

**[DEPARTMENT ADMINISTRATIVE ORDER NO. 25,
S. 2004, August 25, 2004]**

**AMENDING CHAPTER V, ARTICLE I OF THE IMPLEMENTING
RULES AND REGULATIONS OF PD 984 BY DELETING THE
AUTHORITY TO CONSTRUCT AND CONVERSION OF PERMIT TO
OPERATE TO DISCHARGE PERMIT FOR WATER POLLUTION
SOURCE/CONTROL FACILITIES**

In order to expedite compliance of establishments having water pollution source/control facilities with the DENR standards and requirements, and considering that the knowledge on the field of water pollution control has been greatly enhanced by experience and adequate information/references from local and foreign sources, the "Authority to Construct" requirement of Article 1, Chapter V of the Implementing Rules and Regulations of PD 984 is hereby removed and consistent with the recently approved RA 9275 (Clean Water Act of 2004) and DAO 2003-39 (IRR of the DENR-EMB National Environmental User's Fee of 2002) the Permit to Operate requirement is hereby converted to Discharge Permit, in order to manage and regulate discharges.

The entire Article I of Chapter V of the Implementing Rules and Regulations of PD 984 is hereby repealed. Chapter V Article I shall now read as follows:

1. Application for Discharge Permit

An application for a Discharge Permit shall be filed by the owners or operators of facilities that discharge regulated effluents. Applications shall be made in a format prescribed by the Department through the Bureau (EMB), filed in the triplicate copies including the following:

FOR ORIGINAL DISCHARGE PERMIT

1. An engineering report covering the plant description and operations, the types and quantities of all waste materials generated, whether liquid, gaseous or solid, the proposed waste control facilities, the treatment objectives, the design criteria and other relevant information. The design criteria, if warranted, shall be based on the results of laboratory and pilot plant scale studies. The design efficiencies of the proposed treatment facilities and the quantities and types of pollutants in the treated effluents or emissions shall be included. Where confidential records are involved, the Bureau may limit the full disclosure of the same after personal discussions with the applicant;
2. A vicinity map adequately identifying the street address, if any, the location or premises of the installation;
3. Plant and Drainage layout indicating the sources of wastewater discharge and

point of disposal;

4. The plan and specifications of the installation and its control facilities (preferably in standard size of 50 cm by 90 cm) duly certified by a registered sanitary engineer, chemical engineer or any appropriate engineer or a combination of any two or all of them as may be required by the Bureau depending upon the nature of the construction, operation or activity sought to be covered by the Permit. The plans shall clearly show in adequate detail the arrangement, location and size of the pollution control equipment or facilities, including their accessories, cross-sections and construction details. The specification shall be in sufficient detail so that, when read in conjunction with the plans, they clearly reveal the proposed means and methods for the control of pollution and their expected performance efficiency.

5. Results of laboratory analysis of effluent.

FOR RENEWAL:

Only duly accomplished application form.

2. Action on the Application for Discharge Permit

Within twenty five (25) days from submission of the complete requirements, the Department through the Bureau shall act on the application for Discharge Permit by approving or denying the same in writing. The Department through the Bureau may deny an application having incomplete requirements when the applicant fails or refuses to complete the same despite being given reasonable time to do so.

In case the application is denied, the applicant may, within fifteen (15) days from notice, file a petition for reconsideration.

Applications for a Discharge Permit shall be available for public review at the Department Regional Office for the Region in which the applicant's facility is located. Any interested person may oppose the application for a Discharge Permit in writing before its approval. In such a case, the Bureau may conduct a public hearing on the application.

3. Temporary Discharge Permit

For purposes of sampling and testing of new facilities, the Department through the Bureau, upon submission of satisfactory report, may issue a Temporary Discharge Permit not to exceed ninety (90) days, provided that the applicant has a pending application for a Discharge Permit. Once the results show compliance with the standards, a regular permit shall be issued.

4. Life and General Condition of Permits

A permit duly issued by the Department through the Bureau shall be valid for a period of five (5) years, unless suspended or revoked sooner. It may be renewed by filing an application for renewal at least thirty (30) days before its expiration date and upon payment of the required fees and compliance with requirements. Issuance of the permit shall not relieve the permittee from complying with other requirements of the Act and these Rules and that commencement of the work or