

# A Brief Guide for the Industry Sector and EIA Reviewers on the Revised Procedural Manual of DAO 2003-03



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# A Brief Guide for the Industry Sector and Reviewers on the Revised Procedural Manual of DAO 2003-03

Since the enactment of Presidential Decrees 1151 (Philippine Environmental Code) and 1586 (Establishing an Environmental Impact Statement System) in the 1970s, several attempts have been made to streamline the Philippine Environmental Impact Statement System (PEISS), otherwise known to many as the Environmental Impact Assessment (EIA) System. The system has been perceived to metamorphose into the “Mother of all Permits,” thus posed as a major impediment to economic development.

On March 2007, an Asian Development Bank (ADB) grant made it possible to harmonize all initiatives at streamlining the PEISS. This Brief Guide walks investors and reviewers through the salient features of the revisions.

## 1. Rationale for the Revised Procedural Manual

The overarching goal in revising Procedural Manual of Department Administrative Order (DAO) 2003-30 is to enhance the effectiveness and efficiency in the implementation of the PEISS. The Revised Procedural Manual for DAO 2003-30 thus highlights the following:

- Integrating new Environmental Management Bureau (EMB) – Department of Environment and Natural Resources (DENR) policies to further promote EIA as a planning and decision-making tool under the PEISS;
- Restoring the original intent of the PEISS to respect the jurisdiction of other National Government Agencies (GAs) and Local Gov-



ernment Units (LGUs) in their permitting system;

- Standardizing and abbreviating procedures in environmental compliance certificate applications or EIA process;
- Condensing and revising EIA Reports and Decision document formats; and,
- Providing specific guidelines to focus on significant impacts for the EIA Study Terms of Reference, EIA Reports, Review and Evaluation, Decision Making, and Monitoring, Validation and Evaluation/Audit.

## 2. Purpose of the EIA Process

The EIA process aims to:

- Enhance planning and guide decision-making.
- Develop measures to reduce if not totally eliminate adverse environmental impacts of proposed actions
- Appropriately advise GAs and LGUs on environmental considerations in their planning and decision-making when proponents apply for permits, clearances, licenses, endorsements, resolutions and other government approvals.
- Provide the basis of a covenant on environmental management between proponents and society, through the Environmental Compliance Certificate (ECC) issued by the EMB-DENR

## 3. EIA and ECC Defined

An Environmental Impact Assessment (EIA) is a “process that involves



predicting and evaluating the likely impacts of a project as well as the ensuing preventive, mitigating and enhancement measures in order to protect the environment and the community’s welfare.” An EIA is a process a proponent undertakes before an ECC is issued.

An Environmental Compliance Certificate (ECC) is a “decision document issued to the proponent after thorough review of the EIA Report.” The ECC outlines the commitments of the proponent that are necessary for the project to comply with existing environmental regulations or to operate within best environmental practice that are not currently covered by existing laws.

## 4. EIA Process within the Project Cycle

Malacanang Executive Order 291 in 1996 and Administrative Order 42 in 2002 direct proponents to simultaneously conduct the EIA and the Feasibility Study (FS) of the proposed project in order to maximize the use of resources. The integration of the EIS System early into the project development cycle intends to enhance and promote its desired function as a

planning tool for sustainable economic development and environmental planning and conservation in order to ensure that national development goals are achieved as planned and without delay.

The EIA study identifies the environmental impacts of the project and shall provide recommendations/guidance at various stages of the project cycle. Figure 2 is a schematic representation of the relationship between the EIA process as built in the project cycle.

a) Between the Project Concept and Pre-Feasibility Stages of the project cycle, EIA-related activities include self-screening to determine coverage within the PEISS. If covered, the proponent prepares all requirements for the application process and undertakes an initial rapid site and impact assessment to determine the criticality of the project location and have an initial scope of key issues.

b) At FS stage, the proponent initiates the detailed environmental impact assessment. The formulated Environmental Management Plan (EMP) and corresponding costs and benefits are then inputted into the FS as a basis for decision making of the proponent on its final project option, siting and design. The proponent is able to identify the range of actions it can take and consider project alternatives prior to final decision for the Detailed Engineering Design (DED).

It is at this stage when the formal EIA Study for ECC application is initiated. A positive review and evaluation of the submitted EIA documentation will result to an issuance of an EMB-DENR decision document containing the proponent's commitments and other requirements for the proponent to comply with existing environmental regulations and environmental best practices.

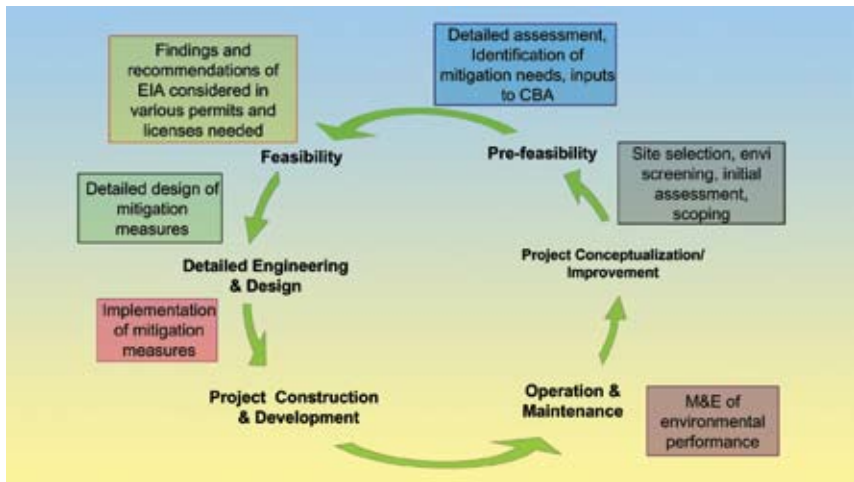


Figure 1. The EIA Process within the Project Cycle



c) During the DED stage, the proponent is presumed to have secured the ECC and the generic measures identified during the EIA study at the FS stage will now be detailed based on the project facility design and operational specifications.

d) At the start of Project Construction/Development/Operations and throughout the project lifetime, environmental mitigation measures are fully implemented, and monitoring of the proponent's environmental performance is continuously done.

e) Findings and learnings from Operations are fed back into the project cycle for continual improvement of the project. There is constant updating of the environmental management plans of the project. Major improvements may need new formal applications for DENR approvals.

It is during the FS stage when a proponent is able to identify the range of actions it can take and consider project alternatives prior to final decision for the DED. It is therefore the most ideal stage in the project cycle wherein the EIA study will have most significant use.

## 5. The EIA Process in Relation to the Enforcement of Other Laws

The PEISS is supplementary and complementary to other existing environmental laws. It identifies the likely environmental issues or impacts that may be recommended later for coverage by regional environmental permits and other permitting requirements of regulatory bodies like the Clean Air Act and the Clean Water Act.



Where there are yet no standards or where there is a lack of explicit definitions in existing laws, the EIA process fills in the gap and provides appropriate cover for environmental protection and enhancement-related actions.

For example, replacement planting of trees that may be cut at project construction stage is not a requirement under any environmental law. However, it may be included in the ECC as a contractual obligation and commitment of the project proponent to the DENR.

## 6. The EIA Process in Relation to Requirements of Other Agencies

The EIA Process undertakes a comprehensive and integrated approach in the review and evaluation of environment-related concerns of GAs, LGUs and the general public. EIA findings provide guidance and recommendations to these entities as a basis for their decision making process.

DENR Memo Circular No. 2007-08 issued on 13 July 2007 stipulates the following:

i) “No permits and/or clearances issued by other National Government Agencies and Local Government Units shall be required in the processing of ECC or CNC applications.

ii) The findings and recommendations of the EIA shall be transmitted to relevant government agencies for them to integrate in their decision making prior to the issuance of clearances, permits and licenses under their mandates.

iii) The issuance of an ECC or CNC for a project under the EIS System does not exempt the proponent from securing other government permits and clearances as required by other laws.”

Issues outside the EMB-DENR purview, such as zoning and land jurisdiction issues are considered and evaluated within the EIA review process but the resolution are still within the responsibility of the GA or the LGU.

The final decision whether a project will be implemented or not lies either with the LGUs who have spatial jurisdiction over the project or with the lead government agency who has sectoral mandate to promote the government program where the project belongs, e.g. DOE for energy projects; DENR-MGB for mining projects.

EIA findings are to be viewed as recommendations that provide guidance to GAs and LGUs to their decision making process. The Manual stresses that it is the ***EIA findings and recommendations, which shall be transmitted through the ECC for consideration of other GAs and LGUs prior to their issuance of government documents within their respective mandates.***

GAs and LGUs have the option to accept, modify or disregard the recommendations in the ECC. ***They will have to justify to the public the basis of their decision pertinent to said recommendations found in the ECC.***

Projects classified as ECPs or located in ECAs established prior to 1982 although not required to secure ECCs, shall be monitored for compliance to other environmental laws as earlier enumerated. Environmental monitoring of projects not required to undergo the EIA Process shall be under the purview of any or all of the following entities:

- **Lead Government Agency**, which has direct jurisdiction over the project such as:
  - Environmental Unit of the DOE for non-covered energy projects,
  - Environmental Unit of the MGB for non-covered mineral mining projects, and,
  - Environmental Unit of the DPWH for non-covered roads and bridges, etc.
- **Other GAs** who may have mandates over the project, e.g., National Operations Center for Oil Pollution (NOCOP) of the Philippine Coast Guard for non-covered offshore energy projects; and,
- **LGUs** who have jurisdiction over the project area, especially in cases when there are no required DENR regional permits or other GA approvals that cover the project.

The primacy of jurisdiction is respected in the enforcement of ECC recommendations related to the mandate of LGUs and other GAs. Hence, the corresponding penalties and sanctions as regards enforcement of ECC recommendations shall primarily be imposed by the LGU or GA under whose mandate violations have been committed (e.g., observance of building code and occupational safety and health requirements).

**7. The EIA Process**

There are six stages in the generic EIA process (Figure 2) particularly in filing for an ECC leading to an ECC. The proponent initiates the first three stages while the EMB takes the lead in the last three stages (Please refer to Legend as guide).

**a. Project Screening** - This is the first step that the proponent initiates to determine if a project would be covered or not by the PEISS. If a project

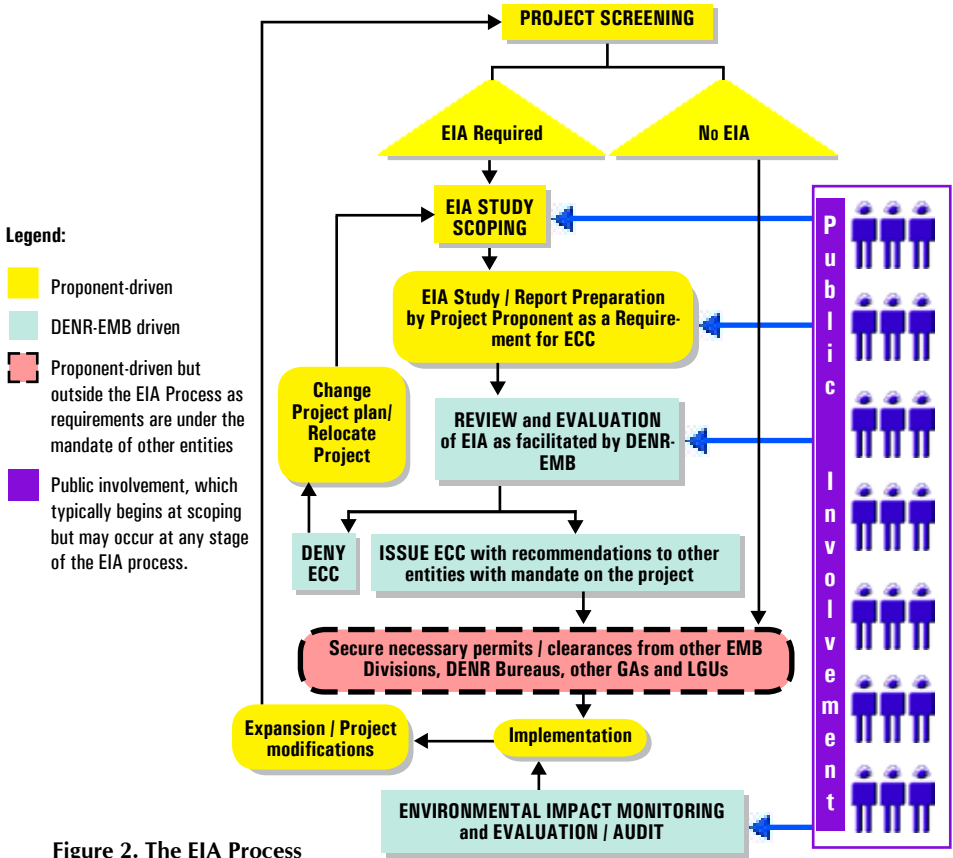


Figure 2. The EIA Process



is covered, this step helps to identify what document the project should prepare along with other requirements needed for certification. Online assistance is provided at [www.emb.gov.ph/eia-adb](http://www.emb.gov.ph/eia-adb). Coverage is governed by the following concepts as defined:

**Environmentally Critical Projects** or ECPs are “undertakings belonging to project types declared through Proclamation No. 2146 and Proclamation No. 803 which may **pose significant negative environmental impact at certain thresholds of operation regardless of location.**”

**Environmentally Critical Areas** or ECAs are “environmentally sensitive areas declared through Proclama-

tion 2146 wherein **significant environmental impacts are expected if certain types/thresholds of proposed projects are located, developed or implemented in it.**”

Projects not considered as ECPs or ECAs may be considered as not covered and hence may or may not apply for a Certificate of Non-Coverage (CNC). Table 1 shows the four (4) ECP project types and 12 ECA categories that have been declared through Proclamation No. 2146 (1981) and Proclamation No. 803 (1996). A project is considered as falling under ECA if it is confirmed ECA by any one among the 12 categories.

**Table 1. Summary List of Environmentally Critical Project (ECP) Types and Environmentally Critical Area (ECA) Categories**

<b>A. List of ECPs</b>	
- As declared by Proclamation No. 2146 (1981)	
1	Heavy Industries – Non-ferrous Metal Industries, Iron and Steel Mills, Petroleum and Petro-chemical Industries including Oil & Gas, Smelting Plants
2	Resource Extractive Industries – Major Mining & Quarrying Projects, Forestry Projects (logging, major wood processing projects, introduction of fauna (exotic animals) in public and private forests, forest occupancy, extraction of mangrove products, grazing), Fishery Projects (dikes for/ and fishpond development projects)
3	Infrastructure Projects – Major Dams, Major Power Plants (fossil-fueled, nuclear fueled, hydroelectric or geothermal), Major Reclamation Projects,
- As declared by Proclamation No. 803 (1996)	
4	All golf course projects
<b>B. List of ECA Categories</b> - As declared by Proclamation No. 2146 (1981)	
1	All areas declared by law as national parks, watershed reserves, wildlife preserves, sanctuaries

2	Areas set aside as aesthetic potential tourist spots
3	Areas which constitute the habitat of any endangered or threatened species of Philippine wildlife (flora and fauna)
4	Areas of unique historic, archaeological, or scientific interests
5	Areas which are traditionally occupied by cultural communities or tribes
6	Areas frequently visited and/or hard-hit by natural calamities (geologic hazards, floods, typhoons, volcanic activity, etc.)
7	Areas with critical slopes
8	Areas classified as prime agricultural lands
9	Recharged areas of aquifers
10	Water bodies characterized by one or any combination of the following conditions: tapped for domestic purposes; within the controlled and/or protected areas declared by appropriate authorities; which support wildlife and fishery activities
11	Mangrove areas characterized by one or any combination of the following conditions: with primary pristine and dense young growth; adjoining mouth of major river systems; near or adjacent to traditional productive fry or fishing grounds; areas which act as natural buffers against shore erosion, strong winds and storm floods; areas on which people are dependent for their livelihood.
12	Coral reefs characterized by one or any combination of the following conditions: With 50% and above live coralline cover; Spawning and nursery grounds for fish; Act as natural breakwater of coastlines

Before a project location is considered in a Non-ECA (NECA), all of the relevant ECA categories have to be confirmed by the proponent. Mandated agencies have to certify that the project area/location being applied for is “not an ECA” based on EMB-DENR prescribed technical descriptions. EMB will decide on the relevance of the ECA categories to the project location.

If the agency with jurisdiction on the ECA cannot confirm the ECA status of the project, it is advisable to presume

that the project location lies within an ECA. DENR can only certify ECAs within its own mandate for instance; water bodies to be certified by EMB-DENR; NIPAS areas, wildlife habitats and mangrove areas, by PAWB/CENRO/PENRO; geologic hazard areas and areas of critical slope, by DENR-MGB.

**The burden of proof lies with the proponent in proving that the project is located in NECA's!**

Table 2 provides a summary of project Groupings under the Revised Procedural Manual.

**Table 2. Project Groupings**

Main Project Groups	Description	Project Sub-groups		
		News	Existing with ECC but with Proposal for Modification or Resumption of Operation	Operating w/o ECC
I	Single ECP in ECA or NECA	I - A	I - B	I - C
II	Single NECP* in ECA	II - A	II - B	II - C
III	Single NECP in NECA	III - A	Not applicable	Not applicable
IV	Co-located** Projects in either ECA or NECA	IV - A	IV - B	IV - C
V	Unclassified Projects***	V - A	Not applicable	Not applicable

For Group II projects, there are additional 16 project types that may be located in any of the 12 ECAs, and these are presented in Table 3.

\* NECP – Non-ECP

\*\* Co-located Projects - A co-located project is a group of single projects, under one or more Proponents/locators, located in a contiguous area and managed by one administrator, who is also the ECC applicant.

\*\*\* Unclassified Projects - These are projects not listed in any of the groups, e.g. projects using new processes/technologies with uncertain impacts.



**Table 3. Summary List of Additional Non-Environmentally Critical Project (NECP) Types in ECAs Classified Under Group II**

1.	Agriculture industry	9.	Pipeline projects
2.	Buildings, storage facilities & other structures	10.	Textile, wood & rubber industries
3.	Chemical industries	11.	Tourism industry
4.	Cottage industries	12.	Transport terminal facilities
5.	Demonstration & pilot projects	13.	Waste management projects
6.	Environmental enhancement & mitigation projects	14.	Water supply, irrigation or flood control projects
7.	Food & related industries	15.	Treasure hunting in NIPAS areas
8.	Packaging materials & miscellaneous products industries	16.	Wildlife farming or any related projects as defined by PAWB

**b. EIA Study Scoping** – Otherwise known simply as scoping, is a proponent-driven multi-sectoral formal process of determining the focused Terms of Reference of the EIA Study. It specifically attempts to achieve the following:

- To more definitely establish and focus requirements;
- To provide the proponent and the stakeholders the final scope of work and terms of reference

for the EIA Study;

- Issues and concerns on the proposed project pertinent to the mandates of various GAs and concerns of various sectors are raised and those that can be addressed at this stage are acted upon by participating sectors; and,
- Other relevant issues are incorporated for further assessment during the EIA Study.



Public Scoping for PEIS/EIS-based new projects is now more meaningful as community inputs will precede the Technical Scoping of the EIA Review Team with the proponent, and will be formally considered before the sign-off of the Scoping Checklist that comprises the final TOR of the EIA Study.

**c. Conduct of the EIA Study and Preparation of the EIA Report** – The proponent prepares the EIA study and a report that includes a description of the proposed project and its alternatives and an Environmental Management and Monitoring Plan. The proponent then pays the filing fee and the Review Support Fund.



There are seven (7) major EIA Report types (Please see details in the Procedural Manual or EMB website) as summarized in Table 4 based on group and project types.

**Table 4. Required Documents by Project Group**

PROJECT GROUPS/SUB-GROUPS (Refer to PM Annex 2-1 for more defined classification)		PROJECT TYPE	REQUIRED DOCUMENTS
<b>I: ECPs in either ECA or NECA</b>	I - A: New	Single Projects	EIS
	I - B: Existing Projects for Modification or Re-start up	Single Projects	EPRMP <sup>a)</sup>
	I - C: Operating without ECC	Single Projects	
<b>II: NECPs in ECA</b>	II - A: New	Single Projects	EIS
			IEER <sup>b)</sup>
			IEEC <sup>c)</sup>
			PDR <sup>d)</sup>
	II - B: Existing Projects for Modification or Re-start up	Single Projects	EPRMP
II - C: Operating without ECC	Single Projects	PDR-Required	
<b>III: NECPs in ECA</b>	III - A1: New (Enhancement & Mitigation)	Single Projects	PDR-Optional
	III - A2: New (All Other Group II Project Types / Sub-types in NECA)	Single Projects	

<sup>a)</sup> Environmental Performance Report and Management Plan

<sup>b)</sup> Initial Environmental Examination Report

<sup>c)</sup> Initial Environmental Examination Checklist prescribed by the EMB

<sup>d)</sup> Project Description Report



<b>PROJECT GROUPS/SUB-GROUPS</b> (Refer to PM Annex 2-1 for more defined classification)		<b>PROJECT TYPE</b>	<b>REQUIRED DOCUMENTS</b>
<b>IV: Co-located Projects</b>	IV - A: New	Co-located Projects majority Group I	EPRMP
		Co-located Projects majority Group II	
	IV - B: Existing Projects for Modification or Re-start up of Co-located Projects	Co-located Projects majority Group I	PDR-Required
		Co-located Projects majority Group II	PDR-Optional
	IV - C: Operating w/o ECC	Co-located Projects majority Group I	PEPRMP <sup>®)</sup>
		Co-located Projects majority Group II	
<b>V: Unclassified Projects</b>	V - A: New		PDR-Required

<sup>®)</sup> Programmatic Environmental Performance Report and Management Plan



### Contents of an EIA Report

A typical EIA Report has the following substantive contents:

i) Project Description presents its location, scale and duration, rationale, alternatives, phases and components, resource requirements, manpower complement, estimation of waste generation from the most critical project activities and environmental aspects, and project cost.

ii) Baseline Environmental Description of the land, water, air and people, with due focus on the sectors and resources most significantly affected by the proposed action.

iii) Impact Assessment that is focused on significant environmental impacts per project stage (pre-construction, construction/development, operation and decommissioning stages), taking into account cumulative, unavoidable and residual impacts.

iv) Environmental Management Plan specifying the impacts mitigation plan, areas of public information, education and communication, social development program proposal, environmental monitoring plans (for EIS-based projects) and the corresponding institutional and financial requirements/ arrangements.

### Key Improvements on the EIA Reports

Enhancements on EIA Reporting are incorporated in the revised Procedural Manual as follows:

- Number of Pages. The Manual fixes an estimated limit on the number of EIA Report pages. It requires an upfront submission of substantive analysis, key findings and conclusions on environmental characterization, with due comparisons to Philippine stan-

dards, typical baseline environmental values, country statistics or other acceptable reference standards. Non-compliance to the prescribed number of pages of the report is not a basis for denial of acceptance of any application for ECC or CNC.

- Resubmissions. The “FINAL” version of the EIA Reports (excluding IEE Checklists and PDRs) now requires an integration of all Additional Information/Review Findings and Recommendations.
- Provision of templates and other pro-forma documents for organized and direct-to-the-point presentation of information, assessments, management and monitoring plans.
- Organized Presentation of Impacts. Baseline information, impact assessment and mitigation by ecosystem are now to be presented by impact areas pertaining to land, water, air and people for a more integrated analysis and mitigation of environmental quality.

**d. Review and Evaluation** – Prior to the issuance of the ECC, the EMB reviews and evaluates the proponent’s EIA Report. Objectives of the review are:

- To ensure the nature, quality and quantity of data, impact assessment and crafting of the

EMP in the EIA are the most useful/critical inputs in the integration of environmental/social concerns in the FS preparation of the proponent;

- To provide guidance (through the EMMoP and ECC) in downstream activities such as land use planning and project siting, and continual integration of environmental/social considerations in the detailed engineering design, construction, operations and abandonment;
- To provide guidance to other GAs and LGUs on critical EIA findings that should be considered in their approval process for the project; and,
- To guide the proponent and stakeholders on impact validation and assessment of effectiveness of measures for continuing responsive improvement of environmental performance.



The review normally entails an EMB procedural screening for compliance to minimum requirements specified during Scoping, followed by a substantive review. Third party experts are commissioned by EMB as the EIA Review Committee for PEIS/EIS-based applications, or DENR/EMB internal specialists, the Technical Committee, for IEE-based applications. EMB evaluates the EIARC recommendations and the public's inputs during public consultations/hearings in the process of recommending a decision on the application. (Kindly refer to a separate Review Manual to address this section in detail.)

#### e. Decisions on EIA Applications

The decision on EIA applications is vested only on the President of the Republic and the DENR/EMB.

Decisions are based on the following:

- Striking balance between socio-economic growth and environmental protection;
- Utilizing environmental and socio-economic criteria; and,
- Considering that the primacy of jurisdiction of other GAs and LGUs are respected and supported.

#### Decision Documents

- **ECC** – is issued as a certificate of **Environmental Compliance Commitment** to which the proponent conforms with, after EMB-DENR explains the ECC conditions. The proponent signs

the sworn undertaking of full responsibility over implementation of specified measures which are necessary to comply with existing environmental regulations or to operate within best environmental practices that are not currently covered by existing laws.

- **CNC** – it certifies that, based on the submitted Project Description Report, the project is not covered by the EIS System and is not required to secure an ECC.
- **Denial Letter** – contains the decision and explanation for the disapproval of the application as well as guidance on how the application can be improved to a level of acceptability.

The EMB-DENR decision to deny or grant an ECC is a delegated authority and could not be further delegated beyond what is stipulated in AO 42. Such is the case of Subic Bay Development Management Authority (SBDMA) with the Supreme Court decision that the delegation of authority by the Secretary DENR to SBDMA is not valid. Hence SBDMA could not issue the ECC.

#### Main Parts and Salient Features of the ECC

The ECC is composed of three (3) parts with the following features:

- **First Part:** The certificate of environmental compliance commitment defines the scope and limits of the project, in terms of capacity, area, technology or process. Both endorsing and issuing

authorities are signatories to this portion of the ECC.

- **Second Part:** This serves as Annex A of the ECC and lists the conditions within the mandate of the EMB. Non-compliance to any of the conditions may be imposed a corresponding penalty. The proponent commits to fully comply with the ECC through its Sworn Statement of Full Responsibility to implement the mitigation measures.
- **Third Part:** As Annex B of the ECC, it provides the EIA Review Committee's recommendations to the proponent, as well as suggestions to government agencies and LGUs who have mandates over the project. They may integrate the EIA findings into their decision-making process. The EIARC Chair, the EMB Chief and the EMB Director/Regional Director affix their signatures to this portion of the ECC. This last part of the ECC is formally transmitted by the EMB-DENR to the concerned GAs and LGUs.

### Decision Timelines

Decisions on applications are made within prescribed timelines within the control of DENR, otherwise, the application shall be deemed automatically approved, with the issuance of the approval document within five (5) working days from the time the prescribed period lapsed.

**f. Environmental Impact Monitoring and Evaluation/Audit** – The last stage of the EIA process as led by the EMB is monitoring and validation. It aims to determine:

- Compliance to the conditions set in the ECC;
- Compliance with the Environmental Management Plan (EMP);
- Effectiveness of environmental measures on prevention or mitigation of actual project impacts vis-a-vis predicted impacts used as basis for the EMP design; and
- Continual updating of the EMP for sustained responsiveness to project operations and project impacts.

### Projects not Subject to Monitoring

- Projects issued CNCs, and
- Projects issued ECCs under the old Implementing Rules and Regulations of PD 1586 but are now non-covered.

Environmental monitoring of these projects shall be under the purview of any or all of the following entities (this line has no bullet please – printout kasi has bullet):

- EMB-Pollution Control Division (PCD)/Environmental Quality Division (EQD) in cases when the projects are covered by other environmental permitting requirements of the EMB-DENR such as permits for air/water pollution sources and facilities and/or permits for toxic substances/hazardous waste generation, storage, transport and disposal;
- Lead GA or LGU, which has direct jurisdiction over the project such as DOE's environmental unit for non-covered energy projects, MGB's environmental unit for non-covered mineral mining projects, and DPWH's environmental

unit for non-covered roads and bridges.

**Monitoring Responsibilities**

- Self-Monitoring by the proponent
- Validation of proponent’s Self Monitoring Reports (SMR) by Multi-partite Monitoring Team
- EMB Evaluation/Audit and Validation

Figure 3 illustrates the relationships of entities in efforts to monitor and validate environmental performance of projects covered by the PEISS. A



Manual of Operations (MOO) agreed upon amongst the Multi-partite Monitoring Team (MMT), proponent, and EMB guides the MMT.

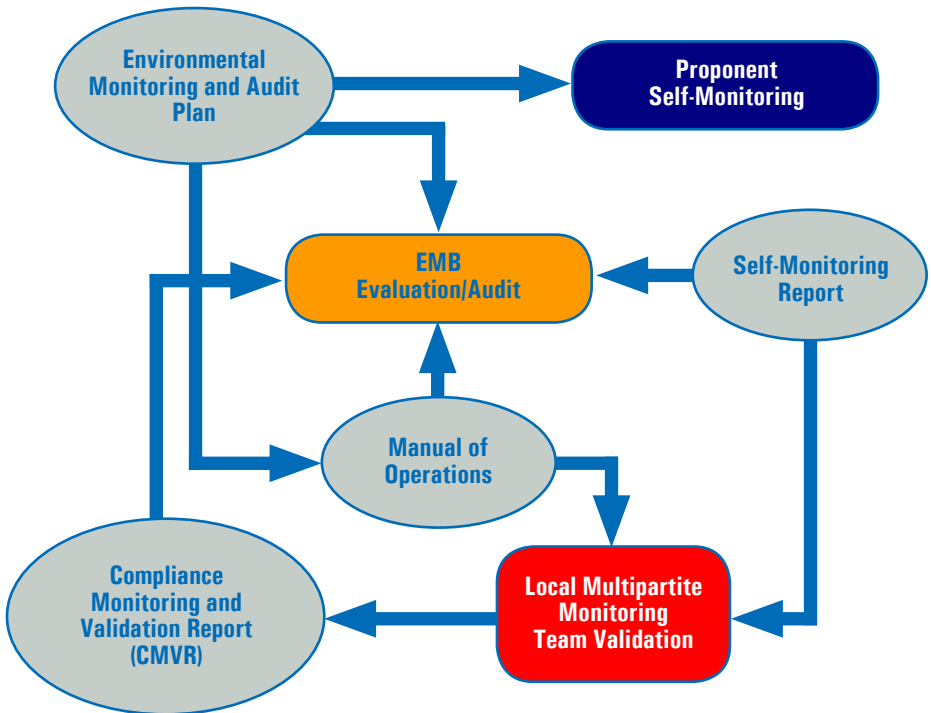


Figure 4. Delineation of Roles at Monitoring and Validation





### 8. Operating without an ECC or CNC

EIA is a planning tool. For projects operating without an ECC or a CNC, the EIA is no longer applicable as the planning stage is over. Environmental impacts of an on-going project are based on actual performance and compliance to environmental standards as required under existing environmental laws. An Environmental Performance Management Review is carried out and conditions relating to the operation and abandonment may be required.

**Submission of the EPMRC does not exempt the project from the penalties for operating without an ECC or additional documentation as may be required by environmental laws.**

### 9. ECC Validity and Expiry

Once a project is implemented, the ECC remains valid and active for the lifetime of the project. ECC conditions and commitments are permanently

relieved from compliance by the proponent only upon EMB's validation of the successful implementation of the environmental aspects/component of the proponent's Abandonment/Rehabilitation/Decommissioning Plan. This pre-condition for ECC validity applies to all projects including those wherein ECC expiry dates have been specified in the ECC.

The **ECC automatically expires** if a project has not been implemented within five (5) years from ECC issuance. ECC extensions have to be filed within three (3) months from the expiration of its validity otherwise it is considered expired. If the baseline characteristics have significantly changed to the extent that the impact assessment as embodied in the EMP is no longer appropriate, the EMB office concerned shall require the proponent to submit a new application. The EIA Report on the new application shall focus only on the assessment of the environmental component, which significantly changed.



### Relief from ECC Commitments

The proponent, only upon successful implementation of the EMB-approved Abandonment/Decommissioning Plan is permanently relieved of ECC commitments.

### Suspension of the ECC

Suspension occurs if a project poses grave or irreparable damage to the environment or there is strong violation of environmental laws but with the corresponding requirement for the proponent to institute environmental management measures.

The continued validity of the ECC sustains the active commitments of the proponent to comply with ECC conditions which includes commitment to implement mitigation measures for potentially negative impacts and/or enhancement measures for potentially positive impacts as identified in the EIA Study. The ECC includes environmental conditions the project proponent has to fulfill even after the project useful life such those related to abandonment and site rehabilitation.



## Environmental Management Bureau Official Directory

OFFICE	ADDRESS	EIAMD Telephone Nos.
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Region 2	EMB Nursery Compd., San Gabriel Village, Tuguegarao City, Cagayan	844-4321; 844-6662
Region 3	4 <sup>th</sup> Floor MEL-VI Bldg., O.R. Road, Dolores, San Fernando, Pampanga	(045) 961-5203 or 06860-2875
Region 4a	1515 L & S Bldg., Roxas Boulevard, Ermita Manila (CALABARZON)	522-8177
Region 4b	1515 L & S Bldg., Roxas Boulevard, Ermita Manila (MIMAROPA)	400-5960
Region 5	Regional Center, Rawis, Legaspi City	(052) 482-0197 loc 124
Region 6	Pepita Aquino Avenue, Port Area, Iloilo City	336-9910; (033) 509-9133
Region 7	Banilad, Mandaue City	(032) 346-1647
Region 8	Taboan, Marasbaras, Tacloban City	(053) 323-4054
Region 9	FORI Bldg., DENR Lantawan, Pasonanca City	(062) 992-6547; 992-7156
Region 10	DENR 10 Compd., Macabalan, Cagayan de Oro City	(08822) 726243; (088) 856-9362
Region 11	Door 2, Felbet's Bldg., km 7, Lanang Davao City	(082) 234-0061
Region 12	4 <sup>th</sup> Floor Siyambio bldg., Roxas St., Koronadal, South Cotabato	(083) 22-88812
Region 13	3 <sup>rd</sup> Floor Gorme Bldg., Langihan Road, Butuan City	(085) 341-3826
CAR	DENR Compd., Gibraltar, Baguio City	4(074) 446-2881
NCR	5 <sup>th</sup> Floor Hizon Bldg., 29 Quezon Avenue, Quezon City	781-0484/85
LLDA	2 <sup>nd</sup> Floor Asiapro Bldg., 70 San Rafael St. Brgy. Kapitolyo, Pasig City	(02) 631-0349; 635-6682



**Department of Environment and Natural Resources  
Environmental Management Bureau  
EIAM Division**

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