

GUIDELINES FOR DENR ENDORSEMENT OF WATER QUALITY MANAGEMENT PROJECTS UNDER REPUBLIC ACT 9275

DENR ADMINISTRATIVE ORDER NO. 2013-17, May 27, 2013

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Pursuant to Section 26 (Incentives Scheme) of Republic Act (RA) 9275, otherwise known as the Philippine Clean Water Act of 2004, DENR Administrative Order (DAO) No. 2005-10, providing for the Implementing Rules and Regulations (IRR) of RA 9275; and Executive Order 192 (19871, or the Reorganization Act of DENR, the following procedure in endorsing a Water Quality Management Project to the Department of Trade and Industry-Board of Investments (DTI-BOI) and Bureau of Internal Revenue (BIR) is hereby issued for administration of incentives.

Section 1. Basic Policy. It is the policy of the State to pursue economic growth in a manner consistent with the protection, preservation and revival of the quality of our fresh, brackish and marine waters.

Sec. 2. Objectives. This Order is hereby issued to guide the Environmental Management Bureau Regional Offices (EMB-ROs) in evaluating Water Quality Management Projects and shall form part of the requirements for the availment of incentives provided in RA 9275 and DAO 2005-10 which are being administered by DTI-BOI and BIR.

Sec. 3. Scope and Coverage. This Order shall apply to all local government units, water districts, enterprises, or private entities, and/or individuals who intend to develop or undertake effective water quality management, through any of the following projects/technologies:

- Industrial wastewater treatment and/or water pollution control technology;
- Cleaner production and waste minimization technology;
- Other equipment associated with water pollution control and monitoring such as testing devices and kits;
- Technology and domestic innovations such as gray and black water recycling systems; and
- Constructed wetlands

The DENR shall issue endorsements for the above-mentioned projects/ technologies. The endorsement shall serve only as proof of eligibility as a water quality management project.

The coverage, description, and entitlement to incentives of the abovementioned projects shall be subject to the concerned agencies' implementing rules and regulations.

Sec. 4. Definition of Terms. For the purposes of this Order, the following terms shall have the following meanings:

- Cleaner Production – the application of an integrated, preventive environmental strategy to processes, products, and services to increase efficiency and reduce risks to humans and the environment.
- Industrial Wastewater Treatment – any method, technique, or process designed to alter the physical, chemical or

biological, and radiological character or composition of any waste or wastewater to reduce or prevent pollution.

- Managing Head – the highest executive officer of the establishment (i.e. President, General Manager, Factory/Plant Manager, Managing Director, Managing Partner, Chief Executive Officer, or Local Chief Executive).
- Project Proponent – any natural or juridical person intending to implement a project or undertaking.
- Waste Minimization – simple strategic actions that will reduce waste at source, through improved manufacturing methodologies and/or more careful work procedures. These actions economically avoid or decrease the generation of waste by reducing its source, decreasing the toxicity of hazardous waste, improving energy usage, or instituting recycling.
- Water Pollution Control Technology – pollution control devices or apparatuses, processes, or other means that effectively prevent, control, or reduce pollution of water caused by effluents and other discharges including domestic and commercial, from any point sources at levels within the water pollution standards.

Sec. 5. DENR Endorsement of Water Quality Management Projects. The DENR-EMB endorsement of Water Quality Management Projects shall be based on the following:

- Project proponents shall submit a notarized Application (Annex 1) to the respective EMB-RO.
- Upon receipt of the Application, the concerned EMB-RO shall review the data and information contained in the notarized Application submitted by the proponent. Incomplete Applications shall be returned to the project proponent. The EMB-RO shall use the Review and Approval Form (Annex 2).
- The concerned EMB RO shall conduct site validation for projects undergoing expansion, improvement, and/or rehabilitation.
- The concerned EMB RO shall complete its assessment within fifteen (15) working days after receipt of the Application.
- For applications resulting in a favorable assessment, the concerned EMB Regional Director shall issue an Endorsement Letter using the template shown in Annex 3 of this Order. Otherwise, the EMB-RO shall inform the proponent of the result of the assessment.
- The concerned EMB-RO shall forward the said Endorsement Letter of Water Quality Management Project to the concerned agencies, copy furnished EMB-CO.

Sec. 6. Separability Clause. If any provision of this Order is declared unconstitutional or invalid, the same shall not affect the validity and effectivity of the other provisions hereof.

Sec. 7. Repealing Clause. All orders and circulars inconsistent with this Order are hereby repealed or modified accordingly.

Sec. 8. Effectivity. This Order shall take effect fifteen (15) days after its publication in a newspaper of general circulation and upon acknowledgment of receipt of a copy hereof by the Office of the National Administrative Register (ONAR).

(SGD.) RAMON J.P. PAJE
Secretary

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