
4 electricity, or fuel through a variety of processes;

5 cc)*WTE facility* refers to the facility where the WTE operations are
6 conducted;

7 dd)*WTE feedstock* refers to the waste materials with calorific-value that
8 are taken in for WTE processing in a WTE facility;

9 ee) *Waste generation* refers to the act or process of producing solid waste;
10 and

11 ff) *WTE strategy* refers to a plan of action with measurable targets for the
12 utilization of WTE facilities for solid waste management treatment and
13 energy production.

14 **Sec. 5. *Waste-to-Energy and Waste-to-Energy Facility.*** - WTE shall
15 be classified as another kind of renewable energy resource. A WTE facility
16 shall:

17 a) Be both a solid waste management treatment facility and an energy
18 production facility;

19 b) Comply with establishment and operation guidelines for WTE facilities
20 pursuant to Sections 6(c), 8(c), and 9(b) of this Act;

21 c) Ensure the proper management of its residue which should conform to
22 relevant laws, rules, and regulations and should include making
23 arrangements with a sanitary landfill, or developing its own, prior to its
24 operations, as a disposal site for any residue generated from its

1 operations in accordance with NSWMC, DENR, and DOH guidelines
2 issued pursuant to this Act; and

3 d) Comply with relevant laws, rules, and regulations including but not
4 limited to Presidential Decree No. 1586 Establishing an Environmental
5 Impact Statement System, Republic Act No. 6969 otherwise known as
6 the Toxic Substances and Hazardous and Nuclear Waste Act, Republic
7 Act No. 7638, otherwise known as the Department of Energy Act of
8 1992 as amended, Republic Act No. 8749, Republic Act No. 9003,
9 Republic Act No. 9136, otherwise known as the Electric Power
10 Industry Reform Act of 2001, Republic Act No. 9275 otherwise known
11 as the Philippine Clean Water Act of 2004, Republic Act No. 9367
12 otherwise known as the Biofuels Act of 2006, Republic Act No. 9513
13 otherwise known as the Renewable Energy Act of 2008, Republic Act
14 No. 11223 otherwise known as the Universal Health Care Act, and
15 WHO Guidelines on Air Quality. All waste treatment technologies in a
16 WTE facility shall be allowed including incineration: *Provided*, that
17 these technologies shall not emit toxic and poisonous fumes into the
18 environment and shall comply with all the laws mentioned hereof and
19 other relevant laws, rules, and regulations.

20 In addition to the provisions of this Act, the segregation,
21 collection, transfer, storage, and transport of solid waste as WTE
22 feedstock for a WTE facility, and the waste treatment process of the
23 WTE facility shall be governed by Republic Act No. 9003 and Republic
24 Act No. 8749, while the energy production aspect of the WTE facility

1 Republic Act No. 9367, Republic Act No. 9513, and other relevant
2 laws, rules, and regulations.

3 **Sec. 6. *The National Solid Waste Management Commission.*** - The
4 Secretary of the Department of Energy shall serve in *ex officio* capacity as
5 member of the National Solid Waste Management Commission (NSWMC),
6 which shall now have fifteen (15) members from the government sector. In
7 addition to its powers and functions under Republic Act No. 9003, the
8 NSWMC shall:

9 a) Include a WTE strategy in the National Solid Waste Management
10 Framework;

11 b) Act as the lead agency in ensuring streamlined standards, criteria, and
12 guidelines for WTE facilities to avoid inconsistent and conflicting
13 issuances;

14 c) Regularly determine, review, and publish the following:

15 i) Standards, criteria, and guidelines for:

16 1. Characterization and composition of solid waste utilized as WTE
17 feedstock for WTE facilities to ensure emissions are compliant
18 with Republic Act No. 8749 and other relevant laws, rules, and
19 regulations,

20 2. Transport, storage, and pre-processing of WTE feedstock,

21 3. Pre-operation, siting, design, operation, and maintenance of
22 WTE facilities,

23 4. Quality control and operational control of WTE facilities,

24 5. Management of residue from WTE facilities, if any;

- 1 6. Pollution abatement, emissions monitoring, environmental
2 monitoring, and public health and safety monitoring in relation
3 to WTE facilities,
- 4 7. Decommissioning, closure, and abandonment of WTE facilities,
5 and,
- 6 8. Other guidelines pursuant to relevant laws, rules, and
7 regulations, and,
- 8 ii) Minimum standards, criteria, and guidelines, in determining a fair,
9 equitable, and reasonable processing fee for WTE facilities taking
10 into consideration, among others, the cost of construction, operation,
11 and maintenance of the facility as well as the potential revenue from
12 the sale of energy output, in consultation with relevant government
13 agencies, experts, and stakeholders;
- 14 d) Consolidate and make available to the public, through its website, the
15 following:
- 16 i) Current and potential uses of WTE facilities in relation to solid waste
17 management;
- 18 ii) Inventory of existing WTE facilities;
- 19 iii) General feedstock characterization;
- 20 iv) Status and projection of feedstock generation;
- 21 v) Specific locations of potential feedstock and WTE facilities; and
22 vi) Other relevant information;
- 23 e) Provide policy guidelines to assist LCDs in the development of WTE
24 facilities to include the determination of the potential of WTE facilities

- f) Ensure LGUs incorporate a WTE strategy, if feasible, in their respective Local Government Solid Waste Management Plans;
- g) Identify and recommend potential clustering of LGUs for a common WTE facility;
- h) Coordinate with the Provincial, City, and Municipal Solid Waste Management Boards especially for clustered LGUs employing a common WTE facility; and
- i) Perform all other acts that are analogous to the foregoing, which are necessary and incidental to accomplish the policy objectives of this Act.

Sec. 7. Role of the Department of Energy. - In addition to its powers and functions under Republic Act No. 7638, the Department of Energy (DOE) shall:

- a) Issue permits to WTE facilities based on the energy output, and determine the standards, criteria, and requirements applicable for each kind of WTE facility pursuant to Republic Act No. 7638, Republic Act No. 9136, Republic Act No. 9367, Republic Act No. 9513, and other relevant laws, rules, and regulations;
- b) Include a WTE strategy in the Philippine Energy Plan, taking into consideration the National Solid Waste Management Framework;
- c) Regularly submit to the NSWMC and make available to the public, especially to potential WTE investors, national and local information on the following:
 - i) Current and potential uses of WTE facilities in relation to solid waste management,

1 iii) Other relevant information; and

2 d) Perform all other acts that are analogous to the foregoing, which are
3 necessary and incidental to accomplish the policy objectives of this Act.

4 **Sec. 8. *Role of the Department of Environment and Natural***

5 ***Resources.*** – In addition to its powers and functions under Republic Act No.
6 9003 and Republic Act No. 8749, the DENR shall:

7 a) Include a WTE strategy, if feasible, in the National Solid Waste
8 Management Status Report;

9 b) Provide technical and other capacity building assistance and support to
10 LGUs based on the policy guidelines created by the NSWMC pursuant
11 to Section 6(e) of this Act;

12 c) Implement and revise, when necessary, together with the DOH, existing
13 to guidelines issued pursuant to Republic Act No. 9003 on waste
14 transport, pre-operation, waste acceptance, waste storage, pre-
15 processing of waste, quality control, operational control, pollution
16 abatement, management of residue, emissions monitoring,
17 environmental monitoring, public health and safety monitoring,
18 decommissioning, closure, and abandonment, among others, taking
19 into account the NSWMC's standards, criteria, and guidelines under
20 Section 6(c) of this Act and other relevant laws, rules, and regulations,
21 and in consultation with relevant stakeholders;

22 d) Ensure compliance with Section 8(c) of this Act to include continuous
23 monitoring and testing of by-products of WTE facilities;

24 e) Make available to the public, through its website, the emissions,

- f) Investigate, motu proprio or upon complaint, reports of non-compliance of WTE facilities with the provisions of this Act and other relevant laws, rules, and regulations;
- g) Exercise visitorial and enforcement powers to ensure strict compliance of WTE facilities with this Act, Republic Act No. 9003, Republic Act No. 8749, and other relevant laws, rules, and regulations;
- h) Recommend to the NSWMC policies to address challenges of WTE facilities from a solid waste management perspective; and
- i) Perform all other acts that are analogous to the foregoing, which are necessary and incidental to accomplish the policy objectives of this Act.

Sec. 9. Role of the Department of Health. - In addition to its existing powers and 2 functions, the DOH shall:

- a) Ensure all WTE facilities undergo a Health Impact Assessment, pursuant to Republic Act No. 11223 and Presidential Decree No. 1586, as part of the Environmental Impact Assessment System, to be jointly reviewed and approved by the DOH and DENR prior to construction and operation;
- b) Implement and revise, when necessary, together with DENR, existing guidelines Issued pursuant to Republic Act No. 9003 on waste transport, pre-operation, waste acceptance, waste storage, pre-processing of waste, quality control, operational control, pollution abatement, management of residue, emissions monitoring, environmental monitoring, public health and safety monitoring, decommissioning, closure, and abandonment, among others, taking

1 Section 6(c) of this Act and other relevant laws, rules, and regulations,
2 and in consultation with relevant stakeholders;

3 c) Regularly conduct an analysis of the effects of WTE facilities and
4 disposal sites on public health and submit the same to the NSWMC for
5 consolidation, and DENR for proper action, if applicable;

6 d) Undertake research on the public health Impact of WTE facilities
7 together with government agencies, the academe, and private
8 stakeholders;

9 e) Make available to the public, through its website, studies and analyses
10 of the effects of WTE facilities and disposal sites on public health; and

11 f) Perform all other acts that are analogous to the foregoing, which are
12 necessary and incidental to accomplish the policy objectives of this Act.

13 **Sec. 10. Role of Local Government Units.** - In addition to their powers,
14 functions, and responsibilities under Republic Act No. 7160 otherwise known
15 as the Local Government Code of 1991, and Republic Act No. 9003, LGUs
16 shall:

17 a) In the case of a city or municipality and if applicable, be responsible for
18 the hauling of WTE feedstock to a WTE facility;

19 b) In the case of a province and if applicable, provide necessary logistical
20 and operational support for the processing of WTE feedstock in a WTE
21 facility;

22 c) Include a WTE strategy, if feasible, in their respective Local
23 Government Solid Waste Management Plans;

- 1 d) Comply with the standards, criteria, and guidelines on WTE feedstock
2 and WTE facilities pursuant to Sections 6(c), 8(c), and 9(b) of this Act,
3 if applicable; and
- 4 e) Be authorized to enter into and shall comply with all obligations under
5 the following:
- 6 i) Clustering arrangements with other LGUs for a common WTE
7 facility, on their own or upon recommendation of the Provincial
8 Solid Waste Management Board or the NSWMC: *Provided*, That
9 the province shall have the power to cluster component cities and
10 municipalities based on the NSWMC approved provincial and local
11 solid waste management plans and the recommendation of the
12 NSWMC pursuant to Section 6(g) of this Act,
- 13 ii) Long term contracts with WTE facilities, on their own or with
14 clustered LGUs, and
- 15 iii) Public private partnerships pursuant to Republic Act No. 6957
16 otherwise known as An Act Authorizing the Financing,
17 Construction, Operation and Maintenance of Infrastructure Projects
18 by the Private Sector, and For Other Purposes as amended,
19 cooperative undertakings under Section of Republic Act No. 7160,
20 and other contractual arrangements provided for under existing
21 laws, rules, regulations as well as the LGUs' respective charters for
22 the establishment of WTE facilities: *Provided*, That WTE projects
23 submitted to the Investment Coordinating Committee pursuant to
24 Republic Act No. 6957, as amended, shall be acted upon within

1 failure to act within the prescribed time frame shall deem such
2 projects approved.

3 The national government shall provide support to all LGUs
4 towards the effective implementation and the achievement of the
5 policy objectives of this Act.

6 **Sec. 11. *Role of the Provincial Solid Waste Management Board.*** - In
7 addition to its powers and functions under Republic Act No. 9003, the
8 Provincial Solid Waste Management Board shall:

9 a) Integrate a WTE strategy, if feasible, in the Provincial Solid Waste
10 Management Plan taking into consideration the Local Government
11 Solid Waste Management Plans of all its component cities and
12 municipalities;

13 b) Recommend potential locations for WTE facilities in the Provincial
14 Solid Waste Management Plan;

15 c) Identify and recommend, or direct pursuant to Section 10 of this Act,
16 clustering of component cities and municipalities for a common WTE
17 facility, based on the Local Government Solid Waste Management
18 Plans of all its component cities and municipalities;

19 d) Provide the necessary logistical and operational support to component
20 cities and municipalities who have the potential to be clustered, have
21 decided to be clustered, or have been directed to be clustered pursuant
22 to Section 10 of this Act, for a common WTE facility;

23 e) Coordinate the efforts and oversee the implementation of the clustering
24 of component cities and municipalities for a common WTE facility; and

1 f) Coordinate with other Provincial, City, and Municipal Solid Waste
2 Management Boards In Identifying possible Inter- and intra- province
3 clustering for a common WTE facility.

4 **Sec. 12. *Role of the City or Municipal Solid Waste Management***

5 ***Board.*** – In addition to its powers and functions under Republic Act No. 9003,
6 the City or Municipal Solid Waste Management Board shall Integrate a WTE
7 strategy, if feasible, in its Local Government Solid Waste Management Plan,
8 and shall submit a copy thereof to the Provincial Solid Waste Management
9 Board.

10 **Sec. 13. *Permits and Licenses.*** - The procedure for the issuance of
11 permits and licenses for all kinds of WTE facilities shall be governed by
12 Republic Act No. 11234, otherwise known as the Energy Virtual One-Stop
13 Shop Act.

14 **Sec. 14. *Prohibited Acts.*** - The following acts are prohibited:

15 a) For LGUs:

16 i) Failure to include, if feasible, and implement, if applicable, the WTE
17 strategy in their respective Local Government Solid Waste
18 Management Plans, and

19 ii) Failure to perform the responsibilities in Section 10 on the Role of
20 Local Government Units, Section 11 on the Role of the Provincial
21 Solid Waste Management Board, and Section 12 on the Role of the
22 City or Municipal Solid Waste Management Board;

23 b) For government agencies, failure to perform the powers and functions
24 indicated under Section 6 on the National Solid Waste Management

Section 8 on the Role of the Department of Environment and Natural Resources, and Section 9 on the Role of the Department of Health; and

c) For WTE facilities;

i) Failure to comply with the responsibilities in Section 5 on Waste-to-Energy and Waste-to-Energy Facility, and

ii) Use of imported municipal solid waste as WTE feedstock for a WTE facility.

Sec. 15. *Penalties.* - Without prejudice to civil and criminal liability, the following persons found to have violated the Sections mentioned below shall be meted with the following penalties:

a) Officials of LGUs and government agencies who violate Section 14(a):

i) First offense: six (6) months suspension,

ii) Second offense: Dismissal from service, perpetual disqualification from holding public office, and forfeiture of retirement benefits;

b) Officials of LGUs and government agencies who violate Section 14(b)

shall be suffer dismissal from service, perpetual disqualification from holding public office, forfeiture of retirement benefits, and imprisonment for one (1) to six (6) years with a fine of not less than Five hundred thousand pesos (P500,000.00) but not more than Two million pesos (P2,000,000.00);

c) Any person who violates Section 14(c)(i):

i) First offense: Fine of One million pesos (P1,000,000.00) and an amount not less than ten percent (10%) but not more than fifteen percent (15%) of the net annual Income during the previous year,

1 ii) Second offense: The same penalties as with the first offense
2 including an additional penalty of imprisonment of a minimum
3 period of one (1) year but not to exceed three (3) years,

4 iii) Third offense: The same penalties as with the second offense and 8
5 permanent revocation of the license of the WTE facility;

6 e) Any person who violates Section 14(c)(ii) shall pay a fine of One
7 million pesos (P1,000,000.00) and an amount not less than ten percent
8 (10%) but not more than fifteen percent (15%) of the net annual income
9 during the previous year, and shall suffer imprisonment of a minimum
10 period of one (1) year but not to exceed three (3) years and permanent
11 revocation of the license of the WTE facility. The same person shall
12 repatriate the imported municipal solid waste to its country of origin.

13 For Section 14, if the violation is committed by a corporation,
14 partnership, or other juridical entity duly recognized in accordance with
15 the law, the chief executive officer, president, general manager,
16 managing partner, or such other officer-in-charge shall be liable for the
17 commission of the offense penalized under this Act.

18 **Sec. 16. Incentives.** - WTE facilities, depending on their output, shall
19 be entitled to avail of the incentives under Republic Act No. 9367 otherwise
20 known as the Biofuels Act of 2006 and Republic Act No. 9513 otherwise
21 known as the Renewable Energy Act 24 of 2008.

22 **Sec. 17. Establishment of Dedicated Offices.** - The DOE, DENR, DOH
23 and NSWMC shall establish dedicated offices for the effective
24 implementation of this Act.

1 The organizational structure and staffing complement shall be
2 determined by the Secretaries of DENR, DOE, and DOH, in consultation with
3 the Department of Budget and Management, and in accordance with existing
4 civil service rules and regulations.

5 The budgetary requirements necessary for the establishment of the
6 dedicated offices shall be taken from the current appropriations of DOE,
7 DENR, DOH and NSWMC.

8 Thereafter, the funding for the dedicated offices shall be included in the
9 annual General Appropriations Act.

10 **Sec. 18. *Appropriations.*** - The amount of Fifteen million pesos
11 (P15,000,000.00) for DOE, Three hundred million pesos (P300,000,000.00)
12 for DENR, Forty five million pesos (P45,000,000.00) for DOH, and Twenty
13 seven million (P27,000,000.00) for NSWMC for the initial implementation of
14 this Act shall be charged against the current year's appropriations of the DOE,
15 DENR, DOH, and NSWMC respectively. Thereafter, such amounts necessary
16 for the sustainable implementation of this Act shall be included in the Annual
17 General Appropriations Act.

18 **Sec. 19. *Congressional Oversight.*** - The Joint Congressional Energy
19 Commission (JCEC), created under Republic Act No. 9136 and renamed
20 under Republic Act No. 11285, shall exercise oversight powers over the
21 implementation of this Act.

22 The Chairpersons of the Committee on Environment and Natural
23 Resources of the Senate and the House of Representatives shall be automatic
24 members of the JCEC.

1 **Sec. 20. *Implementing Rules and Regulations.*** - The DOE together
2 with the DENR, in consultation with DOH, NSWMC, Department of Interior
3 and Local Government, and public and private stakeholders, shall issue the
4 implementing rules and regulations of this Act within ninety (90) calendar
5 days upon its effectivity.

6 **Sec. 21. *Amendatory Clause.*** - All laws, decrees, orders, rules,
7 regulations, and other issuances inconsistent with the provisions of this Act
8 are hereby deemed amended and modified accordingly.

9 **Sec. 22. *Separability Clause.*** - If any portion or provision of this Act is
10 declared unconstitutional, the remainder of this Act or any provisions not
11 affected thereby shall remain in force and effect.

12 **Sec. 23. *Repealing Clause.*** - Any law, presidential decree or issuance,
13 executive order, letter of instruction, rule or regulation inconsistent with the
14 provisions of this Act is hereby repealed or modified accordingly.

15 **Sec. 24. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days
16 following its complete publication in the Official Gazette or a newspaper of
17 general circulation.

APPROVED.