

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

Senate  
Office of the Secretary

15 FEB 10 P2:14

SENATE  
S.B. No. **2643**

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Introduced by Senator Miriam Defensor Santiago

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AN ACT  
PROHIBITING THE PRACTICE OF SEA DUMPING OF SEWAGE SLUDGE AND  
INDUSTRIAL WASTE

EXPLANATORY NOTE

The Constitution, Article 2, Section 16 provides:

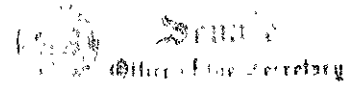
The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. This constitutional provision is not self-executory and the State has the duty to enact laws to effectively respond to environmental problems besetting the country.

The dumping of sewage sludge and industrial waste pollute our seawaters thereby affecting harmfully the marine resources which undoubtedly is a rich source of food for the survival of the Filipino people.

Thus, in order to protect our marine resources and in the interest of public health and safety, this bill seeks to penalize the dumping of wastes into seawaters.

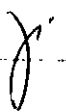
  
MIRIAM DEFENSOR SANTIAGO  
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*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*

1 AN ACT  
2 PROHIBITING THE PRACTICE OF SEA DUMPING OF SEWAGE SLUDGE AND  
3 INDUSTRIAL WASTE

4 SECTION 1. *Short Title.* - This Act shall be known as the “Sea Dumping Ban Act  
5 of 2015.”

6 SECTION 2. *Declaration of Policy.* – It is the declared policy of the State to  
7 promote the natural balance of the environment for the protection of human health and  
8 safety.

9 SECTION 3. *Definition of Terms.* – For purposes of this Act, the term:

10 (1) “Alternative System” means any method for the management of sewage sludge  
11 or industrial waste which does not require a permit under this Act;

12 (2) “Excluded Materials” means:

13 (a) any dredged materials discharged by the Philippine Army Corps of  
14 Engineers or discharged pursuant to a permit issued by the Secretary of  
15 Environment and Natural Resources;

1 (b) any waste from any industrial operation located in the Philippines  
2 discharged pursuant to a permit issued by the Secretary of Environment and  
3 Natural Resources;

4 (3) "Industrial Waste" means any solid, semi-solid, or liquid waste generated by a  
5 manufacturing or processing plant other than an excluded material.

6 (4) "Interim Measure" means any short-term method for the management of  
7 sewage sludge or industrial waste, which –

8 (a) is used before implementation of an alternative system; and

9 (b) does not require a permit under this Act;

10 (5) "Sewage Sludge" means any solid, semi-solid, or liquid waste generated by a  
11 wastewater treatment plant, other than an excluded material.

12 SECTION 4. *Prohibited Acts.* – No person shall dump into seawaters or transport  
13 for the purposes of dumping into seawaters, sewage sludge or industrial waste, unless  
14 such person has obtained a permit issued by the Secretary of Environment and Natural  
15 Resources which authorizes such transportation and dumping.

16 The Secretary of Transportation and Communication shall not issue any permit  
17 under this Act which authorizes a person to dump into seawaters, or to transport for the  
18 purpose of dumping into sea waters, sewage sludge or industrial waste, unless that person  
19 was authorized by a permit issued by him or by a court order to dump into seawaters or to  
20 transport for the purpose of dumping into ocean waters, sewage sludge or industrial  
21 wastes.

1           SECTION 5. *Penalties.* – Any person who dumps into seawaters, or transports for  
2 the purpose of dumping into seawaters, sewage sludge or industrial waste shall be liable  
3 in the amount of not less than fifty thousand pesos (P50,000.00) or imprisonment of not  
4 less than three (3) months or both at the discretion of the court. If the offense is  
5 committed by a corporation, trust, firm, partnership, association or other entity, the  
6 penalty shall be imposed upon the guilty officer or officers of such corporation, trust,  
7 firm, partnership or association or other entity.

8           SECTION 6. *Enforcement Monitoring Report.* – Not later than six (6) months after  
9 the date of the effectivity of this Act, the Secretary of the Department of Environment  
10 and Natural Resources, in consultation with the Secretary of the Department of  
11 Transportation and Communication, shall submit a report to Congress. The report under  
12 this section shall contain (1) an accounting of discharges into the seawaters of the  
13 territorial sea, the contiguous zone, and the ocean including –

14                   (a) the total number of discharges;

15                   (b) the location, source, volume, and potential environmental effects of  
16 each discharge;

17                   (c) the date of original issuance, review, and reissuance of each discharge  
18 permit;

19                   (d) the number of discharges including that which have been determined by  
20 the Secretary of Environment and Natural Resources;

21                   (e) a schedule for implementing this Act and achieving compliance with  
22 guidelines promulgated under such Act as expeditiously as practicable, and an  
23 estimate of the resources required to meet such schedule; and

1 (f) recommendations for any additional legislative authorities needed to  
2 achieve compliance with such guidelines.

3 SECTION 7. *Separability Clause.* - If any provision or part thereof, is held  
4 invalid or unconstitutional, the remainder of the law of the provision not otherwise  
5 affected shall remain valid and subsisting.

6 SECTION 8. *Repealing Clause.* - Any law, presidential decree or issuance,  
7 executive order, letter of instruction, administrative order, rule or regulation contrary to,  
8 or inconsistent with, the provisions of this Act is hereby repealed, modified or amended  
9 accordingly.

10 SECTION 9. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after  
11 its publication in at least two (2) newspapers of general circulation.

12 Approved,

/dpm.January2015