



Republic of the Philippines
 Province of Cavite
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
 Trece Martires City



EXCERPTS FROM THE MINUTES OF THE 10th REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF CAVITE HELD ON 24 MARCH 2003 AT THE NEW SESSION HALL, CAPITOL BUILDING, TRECE MARTIRES CITY

PRESENT:

Hon. Juanito Victor C. Remulla, Jr.	Vice-Governor/Presiding Officer
Hon. Bernard Michael I. Bautista	Majority Floor Leader
Hon. Strike B. Revilla	Minority Floor Leader
Hon. Hermogenes C. Arayata III	Sanggunian Member
Hon. Hilda P. Mendoza	Sanggunian Member
Hon. Iluminada F. Silao	Sanggunian Member
Hon. Alex L. Advincula	Sanggunian Member
Hon. Dominic R. Tolentino	Sanggunian Member
Hon. Cesario R. del Rosario, Jr.	Sanggunian Member
Hon. Teodoro S. Sanchez	Sanggunian Member
Hon. Arleen C. Arayata	ABC Prov'l. Fed. Pres.
Hon. Sophia Marie G. Pagtakhan	SK Prov'l. Fed. Pres.

ABSENT:

Hon. Rafael S. Rodriguez	Sanggunian Member
Hon. Jose Rozel E. Hernandez	SB Prov'l. Fed. Pres.

PROVINCIAL ORDINANCE NO. 2003-001

AN ORDINANCE PROHIBITING THE IMPROPER DISPOSAL OF USED OIL GENERATED FROM AUTOMOTIVE AND INDUSTRIAL LUBE OIL AND PETROLEUM SLUDGE, PROVIDING PENALTIES FOR VIOLATION THEREON, AND FOR OTHER PURPOSES

(Sponsor: BM Cesario R. del Rosario, Jr.; Co-sponsor: BM Bernard Michael I. Bautista)

WHEREAS, the policy of the Provincial government of Cavite is to implement environmental laws such as R.A. 8749 otherwise known as the Philippine Clean Air Act of 1999 and R.A. 6969 also known as Toxic Substances and Hazardous and Nuclear Wastes control Act of 1990 to ensure that no chemical substances and mixtures that present unreasonable risk and/or injury to health and environment are illegally traded, transported, disposed, processed and used throughout the province of Cavite.

SECTION 1. – Any and all persons whether natural or juridical, in the province of Cavite are hereby mandated to dispose their used oil only in designated collection centers to be established in every barangay of every municipality. Pending the establishment of the collection centers, disposal can only be done through transporters accredited by DENR and the Provincial Government.

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SECTION 2. – It shall be unlawful for a person in the Province to place outside of his/her residence or establishment used oil generated from automotive and industrial lube oil and petroleum sludge, in an open, uncovered or unsealed container.

SECTION 3. – It shall likewise be unlawful for any person to open or destroy the aforesaid container for the purpose of scavenging and scattering the contents thereof in getting the said container.

SECTION 4. – Any violation of this Ordinance shall be punishable by law with the following fines and penalties:

First Offense – Fine of not more Five Hundred (P500.00) Pesos for each person violating the ordinance and not more than Two Thousand (P2,000.00) Pesos fine for the source establishment violating the same.

Second Offense – Imprisonment of not more than ten (10) days or a fine of not more than One Thousand (P1,000.00) Pesos or both upon the discretion of the court for each person caught and a fine of Five Thousand (P5,000.00) Pesos for the source establishment and the immediate revocation of business permit of the same.

SECTION 5. – DEFINITION OF THE TERMS – The following words and terms whenever used in this ordinance shall mean, to wit:

a) Air Pollutant refers to any matter found in the atmosphere other than oxygen, nitrogen, water vapor, carbon dioxide, and the inert gases in their natural or normal concentration, that is detrimental to health or the environment, which includes but not limited to smoke, dust, soot, cinders, fly ash, solid particles of any kind, gases, fumes, chemical mists, steam and radio-active substances;

b) Air Pollution refers to alteration of the physical, chemical and biological properties of the atmospheric air, or any discharge thereto of any liquid, gaseous or solid substances that will or is likely to create or to render the air resources of the country harmful, detrimental, or injurious to public health, safety or welfare or which will adversely affect their utilization for domestic, commercial, industrial, agricultural, recreational, or other legitimate purposes.

c) Emission refers to any air contaminant, pollutant, gas stream or unwanted sound from a known source which is passed into the atmosphere;

d) Greenhouse gases are those gases that can potentially or can reasonably be expected to induce global warming, which include carbon dioxide, methane, oxides of nitrogen, chlorofluorocarbons, and the like;

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e) Hazardous substances refers to those substances which present either: (1) short-term acute hazards such as acute toxicity by ingestion, inhalation, or skin absorption, corrosivity or other skin or eye contact hazard or the risk of fire explosion; or (2) long-term toxicity upon repeated exposure, carcinogenic (which in some cases result in acute exposure but with a long latent period), resistance to detoxification process such as biodegradation, the potential to pollute underground or surface waters;

f) Infectious waste refers to portion of medical waste that could transmit an infectious disease;

g) Medical source refers to materials generated as a result of patient diagnosis, treatment, or immunization of human beings or animals;

h) Mobile source refers to any vehicle propelled by or through combustion of carbon-based or other fuel, constructed and operated principally for the conveyance of person or the transportation of property of goods;

i) Motor vehicle refers to any vehicle propelled by a gasoline or diesel engine or by any other than human or animal powers, constructed and operated principally for the conveyance of persons or the transportation of property or goods in a public highway or street open to public use;

j) Municipal waste refers to the waste materials generated from communities within a specific locality;

k) Ozone Depleting Substances (ODS) are the organic compounds that persist in the environment, bio-accumulation through the food web, and pose a risk of causing adverse effects to human health and the environment. These compounds resist photolytic, chemical and biological degradation, which shall include but not be limited to dioxin, furan, Polychlorinated Biphenyls (PCB's), organochlorine pesticides, such as aldrin, dieldrin, DDT, hexachlorobenzene, lindane, tozaphere and chlordane;

l) Poisonous and Toxic Fumes refers to any emissions and fumes which are beyond internationally-accepted standards, including but not limited to World health Organization (WHO) guideline values;

m) Pollution Control Device – refers to any device or apparatus used to prevent, control or abate the pollution of air caused by emission from identified pollution sources at levels within the air pollution control standard established by the Department;

n) Stationary source refers to any building or immobile structure, facility or installation which emits or may emit any air pollutant.

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SECTION 6. REPEALING CLAUSE – All ordinances, rules and regulations or parts thereof in conflict or inconsistent with any provision of this Ordinance are hereby repealed or modified accordingly.


SECTION 7. EFFECTIVITY- This ordinance shall take effect upon its approval.

UNANIMOUSLY APPROVED.



JUANITO VICTOR C. REMULLA, JR.
 Vice-Governor/Presiding Officer


BERNARD MICHAEL I. BAUTISTA
 Majority Floor Leader


STRIKE B. REVILLA
 Minority Floor Leader


HERMOGENES C. ARAYATA III
 Sanggunian Member


MILDA P. MENDOZA
 Sanggunian Member



ILUMINADA F. SILAO
 Sanggunian Member


DOMINIC R. TOLENTINO
 Sanggunian Member


ALEX L. ADVINCULA
 Sanggunian Member


TEODORO S. SANCHEZ
 Sanggunian Member


CESARIO R. DEL ROSARIO, JR.
 Sanggunian Member


ARLEEN C. ARAYATA
 ABC Prov'l. Fed. President


SOPHIA MARIE G. PAGTAKHAN
 SK Prov'l. Fed. President

ATTESTED:

APPROVED:


ROMEO C. MENDOZA
 Provincial Secretary


AYONG S. MALIKSI
 Provincial Governor