

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS

Second Regular Session

HOUSE BILL NO. 11336



Introduced by the Honorable ANIELA BIANCA D. TOLENTINO

EXPLANATORY NOTE

Republic Act No. 9003, otherwise known as the "Ecological Solid Waste Management Act of 2000," established a comprehensive framework for the proper management of solid wastes, emphasizing source reduction, reuse, segregation, recycling, composting, resource recovery, and the proper treatment and disposal of residual wastes.

However, more than two decades after its enactment, the country continues to face serious solid waste management challenges. Increasing waste generation, limited waste diversion and recovery capacity, and inadequate treatment and final disposal facilities continue to place pressure on local governments and communities.

Recent incidents underscore the urgency of strengthening the country's solid waste management system. In January and February 2026, major trash slides occurred at sanitary landfills in different parts of the country, resulting in loss of lives and persons reported missing. These incidents prompted the Department of Environment and Natural Resources (DENR) to undertake a nationwide review of operating sanitary landfills. More recently, on August 11, 2026, tons of garbage were reported to have clogged the water channel linking Parañaque and Pasay, underscoring the continuing challenge of keeping critical waterways and drainage systems free from solid waste.

These incidents, although different in nature, highlight the need for a more comprehensive solid waste management system that addresses not only waste generation and diversion, but also the safe and proper treatment and final disposal of residual wastes.

This proposed measure seeks to amend Republic Act No. 9003 to expressly recognize Waste Thermal Treatment as an environmentally sound option for the treatment of residual solid wastes, subject to strict environmental, health and safety safeguards and compliance with applicable laws, rules and regulations. It defines Waste Thermal Treatment and Waste Thermal Treatment Facility and establishes a regulatory framework for their establishment and operation.

The measure does not intend to make thermal treatment a substitute for waste prevention, segregation, recycling, composting, or other waste diversion measures. Rather, it provides an additional treatment option for residual wastes remaining after feasible source reduction, reuse, segregation, recycling, composting, and other waste diversion and recovery measures. Waste Thermal Treatment Facilities shall not be used to undermine or replace mandatory waste diversion programs under Republic Act No. 9003.

To ensure safe and environmentally sound operations, the measure requires compliance with applicable emission and environmental quality standards, proper waste characterization and feedstock management, the use of appropriate and environmentally sound technology, continuous monitoring and reporting, and proper management and final disposal of ash and other residues. The necessary environmental permits and authorizations must also be secured before a facility may operate.

The establishment of Waste Thermal Treatment Facilities shall not be mandatory for every province, city, or municipality. Such facilities may be established or utilized only where warranted by the applicable local solid waste management plan, waste characterization, technical and economic feasibility, environmental safeguards, and availability of appropriate feedstock. The measure likewise directs the DENR, in consultation with concerned agencies, local government units, and other stakeholders, to establish detailed technical and environmental standards for their operation.

The proposed amendments seek to strengthen, and not weaken, the ecological solid waste management framework established under Republic Act No. 9003. By providing a properly regulated treatment option for residual wastes that cannot feasibly be diverted, the measure seeks to complement existing waste diversion programs, reduce pressure on limited treatment and final disposal capacity, and enable local governments to manage residual wastes more safely, efficiently, and sustainably.

For the Filipino people, the immediate passage of this measure is earnestly sought.

A handwritten signature in black ink, consisting of a large, stylized 'A' followed by a vertical line and a small flourish.

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HOUSE BILL NO. 11336

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**AN ACT AMENDING REPUBLIC ACT NO. 9003, OTHERWISE
KNOWN AS THE "ECOLOGICAL SOLID WASTE MANAGEMENT
ACT OF 2000," TO RECOGNIZE WASTE THERMAL TREATMENT
AS AN ENVIRONMENTALLY SOUND SOLID WASTE
MANAGEMENT OPTION, AND FOR OTHER PURPOSES**

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

SECTION 1. Section 2, paragraph (d), of Republic Act No. 9003, as amended, is hereby amended to read as follows:

"SEC. 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:

"x x x

"(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 **INCLUDING ENVIRONMENTALLY SOUND WASTE THERMAL TREATMENT AND WASTE-TO-ENERGY TECHNOLOGIES THAT COMPLY WITH THIS ACT, REPUBLIC ACT NO. 8749, OTHERWISE KNOWN AS THE "PHILIPPINE CLEAN AIR ACT OF 1999," AND OTHER APPLICABLE ENVIRONMENTAL, HEALTH AND SAFETY LAWS, RULES AND REGULATIONS;**

"x x x"

SECTION 2. Section 3, paragraph (dd), of Republic Act No. 9003, as amended, is hereby amended to read as follows:

"SEC. 3. Definition of Terms. — For purposes of this Act:

"x x x

"(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, **INCLUDING THROUGH WASTE-TO-ENERGY OR OTHER WASTE THERMAL TREATMENT TECHNOLOGIES THAT COMPLY WITH APPLICABLE ENVIRONMENTAL, HEALTH AND SAFETY STANDARDS;**

(dd-1) Waste Thermal Treatment shall refer to a controlled process in which solid waste is subjected to elevated temperatures, with or without oxygen, to cause physical or chemical changes in the waste, including reduction of its volume or mass, destruction or stabilization of hazardous constituents, or recovery of energy or other useful outputs, through processes such as incineration, gasification, pyrolysis or other thermal processes, and in which resulting emissions and residues are managed in an environmentally sound manner.

(dd-2) Waste Thermal Treatment Facility shall refer to any facility, installation, or combination of equipment designed, constructed, and operated primarily for the thermal treatment of solid waste, including equipment and systems for the receipt, storage and preparation of waste, thermal treatment, and the management of resulting emissions and residues.

"x x x"

SECTION 3. Section 16 of Republic Act No. 9003, as amended, is hereby amended to read as follows:

"SEC. 16. Local Government Solid Waste Management Plans. — The province, city or municipality, through its local solid waste management board, shall prepare its respective ten (10)-year solid waste management plan consistent with the National Solid Waste Management Framework: Provided, That the waste management plan shall provide for the reuse, recycling, composting, **TREATMENT AND DISPOSAL** of wastes generated **WITHIN ITS RESPECTIVE JURISDICTION**: Provided, further, That the solid waste management plan of the LGU shall ensure the **EFFICIENT AND ENVIRONMENTALLY SOUND** management of solid waste generated within its jurisdiction.

"The plan shall place primary emphasis on the implementation of all feasible programs for reuse, recycling, composting, **SOURCE REDUCTION** and other

diversion of recovered wastes into value chains and value-adding products, including **PROPER TREATMENT AND DISPOSAL OF RESIDUAL WASTES**, while identifying the LGU's **WASTE DIVERSION AND DIVERSIFICATION CAPACITY** and the amount of **TREATMENT AND FINAL DISPOSAL CAPACITY, INCLUDING THERMAL TREATMENT CAPACITY WHERE APPROPRIATE, THAT MAY BE NEEDED** for waste that cannot be reused, recycled, composted or otherwise diverted: Provided, That the selection and use of thermal treatment facilities shall be based on **WASTE CHARACTERIZATION, DEMONSTRATED TECHNICAL AND ECONOMIC FEASIBILITY, ENVIRONMENTAL SAFEGUARDS, AND THE AVAILABILITY OF APPROPRIATE FEEDSTOCK**: Provided, further, That **THE PLAN MAY PROVIDE FOR A FACILITY OPERATED BY THE LGU OR JOINTLY BY A CLUSTER OF LGUS, OR THROUGH AN AUTHORIZED PUBLIC-PRIVATE PARTNERSHIP OR OTHER LAWFUL ARRANGEMENT**.

"The plan shall be reviewed and updated **ANNUALLY** by the provincial, city or municipal solid waste management board and shall be **SUBJECT TO APPROVAL BY THE COMMISSION**."

"x x x"

SECTION 4. Section 17, paragraph (a)(2) and paragraph (h), of Republic Act No. 9003, as amended, are hereby further amended to read as follows:

"SEC. 17. The Components of the Local Government Solid Waste Management Plan. — The solid waste management plan shall include, but not be limited to, the following components:

"(a) City or Municipal Profile. — The plan shall indicate the following background information on the city or municipality and its component barangays, covering important highlights of the distinct geographic and other conditions:

"x x x

"(2) Illustration or map of the city/municipality, indicating locations of residential, commercial and industrial centers, and agricultural **AREAS**, as well as existing sites of dumps, landfills and other solid waste facilities. The illustration shall indicate as well the proposed sites for **RECYCLING, COMPOSTING, THERMAL TREATMENT, FINAL DISPOSAL AND OTHER SOLID WASTE MANAGEMENT FACILITIES**;

"x x x"

"(h) Solid Waste Facility Capacity and Final Disposal. — The solid waste facility component shall include, but shall not be limited to, a projection of the amount

of **TREATMENT AND FINAL DISPOSAL CAPACITY NEEDED** to accommodate the solid waste generated, **TAKING INTO ACCOUNT SOURCE REDUCTION, RECYCLING, COMPOSTING, RESOURCE RECOVERY AND OTHER WASTE DIVERSION ACTIVITIES**, any permitted **TREATMENT OR DISPOSAL FACILITY** that will be available during the ten-year planning period, and all capacity secured through an agreement with another LGU or through an agreement with a solid waste enterprise.

"The plan shall identify existing and proposed **TREATMENT AND FINAL DISPOSAL SITES AND OTHER WASTE MANAGEMENT FACILITIES** in the city or municipality or in other **AREAS**. It shall specify **STRATEGIES FOR THE EFFICIENT TREATMENT AND FINAL DISPOSAL OF RESIDUAL WASTES** through existing facilities and the identification of prospective sites for future use. The selection and development of treatment and disposal facilities shall be based on **WASTE CHARACTERIZATION, INTERNATIONALLY ACCEPTED STANDARDS, THIS ACT, AND OTHER APPLICABLE LAWS, RULES AND REGULATIONS**.

"Strategies shall be included to **IMPROVE EXISTING FACILITIES TO REDUCE ADVERSE IMPACTS ON HEALTH AND THE ENVIRONMENT AND, WHERE APPROPRIATE, EXTEND THEIR SERVICE LIFE AND CAPACITY**. The plan shall clearly define projections for **FUTURE TREATMENT AND FINAL DISPOSAL REQUIREMENTS** and the estimated cost of such facilities and activities.

"Open dump sites shall not be allowed as final disposal sites. If an open dump site exists within the city or municipality, the plan shall provide for its **CLOSURE OR EVENTUAL PHASEOUT WITHIN THE PERIOD SPECIFIED UNDER THE NATIONAL SOLID WASTE MANAGEMENT FRAMEWORK** and pursuant to Section 37 of this Act. As an alternative, **WASTE THERMAL TREATMENT TECHNOLOGY, SANITARY LANDFILL SITES DESIGNED AND OPERATED PURSUANT TO THIS ACT, AND OTHER ENVIRONMENTALLY SOUND TREATMENT AND DISPOSAL TECHNOLOGIES MAY BE DEVELOPED AND OPERATED FOR THE TREATMENT AND FINAL DISPOSAL OF RESIDUAL WASTES OF A MUNICIPALITY OR CITY OR A CLUSTER OF MUNICIPALITIES AND/OR CITIES.**"

"x x x"

SECTION 5. Section 32 of Republic Act No. 9003, as amended, is hereby amended to read as follows:

"SEC. 32. Establishment of LGU Materials Recovery Facility. — There shall be established a Materials Recovery Facility (MRF) in every barangay or cluster of barangays. 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 Sangguniang Barangay. For this purpose, the barangay or cluster of barangays shall allocate a certain parcel of land for the MRF. The determination of the 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 and recycling. **RECOVERED MATERIALS SHALL, AS FAR AS PRACTICABLE, BE DIVERTED TO REUSE, RECYCLING, COMPOSTING, RESOURCE RECOVERY OR OTHER LAWFUL VALUE-ADDING USES. THE RESULTING RESIDUAL WASTES MAY BE TRANSFERRED TO A WASTE THERMAL TREATMENT FACILITY FOR TREATMENT AND RESOURCE RECOVERY AND, WHERE RESIDUES OR OTHER WASTES REQUIRE FINAL DISPOSAL, TO A SANITARY LANDFILL OR OTHER ENVIRONMENTALLY SOUND DISPOSAL FACILITY AUTHORIZED UNDER THIS ACT AND OTHER APPLICABLE LAWS.**"

SECTION 6. Section 38 of Republic Act No. 9003, as amended, is hereby amended to read as follows:

"SEC. 38. Permit for Solid Waste Management Facility Construction and Expansion. — No person shall commence operation, including site preparation and construction of a new solid waste management facility or the expansion of an existing facility, **INCLUDING A WASTE THERMAL TREATMENT FACILITY**, until the person obtains an Environmental Compliance Certificate (ECC) from the Department pursuant to Presidential Decree No. 1586 and other permits, clearances and authorizations required by concerned agencies.

"NO PERMIT OR AUTHORIZATION FOR A WASTE THERMAL TREATMENT FACILITY SHALL BE ISSUED UNLESS THE PROPONENT DEMONSTRATES COMPLIANCE WITH THE APPLICABLE REQUIREMENTS ON WASTE CHARACTERIZATION AND FEEDSTOCK, SITE SUITABILITY, AIR EMISSIONS, RESIDUE MANAGEMENT, OCCUPATIONAL AND PUBLIC HEALTH AND SAFETY, EMERGENCY PREPAREDNESS, AND POST-OPERATION CLOSURE OR DECOMMISSIONING."

SECTION 7. Section 39 of Republic Act No. 9003, as amended, is hereby repealed. Sections 40, 41 and 42 are hereby retained and shall continue to govern the siting, establishment and operation of sanitary landfills, insofar as they are consistent with this Act and other applicable laws, rules and regulations.

SECTION 8. A New Section 42-A is hereby inserted after Section 42 of Republic Act No. 9003, as amended, to read as follows:

"SEC. 42-A. Waste Thermal Treatment Facilities. — WASTE THERMAL TREATMENT FACILITIES, INCLUDING INCINERATION FACILITIES DESIGNED FOR ENERGY OR RESOURCE RECOVERY, MAY BE ESTABLISHED AND OPERATED AS PART OF THE ECOLOGICAL SOLID WASTE MANAGEMENT SYSTEM, SUBJECT TO THE FOLLOWING MINIMUM REQUIREMENTS:

"(a) THE FACILITY SHALL BE DESIGNED AND OPERATED PRIMARILY FOR THE TREATMENT OF RESIDUAL WASTES REMAINING AFTER THE IMPLEMENTATION OF FEASIBLE SOURCE REDUCTION, SEGREGATION, REUSE, RECYCLING, COMPOSTING AND OTHER WASTE DIVERSION AND RECOVERY MEASURES. IT SHALL NOT BE USED TO UNDERMINE OR REPLACE MANDATORY WASTE DIVERSION PROGRAMS UNDER THIS ACT;

"(b) THE FACILITY SHALL COMPLY WITH ALL APPLICABLE EMISSION STANDARDS, ENVIRONMENTAL QUALITY STANDARDS, ECC CONDITIONS, PERMIT REQUIREMENTS AND OTHER REQUIREMENTS UNDER REPUBLIC ACT NO. 8749 AND OTHER APPLICABLE LAWS, RULES AND REGULATIONS. NO FACILITY SHALL OPERATE IN A MANNER THAT EMITS POISONOUS OR TOXIC FUMES OR OTHERWISE VIOLATES APPLICABLE EMISSION STANDARDS;

"(c) THE FACILITY SHALL USE STATE-OF-THE-ART, ENVIRONMENTALLY SOUND AND SAFE TECHNOLOGY APPROPRIATE TO THE WASTE STREAM AND SHALL NOT USE IMPORTED USED, REFURBISHED OR SECONDHAND INCINERATION FACILITIES OR EQUIPMENT;

"(d) THE FACILITY SHALL HAVE CONTINUOUS MONITORING, RECORDING AND REPORTING SYSTEMS FOR EMISSIONS AND OTHER PARAMETERS REQUIRED BY THE DENR. EMISSIONS AND MONITORING DATA REQUIRED BY THE DENR SHALL BE MADE PUBLICLY ACCESSIBLE THROUGH APPROPRIATE ELECTRONIC MEANS, SUBJECT TO APPLICABLE LAWS ON DATA PROTECTION AND CYBERSECURITY;

"(e) PRIOR TO OPERATION, THE OWNER OR OPERATOR SHALL ESTABLISH AND MAINTAIN AN APPROVED SYSTEM FOR THE SAFE HANDLING, CHARACTERIZATION, STORAGE AND PREPARATION OF FEEDSTOCK. HAZARDOUS WASTES, INFECTIOUS WASTES AND OTHER WASTES EXCLUDED FROM THE DEFINITION OF SOLID

WASTE UNDER THIS ACT SHALL NOT BE ACCEPTED UNLESS THE FACILITY IS SEPARATELY AUTHORIZED AND SPECIFICALLY DESIGNED AND PERMITTED TO MANAGE SUCH WASTES UNDER APPLICABLE LAWS;

“(f) PRIOR TO OPERATION, THE OWNER OR OPERATOR SHALL DEMONSTRATE ADEQUATE ARRANGEMENTS FOR THE MANAGEMENT, TREATMENT AND FINAL DISPOSAL OF BOTTOM ASH, FLY ASH AND OTHER RESIDUES GENERATED BY THE FACILITY, IN ACCORDANCE WITH APPLICABLE LAWS, RULES AND REGULATIONS. RESIDUES REQUIRING FINAL DISPOSAL SHALL BE DISPOSED OF ONLY IN DULY AUTHORIZED FACILITIES;

“(g) THE FACILITY SHALL BE CONSISTENT WITH THE APPROVED LOCAL SOLID WASTE MANAGEMENT PLAN AND THE NATIONAL SOLID WASTE MANAGEMENT FRAMEWORK. A COMMON FACILITY MAY BE ESTABLISHED FOR A CLUSTER OF LGUS WHEN TECHNICALLY, ECONOMICALLY AND ENVIRONMENTALLY APPROPRIATE;

“(h) THE FACILITY SHALL COMPLY WITH PRESIDENTIAL DECREE NO. 1586, REPUBLIC ACT NO. 6969, REPUBLIC ACT NO. 7638, REPUBLIC ACT NO. 8749, REPUBLIC ACT NO. 9003, REPUBLIC ACT NO. 9136, REPUBLIC ACT NO. 9275, REPUBLIC ACT NO. 9367, REPUBLIC ACT NO. 9513 AND OTHER APPLICABLE LAWS, RULES AND REGULATIONS; AND

“(i) THE DENR, IN CONSULTATION WITH THE NATIONAL SOLID WASTE MANAGEMENT COMMISSION, THE DEPARTMENT OF ENERGY, THE DEPARTMENT OF HEALTH, THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT, CONCERNED LGUS AND OTHER STAKEHOLDERS, SHALL PRESCRIBE DETAILED STANDARDS AND GUIDELINES ON FEEDSTOCK CHARACTERIZATION, PRE-PROCESSING, SITING, DESIGN, EMISSIONS, MONITORING, RESIDUE MANAGEMENT, EMERGENCY RESPONSE, OPERATION, MAINTENANCE, CLOSURE, DECOMMISSIONING AND POST-CLOSURE OBLIGATIONS.”

“NOTHING IN THIS ACT SHALL BE CONSTRUED AS REQUIRING EVERY PROVINCE, CITY, OR MUNICIPALITY TO ESTABLISH OR MAINTAIN A WASTE THERMAL TREATMENT FACILITY, WHETHER INDIVIDUALLY OR JOINTLY WITH OTHER LOCAL GOVERNMENT UNITS.”

"THE ESTABLISHMENT OR UTILIZATION OF A WASTE THERMAL TREATMENT FACILITY SHALL BE UNDERTAKEN ONLY WHERE WARRANTED BY THE APPLICABLE LOCAL SOLID WASTE MANAGEMENT PLAN, WASTE CHARACTERIZATION, TECHNICAL AND ECONOMIC FEASIBILITY, ENVIRONMENTAL SAFEGUARDS, AND AVAILABILITY OF APPROPRIATE FEEDSTOCK."

SECTION 9. Section 48 of Republic Act No. 9003, as amended, is hereby amended by adding a new paragraph (17), to read as follows:

"(17) THE CONSTRUCTION, EXPANSION OR OPERATION OF A WASTE THERMAL TREATMENT FACILITY WITHOUT THE ENVIRONMENTAL COMPLIANCE CERTIFICATE, PERMITS OR AUTHORIZATIONS REQUIRED UNDER THIS ACT AND OTHER APPLICABLE LAWS, OR IN VIOLATION OF THE APPLICABLE EMISSION, FEEDSTOCK, RESIDUE MANAGEMENT OR OPERATING STANDARDS AND CONDITIONS."

SECTION 10. National Solid Waste Management Commission. The National Solid Waste Management Commission shall, in addition to its existing powers and functions, formulate or approve the standards, criteria and guidelines necessary for the implementation of waste thermal treatment under this Act, in coordination with the DENR and other concerned agencies. Nothing in this Section shall be construed as diminishing the powers and functions of the Commission under Republic Act No. 11898.

SECTION 11. Implementing Rules and Regulations. Within ninety (90) calendar days from the effectivity of this Act, the DENR, in consultation with the National Solid Waste Management Commission, Department of Health, Department of Energy, Department of the Interior and Local Government, concerned LGUs, the private sector, the academe and other stakeholders, shall promulgate the implementing rules and regulations necessary for the effective implementation of this Act. The IRR shall establish, at a minimum, the technical and environmental requirements for waste thermal treatment facilities, including feedstock characterization, facility siting and design, emissions monitoring and disclosure, residue management, emergency response, facility closure and decommissioning, and procedures for clustering LGUs and establishing common facilities.

SECTION 12. Appropriations. — The amount necessary for the initial implementation of this Act shall be charged against the current appropriations of the DENR and other concerned agencies. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SECTION 13. Separability Clause. — If any provision of this Act is declared invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

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

SECTION 15. Effectivity Clause. — This Act shall take effect fifteen (15) days following its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved.