



**IN THE CASE OF WATER POLLUTION
AND ABATEMENT CASE**

**EMB-MIMAROPA CASE NO.
ORM-515-21**

-vs-

**FLORENCIA R. PY TRADING
CORPORATION**

Respondent

**For: VIOLATION OF R.A. 9275 AND
ITS IMPLEMENTING RULES AND
REGULATIONS**

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O R D E R

For consideration is the report of inspection conducted by this Office on 09 August 2021 showing among others the results of laboratory analysis exceeding the standards set forth by DENR Administrative Orders No. 08, Series of 2016 and DENR Administrative Order No. 2021-19.

Records reveal that herein Respondent is the owner of a piggery farm established in Calendar Year 2007 located at Brgy. Bigaan, San Teodoro, Oriental Mindoro and has a wastewater volume of three (3) cubic meters a day.

During the inspection conducted on 09 August 2021, the following findings and observations of the inspecting team revealed the following:

1. The piggery farm was established in 2007 and is located at Brgy. Bigaan, San Teodoro, Oriental Mindoro
2. Respondent has no designated Pollution Control Officer (PCO).
3. Respondent has a valid Discharge Permit (*Reference No. : DP-R4B-21-00994*) issued on 17 February 2021 and has an established Wastewater Treatment Plant.
4. Respondent uses at least three cubic meters (3m³) of water a day in its operations.
5. The piggery has a valid Environmental Compliance Certificate (*ECC No.: ECC-4B-040-ORMIN-1213-2007*) issued on 23 April 2007
6. The piggery has a valid Permit to Operate (*Permit No.: PTO-OL-R4B-2021-04380-R*) issued on 21 June 2021 valid until 21 June 2026.
7. The piggery has a Manual Hazardous Waste Generator ID (*ID No.: M-GR-4B-52-00207*) issued on 31 August 2018.

8. Results of laboratory analysis of samples collected last 09 August 2021 exceeded the standards in terms of Total Suspended Solids (TSS), Biochemical Oxygen (BOD), Ammonia, Phosphate, Total Coliform in violation of DENR Administrative Order No. 08 Series of 2016 and DENR Administrative Order No. 2021-19, to wit:

Parameters	Concentration	DENR Effluent Standards (Class C)	Remarks
Total Suspended Solids (TSS)	65 mg/L	100 mg/L	FAILED
Biochemical Oxygen Demand (BOD)	56 mg/L	50 mg/L	FAILED
Ammonia (NH3-N), mg/L	46.99 mg/L	4 mg/L	FAILED
Phosphate	14.63 mg/L	4 mg/L	FAILED
Total Coliform	92,000 MPN/100 ml	10,000 MPN/100ml	FAILED

After a careful perusal of the facts in relation to the evidence obtained, it cannot be denied that herein Respondent is still operating and discharging wastewater without any consideration of its impact and effect to the receiving body of water which is an established Water Quality Management Area.

The Supreme Court held in the Case of Pollution Adjudication Board vs. Court of Appeals, G.R. No. 93891 dated 11 March 1991 stated that “*Ex parte cease and desist orders are permitted by law and regulations in situations like that here presented precisely because stopping the continuous discharge of pollutive and untreated effluents into the rivers and other inland waters of the Philippines cannot be made to wait until protracted litigation over the ultimate correctness or propriety of such orders has run its full course, including multiple and sequential appeals such as those which Solar has taken, which of course may take several years. The relevant pollution control statute and implementing regulations were enacted and promulgated in the exercise of that pervasive, sovereign power to protect the safety, health, and general welfare and comfort of the public, as well as the protection of plant and animal life, commonly designated as the police power. It is a constitutional commonplace that the ordinary requirements of procedural due process yield to the necessities of protecting vital public interests like those here involved, through the exercise of police power. Xxx*”

WHEREFORE, in view of the foregoing, Respondent is hereby directed to **CEASE AND DESIST** from undertaking any activity and/or operating its machines/equipment generating pollution during the pendency of the proceedings before and/or until further Orders from this Office or the Pollution Adjudication Board.

Likewise, Respondent will be liable for fines ranging from Ten Thousand Pesos (Php 10,000.00) to Two Hundred Thousand Pesos (Php 200,000.00) per day of violation in accordance with R.A. 9275 and its Implementing Rules and Regulations.

The **Chief, PEMU-Oriental Mindoro** in coordination with the Local Government Unit concerned and the DENR-PENRO is hereby directed to implement this Order within seventy-two (72) hours from receipt hereof. A report shall likewise be submitted to the undersigned within forty-eight (48) hours upon execution thereof stating the proceedings taken therein.

Manila, 20 December 2021.



JOE AMIL M. SALINO
Regional Director



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X-----X

NOTICE OF ISSUANCE OF ORDER

Please take notice that an Order was issued upon herein Respondent for
the above-entitled case, a copy of which is hereto attached.

Metro Manila, Philippines, 20 December 2021.

Very truly yours,

MARIA RIZZA CARMELA T. RANJO
OIC, Legal Unit

Copy furnished:

THE REGIONAL EXECUTIVE DIRECTOR
DENR-MIMAROPA

THE MUNICIPAL MAYOR
San Teodoro, Oriental Mindoro

RESPONDENT
Brgy. Bigaan, San Teodoro, Oriental Mindoro



R4B-2021-009965