



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

20th CONGRESS
2nd Regular Session

HOUSE BILL NO. 10326



Introduced by **REPRESENTATIVE JENNIFER A. LAGBAS**

EXPLANATORY NOTE

Republic Act No. 9003, or the “Ecological Solid Waste Management Act of 2000” (ESWMA), has served for twenty-five (25) years as the country’s principal framework for solid waste management. While the law introduced important reforms in segregation, recycling, and composting, it was written at a time when incineration and other waste-to-energy technologies were, as a matter of policy, excluded from the national framework. A quarter of a century later, the volume of solid waste generated by a growing and urbanizing population has far outpaced the capacity of sanitary landfills, many of which are nearing or have already exceeded their design life.

In his Fifth State of the Nation Address delivered on July 27, 2026, President Ferdinand R. Marcos Jr. called for the modernization of the country’s solid waste management framework, stating that “[o]ne systemic intervention is to update our 25-year-old Ecological Solid Waste Management Act, aligning it with modern waste management practices, such as waste-to-energy and waste treatment technology.” The President likewise cited the solid waste management practices being implemented by the Metropolitan Manila Development Authority (MMDA), including waste recovery, processing, and upcycling, as models worth replicating on a national scale.

This bill answers that call. Landfills remain a significant source of environmental degradation, releasing harmful greenhouse gases and posing soil and groundwater contamination risks, while offering diminishing returns as usable land in urban and urbanizing areas grows scarcer. Waste-to-energy facilities and other waste treatment technologies, by contrast, reduce the volume of waste requiring final disposal, generate a renewable source of electricity or heat, and can substantially extend the useful life of existing sanitary landfills. At the same time, the persistent problem of illegal dumping and littering, particularly along the country’s rivers, creeks, and canals, shows that the fines and penalties currently prescribed under the ESWMA are no longer sufficient, in real terms, to deter violators or compel compliance.

Specifically, this bill seeks to: (1) amend the Declaration of Policy and the definitions under the ESWMA to expressly recognize waste-to-energy facilities and other waste treatment technologies, as well as waste recovery, processing, and upcycling programs patterned after the MMDA model, as legitimate components of ecological solid waste management; (2) include the Department of Energy (DOE) as a member of the National Solid Waste Management Commission (NSWMC) and grant the Commission additional functions relative to the standard-setting, siting, and monitoring of waste-to-energy facilities; (3) require local government solid waste management plans to account for waste-to-energy and resource-recovery capacity in addition to landfill capacity; (4) insert a new Section 39-A authorizing and, where feasible, mandating the establishment of waste-to-energy facilities compliant with DENR-EMB and DOE standards, without dismantling existing safeguards on sanitary landfills; (5) extend fiscal and non-fiscal incentives to waste-to-energy and upcycling enterprises; (6) institutionalize Local Clean-Up Teams in every city and municipality; and (7) substantially increase the fines and penalties under Section 49, with a built-in mechanism for automatic adjustment every three (3) years based on the Consumer Price Index (CPI) published by the Philippine Statistics Authority (PSA).

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



HON. JENNIFER A. LAGBAS
Representative
First District, Misamis Oriental



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Introduced by **REPRESENTATIVE JENNIFER A. LAGBAS**

AN ACT
AMENDING REPUBLIC ACT NO. 9003, OTHERWISE KNOWN AS THE
“ECOLOGICAL SOLID WASTE MANAGEMENT ACT OF 2000,” TO INTEGRATE
WASTE-TO-ENERGY AND OTHER WASTE TREATMENT TECHNOLOGIES,
STRENGTHEN LOCAL GOVERNMENT SOLID WASTE COLLECTION AND
DISPOSAL SYSTEMS, INSTITUTIONALIZE LOCAL CLEAN-UP TEAMS, INCREASE
THE FINES AND PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER
PURPOSES

SECTION 1. Section 2 of Republic Act No. 9003, otherwise known as the “Ecological Solid Waste Management Act of 2000,” is hereby amended to read as follows:

“SECTION 2. Declaration of Policies. – It is hereby declared the policy of the State to adopt a systematic, comprehensive and ecological solid waste management program which shall:

- (a) Ensure the protection of public health and environment;
- (b) Utilize environmentally-sound methods that maximize the utilization of valuable resources and encourage resources conservation and recovery;
- (c) Set guidelines and targets for solid waste avoidance and volume reduction through source reduction and waste minimization measures, including composting, recycling, re-use, recovery, green charcoal process, and others, before collection, treatment and disposal in appropriate and environmentally-sound solid waste management facilities in accordance with ecologically sustainable development principles;
- (d) Ensure the proper segregation, collection, transport, storage, treatment and disposal of solid waste through the formulation and adoption of the best environmental practices in ecological waste management ~~excluding incineration~~ **INCLUDING THE USE OF WASTE-TO-ENERGY FACILITIES AND OTHER WASTE TREATMENT**

TECHNOLOGIES THAT COMPLY WITH THE ENVIRONMENTAL, EMISSION, AND HEALTH STANDARDS SET BY THE DEPARTMENT, THE DEPARTMENT OF ENERGY (DOE), AND THE DEPARTMENT OF HEALTH (DOH);

(e) Promote national research and development programs for improved solid waste management and resource conservation techniques, more effective institutional arrangement and indigenous and improved methods of waste reduction, collection, separation and recovery.

(f) Encourage greater private sector participation in solid waste management;

(g) Retain primary enforcement and responsibility of solid waste management with local government units while establishing a cooperative effort among the national government, other local government units, non-government organizations, and the private sector;

(h) Encourage cooperation and self-regulation among waste generators through the application of market-based instruments;

(i) Institutionalize public participation in the development and implementation of national and local integrated, comprehensive and ecological waste management programs; and

(j) Strengthen the integration of ecological solid waste management and resource conservation and recovery topics into the academic curricula of formal and non-formal education in order to promote environmental awareness and action among the citizenry; and

(K) PROMOTE THE INTEGRATION OF WASTE-TO-ENERGY AND OTHER MODERN WASTE TREATMENT TECHNOLOGIES, AS WELL AS WASTE RECOVERY, PROCESSING, AND UPCYCLING PROGRAMS PATTERNED AFTER THE BEST PRACTICES OF LOCAL GOVERNMENT UNITS AND INSTRUMENTALITIES SUCH AS THE METROPOLITAN MANILA DEVELOPMENT AUTHORITY (MMDA), TOWARD MAXIMIZING RESOURCE RECOVERY, REDUCING RELIANCE ON DISPOSAL FACILITIES, AND GENERATING RENEWABLE ENERGY FROM SOLID WASTE.”

SEC. 2. Section 3 of the same Act is hereby amended to read as follows:

“SECTION 3. *Definition of Terms.* – For the purpose of this Act:

XXX

(dd) Resource recovery shall refer to the collection, extraction or recovery of recyclable materials from the waste stream for the purpose of recycling, generating energy or producing a product suitable for beneficial use: ~~Provided, That, such resource recovery facilities exclude incineration,~~ **INCLUDING RESOURCE RECOVERY THROUGH WASTE-TO-ENERGY FACILITIES AND OTHER WASTE TREATMENT**

TECHNOLOGIES THAT COMPLY WITH THE STANDARDS SET BY THE DEPARTMENT AND THE DOE;

XXX

(uu) Yard waste shall refer to wood, small or chipped branches, leaves, grass clippings, garden debris, vegetables residue that is recognizable as part of a plant or vegetable and other materials identified by the Commission;

(VV) UPCYCLING SHALL REFER TO THE PROCESS OF CONVERTING RECOVERED OR RECYCLABLE MATERIALS INTO PRODUCTS OF HIGHER QUALITY, VALUE, OR ENVIRONMENTAL BENEFIT THAN THE ORIGINAL MATERIALS;

(WW) WASTE RECOVERY, PROCESSING, AND UPCYCLING PROGRAM SHALL REFER TO AN INTEGRATED SOLID WASTE MANAGEMENT PROGRAM, CONSISTING OF THE SYSTEMATIC RECOVERY, SORTING, PROCESSING, AND UPCYCLING OF RECYCLABLE AND COMPOSTABLE MATERIALS PRIOR TO THEIR TRANSFER TO A DISPOSAL OR WASTE-TO-ENERGY FACILITY;

(XX) WASTE-TO-ENERGY (WTE) FACILITY SHALL REFER TO A SOLID WASTE MANAGEMENT AND ENERGY PRODUCTION FACILITY THAT CONVERTS RESIDUAL SOLID WASTE, THROUGH THERMAL, BIOCHEMICAL, OR OTHER WASTE TREATMENT TECHNOLOGY, INTO ELECTRICITY, HEAT, OR OTHER USABLE FORMS OF ENERGY, IN COMPLIANCE WITH THE EMISSION AND ENVIRONMENTAL STANDARDS SET BY THE DEPARTMENT AND THE DOE; AND

(YY) WASTE TREATMENT TECHNOLOGY SHALL REFER TO ANY ENVIRONMENTALLY SOUND TECHNOLOGY OR PROCESS, INCLUDING BUT NOT LIMITED TO THERMAL TREATMENT, GASIFICATION, PYROLYSIS, ANAEROBIC DIGESTION, AND MECHANICAL-BIOLOGICAL TREATMENT, THAT REDUCES THE VOLUME OR TOXICITY OF SOLID WASTE OR CONVERTS SOLID WASTE INTO ENERGY OR OTHER BENEFICIAL PRODUCTS.”

SEC. 3. Section 4 of the same Act is hereby amended to read as follows:

“SECTION 4. *National Solid Waste Management Commission.* – There is hereby established a National Solid Waste Management Commission, hereinafter referred to as the Commission, under the Office of the President. The Commission shall be composed of ~~fourteen (14)~~ **FIFTEEN (15)** members from the government sector and three (3) members from the private sector. The government sector shall be represented by the heads of the following agencies in their ex officio capacity:

- (1) Department of Environment and Natural Resources (DENR);
- (2) Department of Interior and Local Government (DILG);

- (3) Department of Science and Technology (DOST);
 - (4) Department of Public Works and Highways (DPWH);
 - (5) Department of Health (DOH);
 - (6) Department of Trade and Industry (DTI);
 - (7) Department of Agriculture (DA);
 - (8) Metro Manila Development Authority (MMDA);
 - (9) League of provincial governors;
 - (10) League of city mayors;
 - (11) League of municipal mayors;
 - (12) Association of barangay councils;
 - (13) Technical Education and Skills Development Authority (TESDA);
 - (14) Philippine Information Agency; and
 - (15) DEPARTMENT OF ENERGY (DOE).**
- XXX”

SEC. 4. A new Section 5-A is hereby inserted after Section 5 of the same Act to read as follows:

“SECTION 5-A. ADDITIONAL FUNCTIONS OF THE COMMISSION RELATIVE TO WASTE-TO-ENERGY AND WASTE TREATMENT FACILITIES. – IN ADDITION TO ITS POWERS AND FUNCTIONS UNDER SECTION 5 OF THIS ACT, THE COMMISSION, IN COORDINATION WITH THE DOE, SHALL:

(A) ACT AS THE LEAD AGENCY IN SETTING STREAMLINED STANDARDS, CRITERIA, AND GUIDELINES FOR WASTE-TO-ENERGY FACILITIES AND OTHER WASTE TREATMENT TECHNOLOGIES TO AVOID INCONSISTENT AND CONFLICTING ISSUANCES;

(B) REGULARLY DETERMINE, REVIEW, AND PUBLISH STANDARDS, CRITERIA, AND GUIDELINES FOR: (1) THE CHARACTERIZATION OF SOLID WASTE UTILIZED AS FEEDSTOCK; (2) THE TRANSPORT, STORAGE, AND PRE-PROCESSING OF FEEDSTOCK; (3) THE SITING, DESIGN, OPERATION, AND MAINTENANCE OF WASTE-TO-ENERGY FACILITIES; (4) THE MANAGEMENT OF RESIDUE, IF ANY; (5) POLLUTION ABATEMENT AND EMISSIONS, ENVIRONMENTAL, AND PUBLIC HEALTH MONITORING; AND (6) THE DECOMMISSIONING, CLOSURE, OR ABANDONMENT OF SUCH FACILITIES;

(C) IDENTIFY AND RECOMMEND THE POSSIBLE CLUSTERING OF LGUs FOR A COMMON WASTE-TO-ENERGY FACILITY OR A SHARED WASTE RECOVERY, PROCESSING, AND UPCYCLING PROGRAM;

(D) MAINTAIN AND PUBLISH, THROUGH ITS WEBSITE, AN INVENTORY OF EXISTING AND PROPOSED WASTE-TO-ENERGY FACILITIES AND LOCAL WASTE RECOVERY, PROCESSING, AND UPCYCLING PROGRAMS; AND

(E) STUDY AND RECOMMEND THE INCLUSION OF A NATIONAL WASTE-TO-ENERGY STRATEGY IN THE NATIONAL SOLID WASTE MANAGEMENT FRAMEWORK, TAKING INTO ACCOUNT THE WASTE RECOVERY, PROCESSING, AND UPCYCLING PRACTICES OF THE MMDA AND OTHER LGUs.”

SEC. 5. Section 16 of the same Act is hereby amended to read as follows:

“SECTION 16. *Local Government Solid Waste Management Plans.* – The province, city or municipality, through its local solid waste management boards, shall prepare its respective 10-year solid waste management plans consistent with the National Solid Waste Management Framework: Provided, That the waste management plan shall be for the re-use, recycling and composting of wastes generated in their respective jurisdictions: Provided, further, That the solid waste management plan of the LGU shall ensure the efficient management of solid waste generated within its jurisdiction. The plan shall place primary emphasis on implementation of all feasible re-use, recycling, and composting programs **AND, WHERE APPLICABLE, WASTE RECOVERY, PROCESSING, AND UPCYCLING PROGRAMS,** while identifying the amount of landfill, **WASTE-TO-ENERGY, AND OTHER TRANSFORMATION** capacity that will be needed for solid waste which cannot be re-used, recycled, or composted. XXX”

SEC. 6. Section 17 of the same Act is hereby amended to read as follows:

“SECTION 17. *The Components of the Local Government Solid Waste Management Plan.* – The solid waste management plan shall include, but not limited to, the following components:

XXX

(2) Illustration or map of the city/municipality, indicating locations of residential, commercial, and industrial centers, and agricultural area, as well as dump sites, landfills and other solid waste facilities. The illustration shall indicate as well, the proposed sites for disposal and other solid waste facilities, **INCLUDING WASTE-TO-ENERGY FACILITIES AND MATERIALS RECOVERY FACILITIES USED FOR WASTE RECOVERY, PROCESSING, AND UPCYCLING, THAT COMPLY WITH THE STANDARDS SET BY THE DEPARTMENT AND THE DOE;**

XXX

(h) Solid waste facility capacity and final disposal XXX Open dump sites shall not be allowed as final disposal sites. If an open dump site is existing within the city or municipality, the plan shall make provisions for its closure or eventual phase out within the period specified under the framework and pursuant to the provisions under Section 37 of this Act. As an alternative, sanitary landfill sites shall be developed and operated as a final disposal site for solid and, eventually, residual wastes of a municipality or city or a cluster of municipalities and/or cities. Sanitary landfills shall be designed and operated in accordance with the guidelines set under Sections 40 and 41 of this Act. **LGUs ARE LIKEWISE ENCOURAGED TO ESTABLISH, OR TO AVAIL OF, WASTE-TO-ENERGY FACILITIES AND OTHER WASTE TREATMENT TECHNOLOGIES COMPLIANT WITH SECTION 39-A OF THIS ACT AS AN ADDITIONAL OR ALTERNATIVE MEANS OF MANAGING RESIDUAL WASTES, IN ORDER TO REDUCE RELIANCE ON, AND EXTEND THE USEFUL LIFE OF, SANITARY LANDFILLS. XXX**

SEC. 7. Section 32 of the same Act is hereby amended to read as follows:

“SECTION 32. *Establishment of LGU Materials Recovery Facility.* – There shall be established a Materials Recovery Facility (MRF) in every barangay or cluster of barangays, **WHICH MAY BE OPERATED AS PART OF A WASTE RECOVERY, PROCESSING, AND UPCYCLING PROGRAM.** The facility shall be established in a barangay-owned or leased land or any suitable open space to be determined by the barangay through its Sanggunian. For this purpose, the barangay or cluster of barangays shall allocate a certain parcel of land for the MRF. The determination of site and actual establishment of the facility shall likewise be subject to the guidelines and criteria set pursuant to this Act. The MRF shall receive mixed waste for final sorting, segregation, composting, **UPCYCLING**, and recycling. The resulting residual wastes shall be transferred to a long-term storage or disposal facility, **A WASTE-TO-ENERGY FACILITY ESTABLISHED PURSUANT TO SECTION 39-A OF THIS ACT**, or sanitary landfill.”

SEC. 8. A new Section 39-A is hereby inserted after Section 39 of the same Act to read as follows:

“SECTION 39-A. ESTABLISHMENT OF WASTE-TO-ENERGY AND WASTE TREATMENT FACILITIES. – **TO MODERNIZE SOLID WASTE MANAGEMENT AND REDUCE DEPENDENCE ON SANITARY LANDFILLS, PROVINCES, CITIES, MUNICIPALITIES, OR CLUSTERS THEREOF ARE HEREBY ENCOURAGED AND, WHERE DETERMINED FEASIBLE BY THE COMMISSION IN COORDINATION WITH THE DOE, MANDATED TO ESTABLISH WASTE-TO-ENERGY (WTE) FACILITIES OR TO AVAIL OF OTHER WASTE TREATMENT TECHNOLOGIES COMPLIANT WITH THE STANDARDS SET BY THE DEPARTMENT AND THE DOE. THE FACILITY SHALL BE ESTABLISHED ON A PROVINCE, CITY, OR MUNICIPALITY-OWNED OR LEASED LAND, OR ANY SUITABLE OPEN SPACE DETERMINED BY THE CONCERNED LGU(S) THROUGH THEIR RESPECTIVE SANGGUNIAN. A WASTE-TO-ENERGY FACILITY SHALL:**

(A) BE BOTH A SOLID WASTE MANAGEMENT TREATMENT FACILITY AND AN ENERGY PRODUCTION FACILITY;

(B) COMPLY WITH THE ESTABLISHMENT AND OPERATION GUIDELINES SET BY THE COMMISSION AND THE DOE;

(C) ENSURE THE PROPER MANAGEMENT OF ITS RESIDUE, WHICH SHALL CONFORM TO RELEVANT LAWS, RULES, AND REGULATIONS AND SHALL INCLUDE ARRANGEMENTS WITH A SANITARY LANDFILL, OR THE DEVELOPMENT OF ITS OWN, PRIOR TO OPERATIONS, IN ACCORDANCE WITH NSWMC, DEPARTMENT, AND DOH GUIDELINES; AND

(D) COMPLY WITH RELEVANT LAWS, RULES, AND REGULATIONS, INCLUDING BUT NOT LIMITED TO PRESIDENTIAL DECREE NO. 1586, REPUBLIC ACT NO. 6969, REPUBLIC ACT NO. 7638, REPUBLIC ACT NO. 8749, REPUBLIC ACT NO. 9136, REPUBLIC ACT NO. 9275, REPUBLIC ACT NO. 9367, REPUBLIC ACT NO. 9513, REPUBLIC ACT NO. 11223, AND APPLICABLE WORLD HEALTH ORGANIZATION (WHO) GUIDELINES ON AIR QUALITY.

NOTHING IN THIS SECTION SHALL BE CONSTRUED AS REPEALING OR DIMINISHING THE STANDARDS FOR SANITARY LANDFILLS UNDER SECTIONS 40, 41, AND 42 OF THIS ACT, WASTE-TO-ENERGY FACILITIES BEING INTENDED TO COMPLEMENT, AND NOT REPLACE, EXISTING SAFEGUARDS ON RESIDUAL WASTE DISPOSAL.”

SEC. 9. Section 45 of the same Act is hereby amended by adding a new paragraph (6) under subsection (b), to read as follows:

“SECTION 45. *Incentives.* – XXX

(b) XXX

(1) to (5) XXX

(6) INCENTIVES TO WASTE-TO-ENERGY AND UPCYCLING ENTERPRISES. – LGUs, ENTERPRISES, OR PRIVATE ENTITIES THAT ESTABLISH OR OPERATE WASTE-TO-ENERGY FACILITIES UNDER SECTION 39-A OF THIS ACT, OR THAT PARTICIPATE IN A WASTE RECOVERY, PROCESSING, AND UPCYCLING PROGRAM, SHALL, DEPENDING ON THEIR OUTPUT, BE ENTITLED TO AVAIL OF THE INCENTIVES UNDER REPUBLIC ACT NO. 9367, OTHERWISE KNOWN AS THE BIOFUELS ACT OF 2006, AND REPUBLIC ACT NO. 9513, OTHERWISE KNOWN AS THE RENEWABLE ENERGY ACT OF 2008, IN ADDITION TO THE FISCAL AND NON-FISCAL INCENTIVES PROVIDED UNDER THIS SECTION.”

SEC. 10. A new Section 11-A is hereby inserted after Section 11 of the same Act to read as follows:

“SEC. 11-A. CREATION OF LOCAL CLEAN-UP TEAMS. — EACH CITY AND MUNICIPALITY SHALL ESTABLISH A CLEAN-UP TEAM, COMPOSED OF PERSONNEL FROM THE LOCAL GOVERNMENT UNIT, BARANGAY OFFICIALS, AND ACCREDITED COMMUNITY VOLUNTEERS, TASKED TO IMMEDIATELY RESPOND TO INCIDENTS OF ILLEGAL DUMPING, LITTERING, OR OTHER VIOLATIONS OF THIS ACT. THE CLEAN-UP TEAM SHALL CONDUCT WASTE REMOVAL, SITE RESTORATION, AND IMPLEMENT PREVENTIVE MEASURES, IN COORDINATION WITH THE SOLID WASTE MANAGEMENT BOARD.

PERSONS PENALIZED UNDER THIS ACT WITH COMMUNITY SERVICE, PARTICULARLY UNDER SECTION 49(A), MAY BE ASSIGNED AS PART OF THE LOCAL CLEAN-UP TEAMS FOR THE DURATION OF THEIR SERVICE, UNDER THE SUPERVISION OF THE LOCAL GOVERNMENT UNIT.”

SEC. 11. Section 49 of the same Act is hereby amended to read as follows:

“SECTION 49. *Fines and Penalties.* – (a) Any person who violates Sec. 48, paragraph (1) shall, upon conviction, be punished with a fine of not less than ~~Three hundred pesos (P300.00)~~ ONE HUNDRED TWENTY THOUSAND PESOS (P120,000.00) but not more than ~~One thousand pesos (P1,000.00)~~ FOUR HUNDRED THOUSAND PESOS (P400,000.00) or render community service for not less than one (1) day to not more than fifteen (15) days to an LGU where such prohibited acts are committed, or both;

(b) Any person who violates Sec. 48, pars. (2) and (3), shall, upon conviction, be punished with a fine of not less than ~~Three hundred pesos (P300.00)~~ ONE HUNDRED TWENTY THOUSAND PESOS (P120,000.00) but not more than ~~One thousand pesos (P1,000.00)~~ FOUR HUNDRED THOUSAND PESOS (P400,000.00) or imprisonment of not less than one (1) day to not more than fifteen (15) days, or both;

(c) Any person who violates Sec. 48 pars. (4), (5), (6), and (7) shall, upon conviction, be punished with a fine of not less than ~~One thousand pesos (P1,000.00)~~ ONE HUNDRED TWENTY THOUSAND PESOS (P120,000.00) but not more than ~~Three thousand pesos (P3,000.00)~~ THREE HUNDRED SIXTY THOUSAND PESOS (P360,000.00) or imprisonment of not less than fifteen (15) days but not more than six (6) months, or both;

PROVIDED, FURTHER, THAT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) SHALL AUTOMATICALLY ADJUST THE FINES IMPOSED UNDER PARAGRAPHS (A), (B), AND (C) EVERY THREE (3) YEARS IN ACCORDANCE WITH THE CONSUMER PRICE INDEX (CPI) AS PUBLISHED BY THE PHILIPPINE STATISTICS AUTHORITY (PSA), ROUNDED TO THE NEAREST PESO;

(d) Any person who violates Sec. 48, pars. (8), (9), (10) and (11) for the first time shall, upon conviction, pay a fine of Five hundred thousand pesos (P500,000.00) plus an amount not less than five percent (5%) but not more than ten percent (10%) of his net annual income during the previous year.

(e) The additional penalty of imprisonment of a minimum period of one (1) year, but not to exceed three (3) years at the discretion of the court, shall be imposed for second or subsequent violations of Sec. 48, paragraphs (9) and (10).

(f) Any person who violates Sec. 48, pars. (12) and (13), shall, upon conviction, be punished with a fine of not less than Ten thousand pesos (P10,000.00) but not more than Two hundred thousand pesos (P200,000.00) or imprisonment of not less than thirty (30) days but not more than three (3) years, or both;

(g) Any person who violates Sec. 48, pars. (14), (15) and (16) shall, upon conviction, be punished with a fine not less than One hundred thousand pesos (P100,000.00) but not more than One million pesos (P1,000,000.00), or imprisonment not less than one (1) year but not more than six (6) years, or both. XXX”

SEC. 12. Section 59 of the same Act is hereby amended to read as follows:

“SECTION 59. *Implementing Rules and Regulations (IRR)*. – The Department, **IN COORDINATION WITH THE DOE**, in coordination with the Committees on Environment and Ecology of the Senate and House of Representatives, respectively, the representatives of the Leagues of Provinces, Cities, Municipalities and Barangay Councils, the MMDA and other concerned agencies, shall promulgate the implementing rules and regulations of this Act, within one (1) year after its enactment: Provided, That rules and regulations issued by other government agencies and instrumentalities for the prevention and/or abatement of the solid waste management problem not inconsistent with this Act shall supplement the rules and regulations issued by the Department, pursuant to the provisions of this Act.

THE IRR SHALL INCLUDE GUIDELINES FOR THE ESTABLISHMENT, OPERATION, AND EMISSIONS MONITORING OF WASTE-TO-ENERGY FACILITIES ESTABLISHED PURSUANT TO SECTION 39-A OF THIS ACT, AS WELL AS MINIMUM STANDARDS FOR LOCAL WASTE RECOVERY, PROCESSING, AND UPCYCLING PROGRAMS.

The draft of the IRR shall be published and be the subject of public consultations with affected sectors. It shall be submitted to the Committees on Environment and Ecology of the Senate and House of Representatives, respectively, for review before approval by the Secretary.”

SEC. 13. *Separability Clause*. – If any provision of this Act or the application of such provision to any person or circumstance is declared unconstitutional or invalid, the other provisions of this Act shall not be affected thereby and shall remain in force and effect.

SEC. 14. *Repealing Clause*. – All laws, decrees, executive orders, issuances, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 15. *Effectivity*. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,