

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



Senate
Office of the Secretary

'13 SEP -5 P5 :45

SENATE

S.B. No. 1578

RECEIVED BY *ju*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 12, Section 2, provides that:

Section 2. ...The State shall protect the nations marine wealth in its archipelagic waters, territorial sea, and exclusive economic zone, and reserve its use and enjoyment exclusively to Filipino citizens....

An oil spill occurs when petroleum products are released into the environment uncontrollably. This may be due to release of crude oil from tankers, offshore platforms, drilling rigs and wells, as well as spills of refined petroleum products (such as gasoline, diesel) and their by-products, heavier fuels used by large ships such as bunker fuel, or the spill of any oily refuse or waste oil.

Oil spills at sea are generally much more damaging than those on land, since they can spread for hundreds of nautical miles in a thin oil slick which can cover beaches with a thin coating of oil. This can kill plants, animals, and birds in the sea, fish, mammals, shrimp, shellfish, and other organisms. The oil gets into their bodies and they die of suffocation.

Oil spill incidences in the Philippines include:

- In 2000, Singapore-owned vessel MV Nol Schedar ran aground on the coast of Sual in Pangasinan and destroyed 2,700 metres of coral reefs and other marine resources;
- In 2001, an oil pipeline burst in Cavite affected a six-kilometer stretch of Carmona-Biñan River;

- In 2006, oil tanker M/T Solar 1, carrying more than two million liters of bunker fuel, sank off the coast of Guimaras and Negros. The massive oil spill adversely affected marine sanctuaries and mangrove reserves in Guimaras Island and reached the shores of Iloilo and Negros Occidental; and
- In August this year, a leak in a submerged pipeline of the oil firm Petron Corp. contaminated the Manila Bay and adversely affected the coastal towns of Cavite; and the sinking of the passenger ship M/V St. Thomas Aquinas in Cebu, when it collided with the cargo vessel Sulpicio Express 7 damaged hundreds of hectares of mangrove.

Good scientific data is crucial to effectively manage oil spills. In oil spills, and particularly when the spill occurs near the coastline, decisions are typically made under high pressure and severe time constraints, so scientific advice must be accurate, appropriately delivered and timely if it is to be of use in determining the most appropriate response option.

This bill seeks to establish a framework for research of new technologies to effectively contain and clean up oil spills.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
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1 AN ACT
2 ESTABLISHING THE OIL SPILL TECHNOLOGY RESEARCH PROGRAM

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 “Oil Spill Technology
4 Research Act.”

5 SECTION 2. *Declaration of Policy.* – It is the policy of the State to protect and preserve
6 the quality of our marine waters; and to regulate the transfer and promote the adaptation of
7 technology from all sources for the national benefit. Towards this end, the State shall establish a
8 framework for research of new technologies to better contain and clean up all types of oil spills.

9 SECTION 3. *Establishment.* – There is hereby established an Oil Spill Research
10 Committee which shall be composed of the following:

- 11 (A) Chair – The Secretary of Science and Technology;
- 12 (B) Members – Representatives from the Department of Science and Technology,
13 Philippine Coast Guard, Department of Environment and Natural Resources, and the University
14 of the Philippines.

15 SECTION 4. *Duties.* – The Committee shall –

- 16 (A) Coordinate a comprehensive program of oil pollution research among the
17 government agencies, in cooperation and coordination with industry, institutions of higher

1 education, research institutions, government agencies, tribal groups, and other countries, as the
2 Committee considers to be appropriate;

3 (B) Develop recommendations and identify the best technology for preventing,
4 removing, and minimizing the adverse effects of oil spill; and

5 (C) Submit to Congress an annual report on the state of oil discharge prevention and
6 response capabilities.

7 SECTION 5. *Research Program.* – The program shall provide for research of new or
8 improved technologies and methods that are effective in preventing, detecting, responding to,
9 mitigating, and restoring damage from oil discharges, including –

10 (A) The current status of knowledge on oil pollution prevention, response, and
11 mitigation technologies;

12 (B) Environmental effects of acute and chronic oil discharges on coastal and marine
13 resources, including impacts on protected areas, such as sanctuaries, and protected species;

14 (C) Long-term effects of major discharges and the long-term cumulative effects of
15 smaller endemic discharges;

16 (D) New technologies to detect accidental or intentional overboard discharges;

17 (E) Response, containment, and removal capabilities;

18 (F) Oil discharge risk assessment methods, including the identification of areas of
19 high risk and potential risk reductions for the prevention of discharges;

20 (G) Methods to restore and rehabilitate natural resources and ecosystem functions
21 damaged by oil discharges;

22 (H) Potential impacts on ecosystems, habitat, and wildlife from the additional toxicity,
23 heavy metal concentrations, and increased corrosiveness of mixed crude; and

24 (I) Identification of indigenous materials for shoreline cleanup.

25 SECTION 6. *Development of Oil Spill Technology.* – The Committee, taking into
26 consideration the regional differences in geography, weather, economy, and population density

1 across the country, shall develop recommendations and identify the best technology for
2 preventing, removing, and minimizing the adverse effects of oil spill.

3 SECTION 7. *Reports.* – The Committee shall submit to Congress an annual report on the
4 current state of oil discharge prevention and response capabilities. The Committee shall also
5 provide the local government units a copy of the report applicable to them.

6 SECTION 8. *Grants to Institutions of Higher Education.* – The Secretary of Science and
7 Technology may extend research grants to institutions of higher education capable of conducting
8 research on oil pollution. The Secretary shall ensure that said grants are used for their designated
9 purpose.

10 SECTION 9. *Appropriations.* – The necessary amount for the initial implementation of
11 this Act shall be charged to the current appropriations of the Department of Science and
12 Technology under the current General Appropriations Act. Thereafter, such amount as may be
13 necessary for its continued implementation shall be included in the annual General
14 Appropriations Act.

15 SECTION 10. *Separability Clause.* – If any provision or part thereof is held invalid or
16 unconstitutional, the remainder of the law of the provision not otherwise affected shall remain
17 valid and subsisting.

18 SECTION 11. *Repealing Clause.* – Any law, presidential decree or issuance, executive
19 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
20 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

21 SECTION 12. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
22 publication in at least two (2) newspapers of general circulation.

Approved,