

**[ MEMORANDUM CIRCULAR NO. 2017-05, January 25, 2018 ]**

**RULES AND REGULATIONS IMPLEMENTING THE NEW GENERAL EFFLUENT STANDARDS PURSUANT TO LLDA BOARD RESOLUTION NO. 523, S. 2017, ENTITLED "ADOPTION OF DEPARTMENT ADMINISTRATIVE ORDER (DAO) NO. 2016-08 OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AS THE NEW EFFLUENT STANDARDS FOR THE CONTINUOUS IMPLEMENTATION OF THE ENVIRONMENTAL USERS FEE SYSTEM (EUFS) AND THE WATER QUALITY GUIDELINES FOR SURFACE WATERS WITHIN THE LAGUNA DE BAY REGION AND FOR OTHER PURPOSES"**

*Adopted: 22 November 2017*

*Date Filed: 25 January 2018*

In the interest of the service and in order to guide the Authority as regards the implementation of the new General Effluent Standards (GES) promulgated by the DENR thru Administrative Order No. 2016-08 pursuant to Republic Act No. 9275 otherwise known as the Philippine Clean Water Act of 2004, of which the LLDA adopted thru LLDA Board Resolution No. 523 series of 2017, and for the continuous implementation of the Environmental User Fee System (EUFS) in the Laguna de Bay Region, the following rules and regulations shall be adopted.

**I. COVERAGE**

These guidelines shall apply to all existing and/or new development projects, installations and activities that are required to secure a discharge permit, pursuant to LLDA Board Resolution No. 322 series of 2007 or the Modified Wastewater Charge System in the Laguna de Bay Region.

**II. POLICY GUIDELINES IN THE IMPLEMENTATION OF SPECIFIC PROVISIONS OF DENR DAO 2016-08**

The rules and regulations implementing specific provisions of the DENR DAO 2016-08, specifically those that pertain to the adoption of the GES are hereby promulgated, as follows:

**1. General Effluent Standards (Section 7.0 of DAO 2016-08)**

1.1 Discharges from any point source shall, at all times, meet the effluent standards set forth in Tables 9 and 10 of DENR DAO 2016-08 to maintain the required Class C water quality for water bodies within the Laguna de Bay Region, and Class SB for Manila Bay as mandated by the DENR;

1.2 With this new GES, industries shall only be required to monitor their effluent quality parameters determined to be significant to them. Results of laboratory analysis for all significant effluent parameters shall be submitted to the LLDA as part of its Self-Monitoring Report (SMR).

1.3 Wastewater generated by an establishment shall not be allowed to be re-used for irrigation and other agricultural purposes without a valid certification issued by the Department of Agriculture (DA) in accordance with Administrative Order 2007-26 issued by said Department, and for subsequent amendment or issuance by the DA to conform with the new water quality guidelines and general effluent standards issued by the DENR;

Certification from the DA should be valid for the duration of the Discharge Permit issued to the said establishment.

1.4 Effluent quality monitoring procedures shall be in accordance with the Effluent Quality Monitoring Manual issued by DENR-EMB through Memorandum Circular 2008-008 as adopted by LLDA

## **2. Significant Effluent Quality Parameters per Sector (Section 7.1)**

2.1 In general, individual point sources of pollution shall be categorized into sectors consistent with the Philippine Standard Industrial Classification (PSIC, 2009). The significant effluent quality parameters for each sector or industry type shall be based on Table 8 of said DAO, for purposes of streamlining compliance and enforcement of the GES;

In cases where a certain establishment does not fall in one of the identified sectors in Table 8 of said DAO, the LLDA shall identify the most probable pollutants that the said establishment will discharge into the environment. These identified parameters will then be used for that particular establishment's discharge permit, and for compliance monitoring and enforcement;

2.2 Wastewater treatment facilities of establishment that caters both process wastewater and domestic sewage shall be monitored for effluent parameters significant to them, including parameters intended for domestic sewage as listed in PSIC Code No. 37000;

2.3 The LLDA shall include additional effluent parameter/s other than those listed in their assigned PSIC Code for laboratory analysis, if this particular parameter/s is deemed significant based on actual inspection of its process or activities.

## **3. Effluent Standards for BOD for Strong Wastewater (Section 7.2)**

3.1 Establishments with Strong Wastewater has to request and submit at least ten (10) monthly monitoring results or a minimum of twelve (12) monitoring results of a 6-month period showing that influent BOD is equal to or greater than 3,000 mg/L, at all times.

Analysis of samples shall be from a DENR-recognized, third-party laboratory. The LLDA may conduct validation tests, review of submitted SMRs, among others, to verify if such a claim is valid;

3.2 Those establishments with verified influent BOD of at least 3,000 mg/L, the applicable effluent standards in Table 10 shall at all times be enforced and complied with Laboratory analysis for influent BOD shall be conducted consistent with the analysis of effluent samples which shall be included in the submission of its Self-Monitoring Report;

3.3 Since Manila Bay is re-classified into Class SB pursuant to the continuing mandamus of the Supreme Court, all establishments directly draining into the Manila Bay with BOD as one of its significant effluent parameters and considered as strong waste shall comply with the maximum BOD value set in Table 9;

3.4 For parameters other than BOD, Table 9 shall apply.

#### **4 Modification of GES (Section 8.0)**

4.1 Any person, both natural and juridical, May request for the modification of the GES as described in this section;

4.2 The request shall include a clear and scientifically valid evidence having a probative value to demonstrate that such modification is consistent with RA 9275 and its Implementing Rules and Regulations Request for modification shall be submitted to the Office of the General Manager of the LLDA, actions of which shall be subject to further consultation with the DENR;

The requesting entity has to submit at least ten (10) monthly monitoring results or a minimum of twelve (12) monitoring results of a 6-month period among other supporting documents, to prove that its request for modification is based on empirical and scientific findings or studies. The LLDA shall conduct validation tests, review of submitted SMRs, among others, to verify if such a claim is valid.

#### **5. Modification of Significant Effluent Quality Parameters and GES Values (Section 8.3)**

5.1 In cases where a particular significant parameter is present in an establishment's waste stream but is not listed in Table 8 of the DAO, the LLoA shall require the establishment to comply with such particular significant parameter;

The LLDA shall inform the establishment of the findings and of the need to include such parameter in the succeeding issuances of its Discharge Permit, as well as in the succeeding compliance monitoring and enforcement;

The establishment may file a motion for reconsideration within fifteen (15) days after receipt of such findings. The LLDA reserves the right to reject or accept the appeal based on justifiable grounds;