

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

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SENATE
S.B. No. **3508**

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Philippines is well known for its extraordinary beaches. Hence, the beaches, especially those used most by the public, should be tested to make sure the water is safe for swimming for both locals and tourists.

This bill requires the Secretary of the Department of Environment and Natural Resources (DENR) to: (1) prepare an annual assessment of the compliance of local governments with program requirements; (2) update within 12 months after the effectivity of this Act and biennially after the enactment, the list indicating which coastal recreational waters adjacent to beaches used by the public are, and which of such waters are not, subject to a monitoring and notification program; and (3) study and report to Congress on the long-term impact of climate change on pollution of coastal recreational waters.

This bill further proposes a 2012 deadline for the DENR Secretary to complete its validation of a rapid testing method, which would provide beachgoers with same day information on beach water safety.


MIRIAM DEFENSOR SANTIAGO

9 OCT 27 P 3:57

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1 AN ACT
2 PROVIDING PROGRAMS FOR BEACH MONITORING

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

3 SECTION 1. *Short Title.* – This Act shall be known as the “Clean Coastal
4 Environment and Public Health Act of 2009”.

5 SECTION 2. *Definition of Terms.* – As used in this Act, the following terms shall
6 mean:

7 (A) *Rapid Testing Method* means a method of testing the water quality of coastal
8 recreation waters for which results are available as soon as practicable and not
9 more than 2 hours after the commencement of the rapid testing method;

10 (B) *Secretary* means the Secretary of the Department of Environment and Natural
11 Resources;

12 SECTION 3. *Contents of Monitoring and Notification Programs.* – A program for
13 monitoring and notification shall include monitoring consistent with the performance
14 criteria as determined by the Secretary, public notification, source tracking, sanitary
15 surveys, and prevention efforts to address identified sources of contamination by
16 pathogens and pathogen indicators in coastal recreation waters adjacent to beaches or
17 similar points of access that are used by the public.

18 SECTION 4. *Validation of Rapid Testing Methods.* – Not later than 30 December
19 2012, the Secretary shall complete an evaluation and validation of a rapid testing method
20 for the water quality criteria and standards for pathogens and pathogen indicators.

1 SECTION 5. *Guidance for Use of Rapid Testing Methods.* – Not later than 180
2 days after the date of completion of the validation and after providing notice and an
3 opportunity for public comment, the Secretary shall publish guidance for the use at
4 coastal recreation waters adjacent to beaches or similar points of access that are used by
5 the public of rapid testing methods that will enhance the protection of public health and
6 safety through rapid public notification of any exceedance of applicable water quality
7 standards for pathogens and pathogen indicators.

8 In developing guidance, the Secretary shall require the use of rapid testing
9 methods at those beaches or similar points of access that are the most used by the public.

10 SECTION 6. *Information Dissemination.* – The Secretary shall provide
11 information to the public about coastal recreation waters, which is publicly accessible and
12 searchable on the Internet; organized by beach or similar point of access; identifies
13 applicable water quality standards, monitoring protocols, sampling plans and results, and
14 the number and cause of coastal recreation water closures and advisory days; and updated
15 within 24 hours of the availability of revised information;

16 SECTION 7. *National List of Beaches.* – Not later than 1 year after the effectivity
17 of this Act, the Secretary shall make a National List of Beaches, which shall be updated
18 biennially.

19 SEC. 8. *Compliance Review.* – On or before 31 July of each calendar year
20 beginning after the effectivity of this Act, the Secretary shall:

21 (A) prepare a written assessment of compliance with all statutory and regulatory
22 requirements of this Act for each local government;

23 (B) notify the local government of each such assessment; and

24 (C) make each of the assessments available to the public in a searchable database
25 on the Internet on or before 31 December of the applicable calendar year.

26 SEC. 9. *Impact of Climate Change on the Pollution of Coastal Recreation Waters.*
27 – The Secretary shall conduct a study on the long-term impact of climate change on

1 pollution of coastal recreation waters. A report on the study shall be submitted to
2 Congress.

3 The report shall include information on potential contaminant impacts on ground
4 and surface water resources; and public and ecosystem health in coastal communities.
5 The report shall also address monitoring required to document and assess changing
6 conditions of coastal water resources, recreational waters, and ecosystems; and review
7 the current ability to assess and forecast impacts associated with long-term change.

8 SEC. 10. *Impact of Algae on Coastal Recreation Waters.* – Not later than 1 year
9 after the date of effectivity of this Act, the Secretary shall submit to Congress a study on
10 the impact of algae on coastal recreation waters. The following should be considered in
11 preparing the study: (a) quantify the levels of algae that cause problems at recreational
12 beaches; and (b) quantify the concentrations of phosphorus that may be associated with
13 algae problems;

14 SEC. 11. *Separability Clause.* – If any provision or part of this Act is held invalid
15 or unconstitutional, the remainder of the Act or the provision not otherwise affected shall
16 remain valid and subsisting.

17 SEC. 12. *Repealing Clause.* – Any law, presidential decree or issuance, executive
18 order, letter of instruction, administrative order, rule or regulation contrary to, or
19 inconsistent with the provisions of this Act is hereby repealed, modified or amended
20 accordingly.

21 SEC. 13. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
22 publication in at least two (2) newspapers of general circulation.

Approved,

/fldp