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GUIDELINES FOR COVERAGE SCREENING AND STANDARDIZED REQUIREMENTS UNDER THE PHILIPPINE ENVIRONMENTAL IMPACT STATEMENT SYSTEM (PEISS) AMENDING RELEVANT PORTIONS OF MC 2007-002

EMB MEMORANDUM CIRCULAR NO. 2014-005, July 07, 2014

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WHEREAS, Article III of Department of Environment and Natural Resources (DENR) Administrative Order No. 30, series of 2003, provides for "strengthening the implementation of the Philippine Environmental Impact Statement (EIS) system" under Presidential Decree No. 1586;

WHEREAS, DENR Memorandum Circular No. 2010-14 provides for "standardization of requirements in the implementation of the EIS system";

WHEREAS, Section 2.1 and Annex 2-1a to Annex 2-1c of the Revised Procedural Manual for DAO 2003-30 covered by EMB Memorandum Circular No. 2007-002 provides guidelines on "Screening for coverage and other application requirements under the Philippine EIS system";

WHEREAS, there is a need to amend/update the aforementioned guidelines to cover activities or undertakings, which based on EMB's experience need to be included,

NOW, THEREFORE, this Office with the end in view of achieving the foregoing objectives hereby issues this Memorandum Circular and adopts the accompanying Guidelines for Coverage Screening and Standardized Requirements under the PEISS*.

Section 1. Screening to determine coverage under the Philippine EIS System (amending Section 2.1 of the Revised Procedural Manual for DAO 2003-30). Every proposed project or undertaking which is projected to have significant adverse impact to the quality of the environment is covered by the Philippine EIS system. This includes proposed major expansion, rehabilitation, and/or modification of existing projects as well as resumption of projects that have stopped operations for a prolonged period.

1.1 To determine coverage, proposed projects or undertakings shall be screened according to the following categories:

> 1.1.1 Category A - projects or undertakings which are classified as environmentally critical projects (ECPs) under Presidential Proclamation No. 2146 (1981), Proclamation No. 803 (1996), and any other projects that may later be declared as such by the President of the Philippines. Proponents of these projects implemented from 1982 onwards are required to secure an Environmental Compliance Certificate (ECC).
>
> 1.1.2 Category B - projects or undertakings which are not classified as ECP under Category A, but which are likewise deemed to significantly affect the quality of the environment by virtue of being located in an Environmentally Critical Area (ECA) as declared under Proclamation No. 2146 and according to the

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parameters set forth in the attached guidelines. Proponents of these projects implemented from 1982 onwards are likewise required to secure an ECC.

1.1.3 Category C - projects or undertakings not falling under Category A or B which are intended to directly enhance the quality of the environment or directly address existing environmental problems.

1.1.4 Category D - projects or undertakings that are deemed unlikely to cause significant adverse impact on the quality of the environment according to the parameters set forth in the Screening Guidelines. These projects are not covered by the Philippine EIS system and are not required to secure an ECC. However, such non-coverage shall not be construed as an exemption from compliance with other environmental laws and government permitting requirements.

1.2 To expediently screen proposed projects/undertakings that may be covered by the EIS system, thus required to secure ECC, a ready matrix for determining the category in which proposed projects fall is attached as Annex A of the PEISS Coverage Screening Guidelines, revising Annex 2-1b of the 2007 Revised Procedural Manual for DAO 2003-30 and the thresholds as specified in pages 18-20 of the EIA DRR/CCA Technical Guidelines implemented under MC 2011-005.

1.3 Proposed major expansion, rehabilitation, and /or modification of existing projects, including proposed resumption of projects that have stopped operations for more than five (5) years, shall be categorized according to the parameters set forth in Annex B of the Screening Guidelines.

1.4 Projects which may be classified in different categories shall be considered under the category with the most stringent requirements.

1.5 The EMB shall implement a web-based system for increased transparency in screening project for coverage under the Philippine EIS System.

Section 2. Standardized Requirements

2.1 All ECC applications shall be accompanied by an Environmental Impact Assessment (EIA) Report in the form of an Environmental Impact Statement (EIS), an Initial Environmental Examination (IEE) Checklist Report, an Environmental Performance Report and Management Plan (EPRMP), Programmatic EIS or Programmatic EPRMP.

2.2 Certificate of Non-Coverage (CNC) applications shall be accompanied by a pro-forma project description as prescribed in Annex C of the attached guidelines.

2.3 The following is a summary of the documentary requirements for proponents as well as the processing and deciding authority based on the category, type and status of implementation of the project.

CATEGORY

APPLIED TO

DOCUMENTS REQUIRED
FOR ECC/CNC APPLICATION

Office to Process and decide

A. Environmentally Critical Projects

A-1: New

Co-located

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projects

Programmatic EIS*

EMB Central Office

Single Project

EIS

EMB Central Office

A-2: Existing and to be expanded, modified and/or rehabilitated

A-3: Operating without ECC

Co-located
projects

Programmatic
EPRMP*

EMB Central Office

Single Project

EPRMP in case monitoring data are available

EIS if no monitoring data are available

EMB Central Office

B: Non-Environmentally Critical Projects

B-1: New

Co-located
projects

Programmatic EIS

EMB Regional Office in the region where the proposed project is located

Single Project

EIS
IEE Checklist

B-2: Existing and to be expanded, modified and/or rehabilitated

B-3: Operating without ECC

Single Project

EPRMP
EPRMP Checklist

EMB Regional Office in the region where the proposed project is located

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Co-located
projects

PEPRMP (in case programmatic monitoring data are available)*

EMB Regional Office in the region where the proposed project is located

C: Environmental Enhancement or Direct Mitigation

Co-located or Single Projetcs

Project Description (Parts 1 and II) (to confirm noncoverage or further classify as either Category A or B)

EMB Regional Office in the region where the proposed project is located

D: Not Covered

Project Description (Part I only)

Project prior to 1982 – Project Description (Part I only) and Proof of Project Implementation prior to 1982 without expansion/ alteration/ modification (if applying for CNC)

EMB Regional Office in the region where the proposed project is located

2.4 Proponents of Category D projects shall not be required to submit any document to the EMB. Proponents of these projects may, however, still opt to secure a Certificate of Non-Coverage (CNC) from the EMB. A pro-forma project description as prescribed in Annex C of the attached guidelines shall be accomplished and submitted for the CNC application.

2.5 Proponents of projects which are intended to directly enhance the quality of the environment or directly address existing environmental problems shall submit a Project Description (PD) to the EMB Regional Office having jurisdiction over the area where the proposed project will be located following the format attached as Annex C of the attached Guidelines to confirm that it falls within Category C.

2.6 The issuance of an ECC or CNC shall not, in any manner, exempt the proponent from securing other government permits and clearances required by other laws, nor shall it be construed as resolving issues within the mandate of other government agencies.

2.7 ECC applications for the proposed expansion, rehabilitation, or modification of an existing project/undertaking, including proposed resumption of projects that have stopped operations for a prolonged period, shall be reviewed in the Office that originally issued the ECC. Provided that, for projects originally classified as Category B but are re-classified as Category A based on the total/revised capacity shall be reviewed at the EMB Central Office.

Section 3. Repealing Clause. All provisions in the MC 2007-002 or the Revised Procedural Manual of DAO 2003-30 and other issuances inconsistent herewith are deemed repealed, superseded and/ or modified accordingly.

If any provision of this Memorandum Circular is declared unconstitutional or invalid by a competent court, other sections or provisions hereof which are not affected thereby shall continue to be in full force and in effect as if the provisions/sections so cancelled had never been incorporated herein.

(SGD) ATTY. JUAN MIGUEL T. CUNA, CESO IV
Director

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