

**[ REPUBLIC ACT NO. 9003, January 26, 2001 ]**

**AN ACT PROVIDING FOR AN ECOLOGICAL SOLID WASTE MANAGEMENT PROGRAM, CREATING THE NECESSARY INSTITUTIONAL MECHANISMS AND INCENTIVES, DECLARING CERTAIN ACTS PROHIBITED AND PROVIDING PENALTIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

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

**CHAPTER I  
BASIC POLICIES**

**ARTICLE 1  
GENERAL PROVISIONS**

SECTION 1. *Short Title.* - This Act shall be known as the "Ecological Solid Waste Management Act of 2000."

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:

- a. Ensure the protection of public health and environment;
- b. Utilize environmentally-sound methods that maximize the utilization of valuable resources and encourage resource 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 practice in ecological waste management excluding incineration;
- 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, nongovernment 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.

## **ARTICLE 2 DEFINITIONS OF TERMS**

SEC.3. *Definition of Terms.* - For the purposes of this Act:

- a Agricultural waste shall refer 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 Bulky wastes shall refer to waste materials which cannot be appropriately placed in separate containers because of either its bulky size, shape or other physical attributes. These include large worn-out or broken household, commercial, and industrial items such as furniture, lamps, bookcases, filing cabinets, and other similar items;
- c Bureau shall refer to the Environmental Management Bureau;
- d Buy-back center shall refer to a recycling center that purchases or otherwise accepts recyclable materials from the public for the purpose of recycling such materials;
- e Collection shall refer to the act of removing solid waste from the source or from a communal storage point;
- f Composting shall refer to the controlled decomposition of organic matter by micro-organisms, mainly bacteria and fungi, into a humus-like product;
- g Consumer electronics shall refer to special wastes that include worn-out, broken, and other discarded items such as radios, stereos, and TV sets;
- h Controlled dump shall refer to a disposal site at which solid waste is deposited in accordance with the minimum prescribed standards of site operation;
- i Department shall refer to the Department of Environment and Natural Resources;
- j Disposal shall refer to the discharge, deposit, dumping, spilling, leaking or placing of any solid waste into or in any land;
- k Disposal site shall refer to a site where solid waste is finally discharged and deposited;
- l Ecological solid waste management shall refer to the systematic administration of activities which provide for segregation at source, segregated transportation, storage, transfer, processing, treatment, and disposal of solid waste and all other waste management activities which do not harm the environment;
- m Environmentally acceptable shall refer to the quality of being re-usable, biodegradable or compostable, recyclable and not toxic or hazardous to the environment;
- n Generation shall refer to the act or process of producing solid waste;
- o Generator shall refer to a person, natural or juridical, who last uses a material and makes it available for disposal or recycling;

- p Hazardous waste shall refer to solid waste or combination of solid waste which because of its quantity, concentration, or physical, chemical or infectious characteristics may:
- 1 cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or
  - 2 pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed;
- q Leachate shall refer to the liquid produced when waste undergo decomposition, and when water percolate through solid waste undergoing decomposition. It is contaminated liquid that contains dissolved and suspended materials;
- r Materials recovery facility includes a solid waste transfer station or sorting station, drop-off center, a composting facility, and a recycling facility;
- s Municipal waste shall refer to wastes produced from activities within local government units which include a combination of domestic, commercial, institutional and industrial wastes and street litters;
- t Open dump shall refer to a disposal area wherein the solid wastes are indiscriminately thrown or disposed of without due planning and consideration for environmental and health standards;
- u Opportunity to recycle shall refer to the act of providing a place for collecting source-separated recyclable material, located either at a disposal site or at another location more convenient to the population being served, and collection at least once a month of source-separated recyclable material from collection service customers and to providing a public education and promotion program that gives notice to each person of the opportunity to recycle and encourage source separation of recyclable material;
- v Person(s) shall refer to any being, natural or juridical, susceptible of rights and obligations, or of being the subject of legal relations;
- w Post-consumer material shall refer only to those materials or products generated by a business or consumer which have served their intended end use, and which have been separated or diverted from solid waste for the purpose of being collected, processed and used as a raw material in the manufacturing of a recycled product, excluding materials and by-products generated from, and commonly used within an original manufacturing process, such as mill scrap;
- x Receptacles shall refer to individual containers used for the source separation and the collection of recyclable materials;
- y Recovered material shall refer to material and by-products that have been recovered or diverted from solid waste for the purpose of being collected, processed and used as a raw material in the manufacture of a recycled product;
- z Recyclable material shall refer to any waste material retrieved from the waste stream and free from contamination that can still be converted into suitable beneficial use or for other purposes, including, but not limited to, newspaper, ferrous scrap metal, non-ferrous scrap metal, used oil, corrugated cardboard, aluminum, glass, office paper, tin cans and other materials as may be determined by the Commission;
- aa Recycled material shall refer to post-consumer material that has

- been recycled and returned to the economy;
- bb Recycling shall refer to the treating of used or waste materials through a process of making the suitable for beneficial use and for other purposes, and includes any process by which solid waste materials are transformed into new products in such a manner that the original products may lose their identity, and which may be used as raw materials for the production of other goods or services: *Provided*, That the collection, segregation and re-use of previously used packaging material shall be deemed recycling under this Act;
  - cc Resource conservation shall refer to the reduction of the amount of solid waste that are generated or the reduction of overall resource consumption, and utilization of recovered resources;
  - 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;
  - ee Re-use shall refer to the process of recovering materials intended for the same or different purpose without the alteration of physical and chemical characteristics;
  - ff Sanitary landfill shall refer to a waste disposal site designed, constructed, operated and maintained in a manner that exerts engineering control over significant potential environmental impacts arising from the development and operation of the facility;
  - gg Schedule of Compliance shall refer to an enforceable sequence of actions or operations to be accomplished within a stipulated time frame leading to compliance with a limitation, prohibition, or standard set forth in this Act or any rule or regulation issued pursuant thereto;
  - hh Secretary shall refer to the Secretary of the Department of Environment and Natural Resources;
  - ii Segregation shall refer to a solid waste management practice of separating different materials found in solid waste in order to promote recycling and re-use of resources and to reduce the volume of waste for collection and disposal;
  - jj Segregation at source shall refer to a solid waste management practice of separating, at the point of origin, different materials found in solid waste in order to promote recycling and re-use of resources and to reduce the volume of waste for collection and disposal;
  - kk Solid waste shall refer to all discarded household, commercial waste, non-hazardous institutional and industrial waste, street

Unless specifically noted otherwise, the term "solid waste" as used in this Act shall not include:

- 1 waste identified or listed as hazardous waste of a solid, liquid, contained gaseous or semisolid form which may cause or contribute to an increase in mortality or in serious or incapacitating reversible illness, or acute/chronic effect on the health of persons and other organisms;
- 2 infectious waste from hospitals such as equipment, instruments, utensils, and fomites of a disposable nature from patients who are suspected to have or have been diagnosed as having communicable diseases and must therefore be isolated as

required by public health agencies, laboratory wastes such as pathological specimens (i.e., all tissues, specimens of blood elements, excreta, and secretions obtained from patients or laboratory animals), and disposable fomites that may harbor or transmit pathogenic organisms, and surgical operating room pathologic specimens and disposable fomites attendant thereto, and similar disposable materials from outpatient areas and emergency rooms; and

- 3 waste resulting from mining activities, including contaminated soil and debris.

ll Solid waste management shall refer to the discipline associated with the control of generation, storage, collection, transfer and transport, processing, and disposal of solid wastes in a manner that is in accord with the best principles of public health, economics, engineering, conservation, aesthetics, and other environmental considerations, and that is also responsive to public attitudes;

mm Solid waste management facility shall refer to any resource recovery system or component thereof; any system, program, or facility for resource conservation; any facility for the collection, source separation, storage, transportation, transfer, processing, treatment, or disposal of solid waste;

nn Source reduction shall refer to the reduction of solid waste before it enters the solid waste stream by methods such as product design, materials substitution, materials re-use and packaging restrictions;

oo Source separation shall refer to the sorting of solid waste into some or all of its component parts at the point of generation;

pp Special wastes shall refer to household hazardous wastes such as paints, thinners, household batteries, lead-acid batteries, spray canisters and the like. These include wastes from residential and commercial sources that comprise of bulky wastes, consumer electronics, white goods, yard wastes that are collected separately, batteries, oil, and tires. These wastes are usually handled separately from other residential and commercial wastes;

qq Storage shall refer to the interim containment of solid waste after generation and prior to collection for ultimate recovery or disposal;

rr Transfer stations shall refer to those facilities utilized to receive solid wastes, temporarily store, separate, convert, or otherwise process the materials in the solid wastes, or to transfer the solid wastes directly from smaller to larger vehicles for transport. This term does not include any of the following:

- 1 a facility whose principal function is to receive, store, separate, convert, or otherwise process in accordance with national minimum standards, manure;
- 2 a facility, whose principal function is to receive, store, convert, or otherwise process wastes which have already been separated for re-use and are not intended for disposal; and
- 3 the operations premises of a duly licensed solid waste handling operator who receives, stores, transfers, or otherwise processes wastes as an activity incidental to the conduct of a refuse collection and disposal business.

ss Waste diversion shall refer to activities which reduce or eliminate the amount of solid waste from waste disposal facilities;