

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



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SENATE  
P. S. Res No. 1461

RECEIVED BY: 

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Introduced by Senator Maria Lourdes Nancy S. Binay

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**RESOLUTION**  
**DIRECTING THE PROPER SENATE COMMITTEES TO CONDUCT AN**  
**INQUIRY, IN AID OF LEGISLATION, ON THE REPORTED DUMPING OF**  
**WASTES FROM CANADA AT A SANITARY LANDFILL IN CAPAS, TARLAC**

**WHEREAS**, the Constitution guarantees the right of the people to health and to a balanced and healthful ecology<sup>1</sup>;

**WHEREAS**, it is the policy of the State to regulate, restrict or prohibit the importation, manufacture, processing, sale, distribution, use and disposal of chemical substances and mixtures that present unreasonable risk and or injury to health or the environment; to prohibit the entry, even in transit, of hazardous and nuclear wastes and their disposal into the Philippine territorial limits for whatever purpose<sup>2</sup>;

**WHEREAS**, according to news reports, 50 container vans of mixed waste material arrived at the Port of Manila starting June 2013 and were intercepted by the Bureau of Customs (BOC). They were misdeclared by Canadian exporter Chronic Inc. as “assorted scrap plastic materials for recycling.”<sup>3</sup>;

**WHEREAS**, it was reported that in February 2014, Customs Commissioner John Sevilla filed with the Department of Justice a complaint against the owner and customs brokers of the importer, Chronic Plastics, for violation of Sections 3601 and 3602 of the Tariff and Customs Code and the Toxic Substance and Hazardous Wastes and Nuclear Wastes Control Act of 1990 and Article 172 in relation to article 171 of the Revised Penal Code for Falsification<sup>4</sup>;

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<sup>1</sup> See 15 and 16, Art. II of the 1987 Philippine Constitution

<sup>2</sup> Sec. 2 of RA 6969 or the Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990

<sup>3</sup> GMA Network News Website, PHH govt to dump Canada trash in tarlac sanitary landfill. <http://www.gmanetwork.com/news/story/521446-news/nation/phl-govt-to-dump-canada-trash-in-tarlac-sanitary-landfill>.

<sup>4</sup> Inquirer.net. Customs chief sues importer, brokers of Canada garbage.

<http://globalnation.inquirer.net/99241/customs-chief-sues-importer-brokers-of-canada-garbage>

**WHEREAS**, in a news article published on July 10, 2015, it was reported that the BOC has allowed the disposal of wastes materials from Canada at a sanitary landfill in Capas, Tarlac operated by the Metro Clark Waste Management Corporation (MCWMC)<sup>5</sup>;

**WHEREAS**, according to the news article, Rufo Colayco, president and chief executive officer of MCWMC, confirmed that the company's facility at Barangay Kalangitan accepted the trash at the request of the BOC, which seized the shipment<sup>6</sup>;

**WHEREAS**, according to Philippine environmental group BAN Toxics, as of July 21, 2015, the Canadian waste shipment costs the Philippines a total of P240,150,680.00 (US\$ 4,703,990.43) in rental costs and demurrage for the 757 days that the shipment is staying in the Port of Manila;

**WHEREAS**, it is reported that another 48 container vans of waste arrived in the country this year<sup>7</sup>;

**WHEREAS**, its imperative to inquire on the disposal of wastes materials shipped to the Philippines to determine and address the threat to public health and safety that these wastes could bring to Filipinos;

**WHEREAS**, it is the duty of the Senate to protect and advance the right of the people to health and to a balanced and healthful ecology by policy or by law.

**BE IT RESOLVED, AS IT IS HEREBY RESOLVED** to direct the proper Senate Committees to conduct an inquiry, in aid of legislation, on the reported dumping of wastes from Canada at a sanitary landfill in Capas, Tarlac.

Adopted.



MARIA LOURDES NANCY S. BINAY

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<sup>5</sup> Inquirer.net, Canadian trash ends up in President's backyard. <http://globalnation.inquirer.net/125804/trash-from-canada-dumped-in-tarlac-landfill>

<sup>6</sup> Ibid.

<sup>7</sup> Supra [citation 3]