

**[DENR MEMORANDUM CIRCULAR NO. 2002-15,
November 25, 2002]**

**SCOPE OF VIOLATIONS AND GUIDELINES FOR THE IMPOSITION
OF PENALTIES FOR VIOLATIONS UNDER THE PHILIPPINE EIS
SYSTEM (P.D. 1586)**

Consistent with the DENR's thrust to strengthen the procedure in the imposition of fines and penalties upon persons or entities found violating provisions of P. D. 1586 or its implementing rules and regulations, the following procedures and guidelines shall be implemented:

SCOPE OF VIOLATIONS

A. Projects which are established and/or operating without an ECC

a. For projects classified as Environmentally Critical ECP and other projects classified as critical based on the nature of activity/process posing significant environmental risk (i.e. hazardous waste disposal facility, sanitary landfills, etc.) found operating without a valid ECC and after observing the due process shall be ordered closed, through a Cease and Desist Order (CDO) as cited in Section 6.0 of DAO 96-37. However, for projects that pose danger to life and property, a Cease and Desist Order (CDO) shall be immediately issued.

b. For projects located in Environmentally Critical Areas (ECAs)

The following criteria for the reduction of the Php 50,000.00 maximum penalty shall be implemented for projects located in an ECA:

1. Nature of ECC Application

25% reduction of the maximum penalty if the proponent has applied for an ECC before issuance of Notice of Violation (NOV).

2. % Completion

10% reduction of the maximum penalty if the project is not more than 25% completed; and

5% reduction of the maximum penalty if the project is more than 25% completed but less than 50% completed.

No reduction if project is more than 50% completed.