



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

MEMORANDUM

FOR : **The Regional Executive Director**
MIMAROPA Region

FROM : **The OIC, PENR Officer**

SUBJECT : **INVESTIGATION/INSPECTION REPORT REGARDING
THE COMPLAINT OF MR. FLORANTE R. ROSALES
RE: PIGGERY LOCATED IN BRGY. KILO-KILO, STA.
CRUZ, MARINDUQUE**

DATE : **August 18, 2021**

Respectfully forwarded is the attached Investigation/Inspection Report of EMS-Marinduque with pictures/documentation dated August 17, 2021 regarding the above subject.

Be informed that based on the report, the subject of the complaint of Mr. Rosales is the backyard piggery owned by Ms. Rosela Rodas located in Barangay Kilokilo, Sta. Cruz, Marinduque which has an approximate distance of 200 meters from the house of the complainant. Mr. Rosales, in his letter to DENR Undersecretary Juan Miguel T. Cuna, is complaining the alleged unpleasant odor being emitted by the said piggery and its generated wastewater/effluents that directly discharged in a creek /river. It was also noted that proper coordination was made by the staff/personnel of EMS inspection team with LGU-Kilokilo, Sta. Cruz and the family of the complainant who is living nearby, but the house was closed and nobody responded the call of the team.

Based on the remarks of EMS-Marinduque, the owner of the backyard piggery violates certain provision of RA 9275 and its IRR, to wit:

- I. **Rule 27.1 a), Chapter 5, Civil Liability/Penal Provisions of DAO 2005-10, IRR of P.D. 9275 otherwise known as "The Philippine Clean Water Act of 2004"** – *"Discharging, depositing or causing to be deposited materials or any kind directly or indirectly into the water bodies or along the margins of any surface water, where, the same shall be liable to be washed into such surface water, either by tide action or by storm, floods or otherwise, which could cause water pollution or impede natural flow in the water body;"*: **and**
- II. **Rule 27.1 c), Chapter 5, Civil Liability/Penal Provisions of DAO 2005-10, IRR of P.D. 9275 otherwise known as "The Philippine Clean Water Act of 2004"** – *"Operating facilities that discharge regulated water pollutants without the valid required permits or after the permit was revoked for any violation of any condition therein;"*

EMS-Marinduque recommends, whichever is applicable, either the issuance of Notice of Violation or letters strictly reminding the owner to adhere certain provisions of RA 9275 and its IRR. There has also recommendation that effluent/wastewater sampling must be scheduled, if necessary, due to: a.) travel time issue; b.) holding time of the effluent sample and its parameters considering that the complaint backyard piggery is located in a remote area (which is near Marcopper and will take many hours back and forth); and c.) IATF quarantine issuances/restrictions being implemented in different provinces.

For the Regional Executive Director's information and further instruction.


IMELDA M. DIAZ