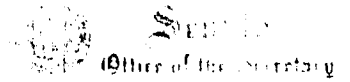


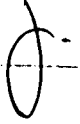
SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



16 JUL 19 11:20

SENATE

S. No. 469

RECEIVED BY: 

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

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**AN ACT**  
**PROVIDING FOR A COMPREHENSIVE HAZARDOUS AND RADIOACTIVE**  
**WASTES MANAGEMENT, PROVIDING PENALTIES FOR VIOLATIONS**  
**THEREOF AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

Republic Act 6969, also known as the Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990, has been inadequate to meet the many concerns pertaining to the management of hazardous and nuclear wastes in the country. The law merely provides that it prohibits the entry, even in transit of hazardous and nuclear waste into our territory. Moreover, Republic Act No. 9003 otherwise known as the Solid Waste Management Act, does not cover medical waste, which, most often than not, hazardous to health. Hence, many cases involving hazardous wastes are not properly resolved since enforcement is also hampered.

Thus, this bill seeks to address the problems created by hazardous healthcare and radioactive wastes through the enactment of the Hazardous and Radioactive Waste Management Act. It is imperative therefore that this type of waste be properly treated before it is released in the environment in order to prevent the spread of diseases and its catastrophic effect. Furthermore, this bill aims to provide a guideline for the proper handling, treatment and tracking of medical waste. It intends to advance the protection of human health and the environment from the potential risks of hazardous and radioactive wastes within the framework of sustainable development. In terms of penalties, this bill strengthens enforcement through additional sanctions and higher penalties for any violation of the provisions of the law.

In view of the foregoing, the early passage of this bill is earnestly sought.

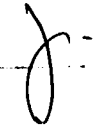
  
ANTONIO "SONNY" F. TRILLANES IV  
Senator



16 JUL 19 AM 12:20

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AN ACT  
PROVIDING FOR A COMPREHENSIVE HAZARDOUS AND RADIOACTIVE  
WASTES MANAGEMENT, PROVIDING PENALTIES FOR VIOLATIONS  
THEREOF AND FOR OTHER PURPOSES

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

CHAPTER I  
GENERAL PROVISIONS

SECTION 1. *Short Title.* - This Act shall be known as the "*Philippine Hazardous and Radioactive Wastes Management Act*".

SEC 2. *Declaration of Policy.* - It is hereby declared the policy of the State to advance the protection of human health and the environment from the potential risks of hazardous and radioactive wastes within the framework of sustainable development. Towards this end, the State shall:

- a) Develop and implement national and local integrated and comprehensive hazardous and radioactive wastes management programs focusing on pollution prevention and resource conservation recovery, which shall:
  1. Improve wastes management techniques, organizational arrangements, methods of collection, separation and recovery of wastes;
  2. Promote environmentally safe disposal of residues;
  3. Minimize the generation of hazardous and radioactive wastes by encouraging cleaner production, process substitution, resource recovery, recycling and reuse, and treatment; and

1           4. Institutionalize public participation in the development and implementation of  
2           such programs;

3  
4           b) Promulgate guidelines for the generation, collection, segregation, transport, recovery,  
5           storage, treatment and disposal of hazardous and radioactive wastes including  
6           emergency and contingency plans for accidents involving such wastes;

7  
8           c) Prohibit the entry, even in transit, of hazardous and radioactive wastes into the  
9           Philippine territorial limits for whatever purpose consistent with multilateral  
10          international agreements and protocols;

11  
12          d) Promote a national research and development program for improved hazardous and  
13          radioactive wastes management and resource conservation techniques;

14  
15          e) Formulate and enforce a system of accountability for generators, including the  
16          promotion of extended producer responsibility, product stewardship and responsible  
17          care program;

18  
19          f) Promote international environmental standards on wastes management; and

20  
21          g) Strengthen the integration of hazardous and radioactive wastes management and  
22          resource conservation and recovery topics into the academic curricula of formal and  
23          non-formal education in order to promote environmental awareness and action among  
24          the citizenry.

25  
26          **SEC. 3. Coverage of the Act.** - This Act shall apply to the generation, possession,  
27          collection, recovery, reuse, storage, transport, treatment and disposal of hazardous and  
28          radioactive wastes in the country for whatever purposes: *Provided*, That this Act shall  
29          cover the entry of such wastes even in transit, into the Philippine territorial limits.

30  
31          **SEC. 4. Definition of Terms.** - As used in this Act, the following terms shall mean:

32          a) "*Abandoned underground mines*" refer to worked out mineral mines with deep shafts  
33          extending to about one thousand (1,000) to two thousand (2,000) thousand feet below  
34          the ground surface.

- 1        b) "*Best available techniques (BAT)*" refer to any technology that shall take into  
2        consideration costs and benefits of a measure as well as precaution and prevention  
3        such as, but not limited to:
- 4            i. the nature, effects and mass of releases concerned;
  - 5            ii. consumption and use of raw materials in the process and its energy efficiency;
  - 6            iii. the need to prevent or reduce to a minimum the overall impact of releases to  
7            the environment; and
  - 8            iv. ensure occupational health and safety at the workplaces.
- 9
- 10       c) "*Best environmental practices (BEP)*" refer to practices that are generally accepted as  
11       environmentally friendly, taking into consideration the nature, traditions and culture  
12       of the locality. For this purpose, technological advances and changes in scientific  
13       knowledge and understanding shall likewise be considered in determining acceptable  
14       practices in preserving the environment.
- 15
- 16       d) "*Borehole facilities*" shall refer to those that entail the emplacement of solid  
17       radioactive wastes in an engineered facility of relatively narrow diameter bored and  
18       operated directly from the surface. It covers a range of design concepts with depths  
19       ranging from a few meters up to several hundred meters, and their diameters can vary  
20       from a few tens of centimeters up to more than one (1) meter.
- 21
- 22       e) "*Carcinogen*" refers to any substance that can cause or contribute to the incidence of  
23       cancer.
- 24
- 25       f) "*Collection*" refers to the act of removing hazardous waste from the source or from a  
26       storage point.
- 27
- 28       g) "*Construction*" refers to the erection or building of new structures.
- 29
- 30       h) "*Contaminated sites*" refer to places or spots where the soil quality exceeds the soil  
31       standards set pursuant to Section 17 hereof.

- 1 i) *"Corrective action"* refers to the steps taken to assess, prioritize and clean up  
2 hazardous and radioactive wastes from the treatment, storage and disposal facilities  
3 (TSDFs) and/or contaminated sites in order to protect health and the environment.  
4
- 5 j) *"Corrosivity"* refers to a state where the waste has either of the following properties:  
6 (1) it is aqueous and has a pH less than or equal to 2, or greater than or equal to 12.5;  
7 (2) it is a liquid and 20 corrodes steel (SAB 1020) at a rate greater than 6.35 mm.  
8 (0.250 inch) per year at a test temperature of 55°C (130°F).  
9
- 10 k) *"Degradability"* refers to the ability of a compound to be reduced to simpler forms  
11 through a breakdown of its structure.  
12
- 13 l) *"Deep injection well"* means a well used for sub-surface injection of waste fluids and  
14 solids derived from industries such as geothermal and oil and gas, into an injection  
15 zone.  
16
- 17 m) *"Department"* means the Department of Environment and Natural Resources (DENR).  
18
- 19 n) *"Disposal"* means the discharge, deposit, injection, dumping, spilling, leaking or  
20 placing of any hazardous and radioactive wastes into or on any land or water so that  
21 such wastes, or any constituent thereof, may enter the environment or be emitted into  
22 the air or discharged into any waters, including ground waters.  
23
- 24 o) *"Generation"* refers to the act or process of producing hazardous and radioactive  
25 wastes.  
26
- 27 p) *"Generator"* refers to a person, natural or juridical, who produces hazardous and  
28 radioactive wastes.  
29
- 30 q) *"Geological repository"* refers to the isolation of high level radioactive waste using a  
31 system of engineered and natural barriers at depths up to several hundred meters in a  
32 geologically stable formation.

- 1 r) "*Hazardous wastes*" refer to substances discarded from commercial and industrial  
2 establishments, institutions and healthcare facilities which, because of the  
3 concentration, or physical, chemical or infectious characteristics, may cause or  
4 significantly contribute to increases in mortality or serious illnesses, or pose an  
5 unreasonable risk and potential threat to human health and the environment.  
6
- 7 s) "*Hazardous and radioactive wastes management*" means the systematic  
8 administration of activities which provide for the identification, listing, collection,  
9 segregation, storage, transport, recovery, reuse, processing, reprocessing, treatment  
10 and disposal of hazardous and radioactive wastes.  
11
- 12 t) "*Healthcare waste*" refers to waste that is generated or produced as a result of the  
13 following activities: diagnosis, treatment or immunization of human beings or  
14 animals, research pertaining to the above activities, production or testing of biological  
15 and waste originating from minor or scattered sources.  
16
- 17 u) "*Ignitability*" refers to the characteristic used to define hazardous wastes that could  
18 cause fire during transport, storage or disposal. A waste exhibits the characteristics of  
19 ignitability if a sample of the waste has any of the following properties: (1) it is a  
20 liquid that has a flash point of less than 60°C (1400P); (2) it is not a liquid and is  
21 capable, under standard temperature and pressure, of causing fire through friction,  
22 absorption of moisture or spontaneous chemical changes and, when ignited, burns so  
23 vigorously and persistently that it creates a hazard; (3) it is an ignitable gas; or (4) it is  
24 an oxidizer.  
25
- 26 v) "*Injection zone*" refers to a geological formation, group of formation or a part of a  
27 formation located below the underground source of potable water, and which receives  
28 waste fluids or solids through a deep injection well.  
29
- 30 w) "*International environmental standards*" refer to the requirements or standards under  
31 existing international environmental agreements to which the Philippines is a party.

1 x) "*Landfill*" refers to a waste disposal site designed, constructed, operated and  
2 maintained in a manner that exerts engineering control over significant potential  
3 environmental impacts arising from the development and operation of the facility.

4  
5 y) "*Land disposal*" refers to the placement of hazardous and radioactive wastes on the  
6 surface, near surface and at depths within the soil column.

7  
8 z) "*Land treatment or land farming*" refers to a managed technology that involves the  
9 controlled application of waste on the soil surface and/or the incorporation of waste or  
10 contaminated soils into the upper soil zone.

11  
12 aa) "*Level 1 hospital*" refers to an emergency hospital that provides:

- 13 i. initial clinical care and management to patients requiring immediate treatment,  
14 as well as primary care on prevalent diseases in the locality;  
15 ii. clinical services that include general medicine, pediatrics, obstetrics and  
16 nonsurgical gynecology and minor surgery;  
17 iii. general administrative service and may provide ancillary services (primary  
18 clinical laboratory, first level radiology, pharmacy); and  
19 iv. nursing care for patients who require minimal category of supervised care for  
20 twenty-four (24) hours or longer.

21  
22 bb) "*Level 2 hospital*" refers to a non-departmentalized hospital that provides:

- 23 i. clinical care and management on prevalent diseases in the locality;  
24 ii. clinical services that include general medicine, pediatrics, obstetrics and  
25 gynecology, surgery and anesthesia;  
26 iii. appropriate administrative and ancillary services (secondary clinical  
27 laboratory, first level radiology, pharmacy); and  
28 iv. nursing care provided in the level I hospital as well as intermediate, moderate  
29 and partial category of supervised care for twenty-four (24) hours or longer.

30  
31 cc) "*Level 3 hospital*" refers to a departmentalized hospital that provides:

- 32 i. clinical care and management on prevalent diseases in the locality as well as  
33 particular forms of treatment, surgical procedure and intensive care;

- 1           ii. clinical services provided in the level 2 hospital as well as specialty clinical  
2           care;
- 3           iii. appropriate administrative and ancillary services (tertiary clinical laboratory,  
4           second radiology, pharmacy); and
- 5           iv. nursing care provided in the level 2 hospital as well as total and intensive  
6           skilled care.
- 7
- 8       dd) "*Manifest or consignment note*" refers to a form prescribed by the Department and the  
9       Philippine Nuclear Research Institute (PNRI) accompanying hazardous and  
10       radioactive wastes from the point of generation, through transport, to final disposition.
- 11
- 12       ee) "*Military munitions*" refer to all types of both conventional and chemical ammunition  
13       products and their components produced by or for the military for national defense  
14       and security, including munitions produced by other parties under contract with or  
15       acting as agent for the Department of National Defense (DND).
- 16
- 17       ff) "*Mined cavities*" refer to the emplacement of radioactive waste at some depths inside  
18       mines or caverns which is either man-made or natural.
- 19
- 20       gg) "*Mutagens*" refer to any substance that can cause a change in genetic material.
- 21
- 22       hh) "*Near surface facilities*" refer to the disposal of radioactive wastes with or without  
23       engineered barrier on or below ground surface where the final protective covering is  
24       of the order of a few meters thick or in caverns a few tens of meter below the earth's  
25       surface.
- 26
- 27       ii) "*On-site treatment facilities*" refer to facilities of generators who treat their, own  
28       hazardous and radioactive wastes, either by themselves or through a service provider,  
29       inside their facilities in compliance with waste acceptance criteria promulgated by the  
30       Department, the Department of Health (DOH) and the PNRI.
- 31
- 32       jj) "*Open burning*" refers to the low temperature thermal destruction of wastes by means  
33       of direct exposure to fire, for this purpose, this shall apply to the traditional small-  
34       scale methods of community sanitation called "*sigá*".



1       kk) "*Partial treatment*" refers to any process used to modify the characteristics of a  
2       hazardous or radioactive waste without totally negating its hazardous characteristics,  
3       This may include volume reduction, conditioning, moisture reduction and  
4       neutralization, among others.

5  
6       ll) "*Persistence*" refers to the substantial length of time a compound, once introduced  
7       into the environment, stays there, or the property of a substance whose half-life in  
8       water, sediment or soil exceeds duration of fifty (50) days.

9  
10      mm) "*Person(s)*" refers to any being, natural or juridical, susceptible of rights and  
11      obligations, or of being the subject of legal relations.

12  
13      nn) "*People's organization (PO)*" refers to a nonprofit and non-stock association of  
14      citizens in a locality, embracing a common goal to protect the environment and,  
15      ultimately, public health.

16  
17      oo) "*Radioactive wastes*" refer to materials that contain or are contaminated with  
18      radionuclides at concentrations or activities greater than clearance levels as  
19      established by the PNRI. This also refers to disused sealed sources for which no use is  
20      foreseen.

21  
22      pp) "*Reactivity*" refers to the state of a waste material, or a representative sample of the  
23      waste material, exhibiting any of the following properties:

- 24           i. It is normally unstable and readily undergoes violent change without  
25           detonating;
- 26           ii. It reacts violently with water;
- 27           iii. It forms potentially explosive mixtures with water;
- 28           iv. When mixed with water, it generates toxic gases, vapors or fumes in a quantity  
29           sufficient to present danger to human health or the environment;
- 30           v. It is a cyanide or sulfide-bearing waste which, when exposed to pH conditions  
31           between 2 and 12.5, can generate toxic gases, vapors or fumes in a quantity  
32           sufficient to present a danger to human health or the environment;

- 1 vi. It is capable of detonation or explosive reaction if subjected to a strong  
2 initiating source or if reacted under confinement; or  
3 vii. It is readily capable of detonation or explosive decomposition or reaction at  
4 standard temperature and pressure.  
5

6 qq) "*Resource recovery*" refers to the collection, extraction or recovery of recyclable  
7 materials from the waste stream for the purpose of recycling, generating energy or  
8 producing a product suitable for beneficial use: *Provided*, That such resource recovery  
9 facilities exclude incineration.  
10

11 rr) "*Recycling*" refers to the process of minimizing the generation of wastes by  
12 recovering usable products that might otherwise become waste.  
13

14 ss) "*Segregation*" refers to a wastes management practice of separating different  
15 materials found in hazardous waste in order to promote recycling and reuse of  
16 resources and to reduce the volume of wastes for collection and disposal. This also  
17 refers to separating radioactive wastes according to level of activity, physical form  
18 and half-life.  
19

20 tt) "*Special hazardous wastes*" refer to substances discarded from households consisting  
21 of consumer or industrial goods or products which become hazardous at the end of its  
22 useful life by virtue of its hazardous content which may be released to the  
23 environment upon indiscriminate disposal.  
24

25 uu) "*Storage*" refers to the containment of hazardous and radioactive wastes, either on a  
26 temporary basis or for a period of years, consistent with the guidelines as prescribed  
27 by the Department and in such a manner as not to constitute disposal of such wastes.  
28

29 vv) "*Surface impoundments*" refer to pits, ponds, lagoons and dike areas that are either  
30 natural topographic depressions or man-made excavations that are primarily of  
31 earthen materials, They are designed and constructed to hold or store, treat and/or  
32 dispose liquid waste or waste containing free liquids through processes such as  
33 evaporation, cooling, aeration, photo decomposition and/or settling.  
34

1 ww) "*Sustainable development*" refers to development which meets the needs of the  
2 present without compromising the ability of future generations to meet their own  
3 needs.

4  
5 xx) "*Special hazardous wastes collectors*" refer to entities which receive or collect  
6 special hazardous wastes under a take-back program or similar collection mechanism  
7 for the purpose of consolidating the wastes from households or consumers,  
8 preparatory to delivery to an accredited recycling or treatment facility.

9  
10 yy) "*Technical demonstration*" refers to the initial exhibition of a new technology process  
11 or practice, or a significantly new combination or use of technologies, processes or  
12 practices, subsequent to the development stage, for the purpose of proving  
13 technological feasibility and cost effectiveness.

14  
15 zz) "*Level 4 hospital*" refers to a teaching and training hospital (with at least one (1)  
16 accredited residency training program for physicians) that provides:

- 17 i. clinical care and management on prevalent diseases in the locality as well as  
18 specialized and sub-specialized forms of treatment, surgical procedure and  
19 intensive care;
- 20 ii. clinical services provided in the level 3 hospital as well as sub-specialized  
21 clinical care;
- 22 iii. appropriate administrative and ancillary services (tertiary clinical laboratory,  
23 third level radiology, pharmacy); and
- 24 iv. nursing care provided in the level 3 hospital as well as continuous and highly  
25 specialized critical care.

26  
27 aaa) "*Thermal treatment*" refers to the controlled heating which involves a prescribed  
28 heating rate, maximum temperature and cooling cycle to produce the property and  
29 grain structure required.

30  
31 bbb) "*Toxicity*" refers to the degree of danger posed by a substance to human or animal  
32 due to its acute lethality, chronic and sub-chronic toxicity, carcinogenicity,  
33 teratogenicity or mutagenicity, among others.

1 ccc) "Treatment" refers to any method, technique or process designed to change the  
2 physical, chemical or biological character or composition of any hazardous and  
3 radioactive wastes so as to render such waste non-hazardous, safer for transport,  
4 amenable for recovery, amenable for storage or reduced in volume.

5  
6 ddd) "Treatment, storage and disposal facility (TSDF)" refers to a site where a hazardous  
7 substance is treated, stored or disposed.

8  
9 eee) "Waste acceptance criteria" refers to a list of parameters which describe the  
10 minimum characteristics which the waste should possess before it may be placed or  
11 accepted in a TSDF.

12  
13 **CHAPTER II**  
14 **MANAGEMENT SYSTEM**

15  
16 **SEC. 5. Identification and Listing of Hazardous Wastes.** - Within six (6) months  
17 from the effectivity of this Act, the Department, shall, after notice and public consultation,  
18 develop, formulate and publish criteria for identifying and listing the characteristics of  
19 hazardous wastes, taking into account, but not be limited to, toxicity, persistence, reactivity  
20 and degradability in nature, potential for accumulation in tissue, and other related factors  
21 such as ignitability, corrosivity and other hazardous characteristics. Such criteria shall be  
22 reviewed and revised every four (4) years thereafter, or as the need arises: *Provided, That* the  
23 Department, in coordination with the DOH and the PNRI, shall also identify or list those  
24 hazardous and radioactive wastes that contain certain constituents such as identified  
25 carcinogens, mutagens or teratogens that endanger human health: *Provided, further,* That the  
26 Department, in coordination with the DND and appropriate government agencies, shall  
27 formulate criteria for identifying when military munitions become hazardous and radioactive  
28 wastes: *Provided, finally,* That within six (6) months from the effectivity of this Act, the  
29 Department, in coordination with the Department of Trade and Industry (DTI) and the  
30 Department of the Interior and Local Government (DILG), after public consultation, shall  
31 formulate criteria for identifying and listing the categories of special hazardous waste  
32 products to be tracked and regulated, taking into account, but not be limited to, the presence  
33 of toxicity, reactivity, ignitability and corrosivity.

1           **SEC. 6. Notification of Hazardous and Radioactive Wastes Activity.** - Upon the  
2 effectivity of this Act, any person generating or managing hazardous or radioactive wastes is  
3 required to notify in writing the Department, the DOH and the PNRI of their hazardous or  
4 radioactive wastes activities specifying, among others, the types of wastes, quantities and  
5 containers used for storage, including incidents involving hazardous and radioactive wastes.  
6

7           **SEC. 7. National Hazardous and Radioactive Wastes Status Report.** - The  
8 Department, in coordination with the DOH, the PNRI and other concerned agencies, shall,  
9 within six (6) months, publish a Waste Management Status Report which shall be used as a  
10 basis of formulating the National Hazardous and Radioactive Wastes Management  
11 Framework provided in Section 8 of this Act.  
12

13           The said report shall include, but shall not be limited to, the following:

- 14           a) Inventory of existing hazardous and radioactive wastes and their depots and  
15           facilities;
  - 16           b) General waste characterization, taking into account, but not limited to, the source,  
17           type and quantity of hazardous and radioactive wastes generated;
  - 18           c) Projection of hazardous and radioactive wastes generation, including quantity for  
19           reduction, recovery and reuse;
  - 20           d) Listing of treatment, storage and disposal facilities, including transporters of  
21           hazardous and radioactive wastes; and
  - 22           e) Listing of identified contaminated sites.
- 23

24           **SEC. 8. National Hazardous and Radioactive Wastes Management Framework.**

25           Within eighteen (18) months from the effectivity of this Act, the Department, in  
26           coordination with the DOH, the PNRI and other appropriate agencies and entities, shall  
27           prepare and formulate a National Hazardous and Radioactive Wastes Management  
28           Framework, herein referred to as the Framework, that shall embody policies established  
29           pursuant to this Act. Specifically, the Framework shall contain the following:  
30

- 31           a. Hazardous and radioactive wastes control strategies and techniques;
- 32           b. Proper hazardous and radioactive wastes transport, treatment, storage and disposal  
33           systems;
- 34           c. Waste reduction goals and targets;

- 1 d. Period of compliance for waste reduction;
- 2 e. Information and education campaign;
- 3 f. Human resources development; and
- 4 g. Roles and responsibilities of relevant government agencies.

5  
6 The framework shall be adopted as the official blueprint for hazardous and radioactive  
7 wastes management with which all relevant government agencies must comply with.

8  
9 **SEC. 9. Use of Best Available Technology and, Best Environmental Practices in**  
10 **Hazardous and Radioactive Wastes Management** - Generators and owners of treatment,  
11 storage and disposal facilities are required to use best available technologies and best  
12 environmental practices (BAT/BEP) in hazardous and radioactive wastes management. The  
13 Department, in coordination with the Inter-Agency Technical Advisory Council (IATAC)  
14 created herein, shall formulate criteria in assessing the proposed BAT/BEP to be used, in the  
15 formulation of these criteria, consideration shall be given, among others, to the relative  
16 economic feasibility of the technology. Further, such technology shall render the waste  
17 sufficiently low in toxicity, reactivity, corrosivity and ignitability as to present the least  
18 possible risk to human health and safety and to the environment.

19  
20 **SEC. 10. Requirements/or Generators o/Hazardous and Radioactive Wastes. -**  
21 Within six (6) months after the effectivity of this Act, the Department, the DOH and the  
22 PNRI shall establish requirements for generators of such hazardous and radioactive wastes  
23 necessary to protect human health and the environment. These requirements shall ensure that  
24 the generators shall be responsible for the proper management of the wastes generated and  
25 bear the costs for proper storage, transport, treatment and disposal of such wastes. Further,  
26 such requirements shall include, but not be limited to the following:

- 27
- 28 a. Recordkeeping practices that accurately identify the quantities of such hazardous  
29 and radioactive wastes generated, the constituent thereof which are significant in  
30 quantity or in potential harm to human health or the environment, and the  
31 disposition of such wastes;
  - 32 b. Use of appropriate storage facilities and containers to prevent release of materials  
33 to the environment;

- 1 c. Labeling practices for any containers used for the storage, transport or disposal of  
2 such hazardous and radioactive wastes that will identify accurately such wastes;  
3 d. Use of a manifest or consignment note system and any other means necessary to  
4 assure that all hazardous and radioactive wastes generated are designated for  
5 treatment, storage or disposal in, and arrived at TSDFs with appropriate permit  
6 issued pursuant to this Act;  
7 e. Emergency and contingency plans for effective action to minimize damage and  
8 contain and mitigate effects of spills and accidents in connection with the  
9 generation, transport, storage or disposal of such wastes;  
10 f. When it is necessary to transport the wastes, the generators shall only engage the  
11 services of transporters and the TSDFs holding permits issued pursuant to this  
12 Act; and  
13 g. In the case of radioactive wastes, the wastes generator is required to submit a  
14 certificate of transport from their radiological health and safety officer (RHSO)  
15 for the transport of radioactive wastes to the treatment facility.  
16

17 **SEC. 11. Requirements Applicable to Transporters of Hazardous and**  
18 **Radioactive Wastes.** - Within six (6) months after the effectivity of this Act, the  
19 Department, in coordination with the DOH, the PNRI and the Department of  
20 Transportation and Communications (DOTC), shall establish requirements applicable to  
21 transporters of hazardous and radioactive wastes necessary to protect human health and  
22 the environment. Such requirements shall include, but need not be limited to, the  
23 following:

- 24 a. Recordkeeping concerning such wastes transported, and their source and delivery  
25 points;  
26 b. Use of carriers duly registered with the DOTC;  
27 c. Transport of wastes only if properly labeled;  
28 d. Transport of wastes only to the TSDF which the generator designates in the  
29 manifest form to be a facility holding appropriate permit issued pursuant to this  
30 Act;  
31 e. Emergency and contingency plans for effective action to minimize damage and  
32 contain and mitigate effects of spills and accidents in connection with the  
33 transport of such wastes; and

- 1 f. Coordination with other concerned government agencies in the event that  
2 transport of such hazardous and radioactive wastes to the designated TSDF  
3 requires security escort or police protection/assistance.  
4

5 **SEC. 12. Requirements Applicable to Owners of Hazardous and Radioactive**  
6 **Wastes Treatment, Storage and Disposal Facilities.** - Within six (6) months after the  
7 effectivity of this Act, the Department, in coordination with the DOH and the PNRI, shall  
8 establish requirements applicable to owners of the TSDFs of hazardous and radioactive  
9 wastes necessary to protect human health and the environment: *Provided, That* the  
10 Department, the DOH and the PNRI shall, where applicable, distinguish requirements  
11 appropriate for new and existing facilities at the time of the effectivity of this Act. Such  
12 requirements shall include, but need not be limited to, the following:  
13

- 14 (a) Performance standards for the design, construction, operation, maintenance and  
15 monitoring of the facility;  
16 (b) Requirements and standards to ensure adequate resources, including human and  
17 financial, throughout the life cycle of the facility;  
18 (c) Requirements and standards for the closure, decommissioning and post-closure  
19 care, monitoring and maintenance and use of the facility;  
20 (d) Waste acceptance requirements and procedures, approved by the Department, the  
21 DOH and the PNRI, for different types of hazardous and radioactive wastes  
22 packages; and  
23 (e) Management, engineering controls and use of personnel protective equipment to  
24 minimize exposure of workers to the hazardous wastes and medical surveillance  
25 of workers directly involved in the collection, transport, storage or disposal of  
26 hazardous wastes.  
27

28 **SEC. 13. Categories of TSDFs for Hazardous and Radioactive Wastes.** - Within  
29 six (6) months after the effectivity of this Act, the Department shall formulate specific,  
30 relevant and appropriate standards, including waste acceptance criteria, for the various  
31 categories of TSDFs identified hereunder: *Provided, That* no waste shall be accepted unless it  
32 complies with the waste acceptance criteria formulated pursuant to this Act: *Provided,*  
33 *further,* That the Department shall revise, as the need arises, the regulations, standards and  
34 guidelines applicable to the categories listed hereunder, taking into account improvements in



1 the technology of control and measurement: *Provided, finally,* That such regulations shall  
2 specify criteria for the acceptable location of new and existing TSDFs as necessary to protect  
3 human health and the environment.

4  
5 The categories of TSDFs are as follows:

6 a) Facilities that conduct on-site storage, treatment and disposal of hazardous wastes  
7 generated or produced at the premises through industrial or commercial processes  
8 and activities other than disposal via sewer - The Department shall encourage on-  
9 site treatment of hazardous wastes by, among others, providing for incentives:  
10 *Provided,* That generators who undertake partial treatment of wastes shall not be  
11 considered as on-site facility operators for purposes of this category: *Provided,*  
12 *however,* That mining operations shall fall under this category;

13  
14 b) Commercial or industrial hazardous wastes thermal treatment facilities;

15  
16 c) TSDFs in this category are facilities that conduct on-site and off-site thermal  
17 treatment: *Provided,* That the Department shall promulgate regulations on  
18 hazardous wastes used as fuel and raw material: *Provided, further,* That the  
19 Department may also exempt from the requirements hereof facilities which burn  
20 *de minimis* quantities of hazardous wastes as fuel, as defined by the Department,  
21 if:

- 22 1. The wastes are burned at the same facility at which such wastes are generated;
- 23 2. The waste is burned to recover useful energy, as determined by the  
24 Department on the basis of the design and operating characteristics of the  
25 facility and the heating value and other characteristics of the waste; and
- 26 3. The waste is burned in a type of device determined by the Department to be  
27 designed and operated at a destruction and removal efficiency sufficient such  
28 that the protection of human health and environment is assured.

29  
30 d) Landfills that accept hazardous wastes for disposal - The Department shall, after  
31 due review and public consultation, promulgate regulations concerning the  
32 prohibition of specified hazardous wastes in landfills: *Provided,* That the  
33 placement of such specified hazardous wastes in landfills may be allowed upon  
34 determination by the Department that the prohibition for disposal of such waste in

1 landfills is not required in order to protect human health and the environment for  
2 as long as the waste remains hazardous, taking into account the following factors:

- 3 1. The long-term till certainties associated with land disposal; ‘
- 4 2. The goal of managing hazardous wastes in an appropriate manner in the first  
5 instance; and
- 6 3. The persistence, toxicity, mobility and propensity to bio-accumulate such  
7 hazardous wastes and their hazardous constituents.

8  
9 For this purpose, disposal of hazardous wastes in landfills is deemed to be  
10 protective of human health and the environment if it is determined that there will be  
11 no migration of hazardous constituents of the wastes from the disposal unit or  
12 injection zone: Provided, however, That the disposal of any liquid in landfills shall be  
13 prohibited: Provided, further, That the disposal in landfills of wastes containing  
14 hazardous solvents, pesticides and polycyclic hydrocarbons such as, among others,  
15 furans and dioxins, as determined by the department, after public consultation, is  
16 prohibited unless the Department determines the prohibition of the disposal of such  
17 waste is not required in order to protect human health and the environment for as long  
18 as the waste remains hazardous, taking into account the factors referred to in  
19 subparagraphs (1) to (3) of this category.

20  
21 Within six (6) months from the preparation of the status report, the Department  
22 shall review, classify and rank, subject, to public consultations, all hazardous wastes  
23 listed pursuant to this Act, other than those wastes which are referred to in  
24 subparagraph (3) of this category or deep injection wells. Within twelve (12) months  
25 thereafter, the Department, when necessary, shall promulgate regulations prohibiting  
26 disposal in landfills of such hazardous wastes listed and ranked: *Provided*, That the  
27 Department shall promptly publish in a newspaper of general circulation notice of  
28 such determination, together with an explanation of the basis for such determination:  
29 *Provided, further*, That the storage of hazardous and radioactive wastes in landfills is  
30 hereby prohibited.

31  
32 e) Facilities that recycle or reprocess hazardous wastes which are not generated or  
33 produced at the premises - The Department, in coordination with the DOST, shall  
34 promulgate standards for this category of the TSDF. Facilities in this category are

1 those that receive off-site treatment of hazardous wastes and recover valuable  
2 materials from the hazardous wastes, use hazardous wastes as input materials or  
3 fuel for production, or produce compost by biological treatment of hazardous  
4 wastes. These also include, but are not limited to, reclaimers of spent lead-acid  
5 batteries, precious metals and oil recyclers;

6  
7 f) Other off-site treatment facilities - Facilities in this category are those facilities  
8 that receive hazardous wastes outside the premises and transform physical and/or  
9 chemical characteristics of the hazardous wastes by physicochemical or thermal  
10 treatment other than incineration or in order to dispose of them into landfills;

11 g) Facilities that store hazardous and radioactive wastes which are not generated or  
12 produced at the premises within allowable period - The storage of any hazardous  
13 and radioactive waste is prohibited, unless such storage is solely for the purpose of  
14 the accumulation of such quantities of hazardous wastes as are necessary to  
15 facilitate proper recovery, treatment or disposal but shall not be longer than is  
16 prescribed by the Department; and

17  
18 h) Other land disposal facilities - Facilities under this category shall include, among  
19 others, deep injection wells, borehole facilities, near surface facilities, mined  
20 cavities, surface impoundments, land treatment units/land farming and abandoned  
21 underground mines.

22  
23 **SEC. 14. Closure Plan.** - The owner of TSDFs shall submit a closure plan, including  
24 the funds and human resources necessary for the same, subject to the review and approval of  
25 the Department.

26  
27 **SEC. 15. Post-closure of Facility.** - The owner of a TSDF must close the facility  
28 upon termination of its operation and shall, after such closure, provide for protection during a  
29 post- closure care period, in accordance with the requirements of the Department and the  
30 closure plan, including the funds and human resources necessary for the same. The protection  
31 shall include, but shall not be limited to, monitoring, repair and maintenance. The owner shall  
32 maintain a hazardous waste facility permit for the post-closure care period pursuant to  
33 Chapter VI hereof.

1           **SEC. 16. Environmental Impact Statement (EIS) System.** - Prior to the establishment  
2 of TSDFs, all government agencies and private corporations, firms and entities which intend  
3 to set up TSDFs shall be subject to the Environmental Impact Statement (EIS) System  
4 pursuant to the provisions of Presidential Decree No. 1586 and its implementing rules and  
5 regulations.  
6

7           **SEC. 17. Formulation of Soil Quality Standards for Identification of Contaminated**  
8 **Sites.** - Within six (6) months from the effectivity of this Act, the Department, in  
9 coordination with other relevant government agencies, shall formulate soil quality standards  
10 which shall be used to determine contaminated sites.  
11

12           **SEC. 18. Registry of Contaminated Sites.** - The Department shall maintain a registry  
13 of confirmed contaminated sites in the country based on the soil quality standards set  
14 pursuant to Section 17 hereof: *Provided*, That the Department shall take all necessary action  
15 to ensure that the registry provides a complete listing of all such sites, their exact location and  
16 the types of waste found at each site: *Provided, further*, That in developing and maintaining  
17 the registry, the Department shall assess, based upon new information received, the relative  
18 priority of the need for action at each site to remedy environmental and health problems  
19 resulting from the presence of hazardous and radioactive wastes at such sites: *Provided,*  
20 *finally*, That any site classified as properly closed or remediated where no evidence of present  
21 or potential adverse impact exists shall be deleted from the registry.  
22

23           **SEC. 19. Import and Export of Hazardous and Radioactive Wastes.** - In accordance  
24 with Section 2(c) hereof, the Department and the PNRI shall promulgate rules and regulations  
25 on the import and export of hazardous and radioactive wastes consistent with relevant  
26 multilateral international agreements and protocols.  
27

28           **SEC. 20. Market-based Instruments, Responsible Care and Product Stewardship**  
29 **Program.** - Within six (6) months from the effectivity of this Act, the Department, in  
30 coordination with the manufacturers of commercial or industrial products, shall identify and  
31 implement market-based instruments, extended producer responsibility, responsible care,  
32 products stewardship programs that shall promote cleaner production, waste minimization  
33 and resource recovery: *Provided*, That the Department shall identify and list products that  
34 shall be covered by such programs.

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**CHAPTER III**  
**RADIOACTIVE WASTES**

**SEC. 21. *Listing of Radioactive Wastes.*** – Within six (6) months from the effectivity of this Act, the Department of Science and Technology (DOST) - PNRI, in coordination with the Department, after public consultation, shall formulate and publish the criteria for identifying and listing the types of radioactive wastes to be monitored and regulated.

**SEC. 22. *Classification of Radioactive Wastes.*** – The PNRI shall establish the waste classification system based on internationally-acceptable guidelines. The classification system shall be based primarily on the safety aspects of radioactive wastes disposal: *Provided*, That other stages of radioactive wastes management may also be developed by the PNRI.

**SEC. 23. *Management of Radioactive Wastes.*** - Pursuant to Sections 10, 11 and 12 hereof, the PNRI shall promulgate rules and regulations on radioactive wastes management. Said rules and regulations shall be based on the best available technique to limit the outflow of radioactive substances to the environment, taking into account the benefits as well as the cost of the technique. The technique shall be both technically and economically feasible: *Provided*, That said rules and regulations may be based on, but not be limited to, the following methods of managing radioactive wastes:

- a) Dilute and Disperse - Radioactive waste with activity level that can be disposed of as ordinary waste into the sewage, municipal landfills, etc.
- b) Delay and Decay - Short-lived radionuclides by storing under well controlled conditions until the radioactivity has decayed to a level which meets the established exemption or clearance limits for such waste.
- c) Characterization, Segregation, Treatment, Conditioning, Transport, Storage, Disposal Methods for managing radioactive wastes containing long-lived radio nuclides, including disused, sealed sources and other wastes that cannot be managed under subsections (a) and (b) of this section: *Provided*, That the acceptable storage period for conditioned

1 wastes prior to the establishment of a final disposal repository shall be for a maximum  
2 period of fifty (50) years.

3  
4 **SEC. 24. Guidelines for the Acceptance of Radioactive Wastes by Transporters and**  
5 **TSDFs.** – Within six (6) months after the effectivity of this Act, the PNRI shall formulate  
6 specific, relevant and appropriate waste acceptance criteria for transporters and TSDFs of  
7 radioactive wastes: *Provided*, That no radioactive waste shall be accepted unless it complies  
8 with the waste acceptance criteria formulated pursuant hereof.

9  
10 **SEC. 25. Site Requirements and Selection Criteria.** - The PNRI shall develop and  
11 promulgate generic site requirements for locating a final repository for radioactive wastes.

12  
13 **SEC. 26. Safety Assessment and Environmental Impact Assessment (EIA).** - The  
14 PNRI shall develop and promulgate criteria and regulations on the performance requirements  
15 and safety assessment of the TSDF: *Provided*, That the safety assessment shall, among  
16 others, address both radiological and non-radiological risks: *Provided, further*, That non-  
17 radiological EIA shall be carried out in accordance with relevant environmental laws.

18  
19 **SEC. 27. Emergency Preparedness.** - The PNRI shall promulgate requirements and  
20 guidance on the formulation of emergency plans commensurate to the seriousness of the  
21 accidents that could occur at the TSDFs.

22  
23 **SEC. 28. Security.** – The PNRI shall promulgate guidelines on security arrangements  
24 that should be in place to ensure that radioactive waste is not accidentally or deliberately  
25 removed from their proper location. Particular attention shall be given to materials of intrinsic  
26 value that could pose a serious threat to human health and the environment if control were  
27 lost.

28  
29 **CHAPTER IV**  
30 **HAZARDOUS HEALTHCARE WASTES**

31  
32 **SEC. 29. Listing of Hazardous Healthcare Wastes.** - Within six (6) months from the  
33 effectivity of this Act, the DOH, in coordination with the Department and the DILG, after  
34 public consultation, shall formulate criteria for identifying and listing the categories of

1 hazardous, healthcare wastes to be tracked and regulated. In the formulation of such criteria,  
2 the DOH shall take into account, but not be limited to, presence of infectious agents, toxicity,  
3 reactivity, ignitability and corrosivity.

4  
5 **SEC. 30. Management of Hazardous Healthcare Wastes in Hospitals and Other**  
6 **Healthcare Facilities.** - Pursuant to Sections 10, 11 and 12 hereof, the DOH shall promulgate  
7 rules and regulations on the effective management of hazardous healthcare wastes in  
8 hospitals and other healthcare facilities. Such rules and regulations shall include, but not be  
9 limited to, the following:

- 10
- 11 a) Hospitals and other healthcare facilities shall practice or implement waste  
12 minimization and segregation;
  - 13 b) Segregation at source shall be the responsibility of the waste generator;
  - 14 c) Appropriate storage receptacles or bins shall be provided for each healthcare waste  
15 category;
  - 16 d) Labeling of receptacle per waste category shall likewise be implemented for  
17 identification of waste and management measures in case of accidents;
  - 18 e) All hazardous healthcare wastes shall be collected and stored in designated on-site  
19 storage areas until transported to a TSDF;
  - 20 f) Treatment of hazardous healthcare wastes on-site shall be done through appropriate  
21 treatment methods;
  - 22 g) Upon the approval of the Department, healthcare facilities with capacity to manage  
23 hazardous healthcare wastes on-site may also treat for a fee the hazardous healthcare  
24 wastes generated by other healthcare facilities: Provided, That in case of treatment of  
25 radioactive healthcare wastes, approval of the PNRI shall be secured;
  - 26 h) For hazardous healthcare liquid waste, all healthcare facilities shall provide  
27 wastewater treatment facilities and comply with the effluent standards set by the  
28 DBNR. Treatment and disposal of sludge shall conform to the provisions of this Act;  
29 and
  - 30 i) To ensure the proper management of hazardous healthcare wastes, a committee on  
31 hazardous healthcare wastes management may be created in all healthcare facilities:  
32 *Provided*, That in all level, level 2, level 3 and level 4 hospitals, the creation of a  
33 committee on hazardous healthcare wastes management shall be mandatory. The  
34 committee shall also develop an emergency plan to ensure an immediate and

1 appropriate action once an emergency occurs. For other healthcare establishments, a  
2 hazardous healthcare waste management officer shall be designated.

3  
4 **CHAPTER V**  
5 **SPECIAL HAZARDOUS WASTES**  
6

7 **SEC. 31. *Collection of Special Hazardous Wastes.*** - Local government units (LGUs)  
8 shall be responsible for the collection of special hazardous wastes, as listed by the department  
9 in accordance with Section 5 hereof, from persons and households: *Provided*, That the LGUs  
10 may enter into agreement with entities duly accredited by the Department for the collection of  
11 special hazardous wastes.  
12

13 **SEC. 32. *Responsible Care Program/or Special Hazardous Wastes.*** - The LGUs  
14 shall enact appropriate ordinances implementing responsible care, extended producer  
15 responsibility or product stewardship program that shall include, but shall not be limited to,  
16 takeback or return to supplier schemes, that shall promote cleaner production, waste  
17 minimization and resource recovery.  
18

19 **SEC. 33. *Transport, Treatment, Storage and Disposal of Special Hazardous Wastes.***  
20 - Upon collection of hazardous special wastes by LGUs pursuant to Section 31 hereof, the  
21 transport, treatment, storage and disposal of special hazardous wastes shall be regulated in  
22 accordance with this Act.  
23

24 **CHAPTER VI**  
25 **INSTITUTIONAL MECHANISM**  
26

27 **SEC. 34. *Lead Agency.*** - The Department shall be the primary government agency  
28 responsible for the implementation and enforcement of this Act, including in Philippine  
29 Economic Zone Authority (PEZA) areas, special economic zones and freeports, unless  
30 otherwise provided herein. As such, it shall have the following functions, powers and  
31 responsibilities:

- 32 a) Prepare a National Hazardous and Radioactive Wastes Report;  
33 b) Prepare a National Hazardous and Radioactive Wastes Management Framework;



- 1 c) Develop and promulgate criteria for identifying and listing the characteristics of  
2 hazardous and radioactive wastes;
- 3 d) Establish, enforce, review and revise standards for generators of hazardous and  
4 radioactive wastes;
- 5 e) Establish, enforce, review and revise standards for transporters of hazardous and  
6 radioactive' wastes;
- 7 f) Establish, enforce, review and revise standards applicable to owners and operators of  
8 facilities for the treatment, storage and disposal of hazardous and radioactive wastes;
- 9 g) Exercise jurisdiction over all aspects of generation, possession, collection,  
10 destruction, recovery, use, storage, transportation, entry into, even in transit,  
11 treatment and disposal of hazardous and radioactive wastes;
- 12 h) Evaluate applications for and issue permits and licenses' pursuant to this Act;
- 13 i) Revoke, modify or deny in accordance with the standards, rules and regulations,  
14 hazardous waste transporter licenses, TSDFs permits and other permits/licenses  
15 issued in accordance with this Act;
- 16 j) Establish a cooperative effort among the national government, LGUs, academic  
17 institutions, civil society and the private sector to attain the objectives of this Act;
- 18 k) Develop and implement programs to achieve goals and objectives set under this Act;
- 19 l) Accept, receive and administer grants or other funds or gifts from public and private  
20 agencies, for the purpose of carrying out the provisions of this Act. Funds received  
21 by the Department pursuant to this section shall accrue to the Hazardous and  
22 Radioactive Wastes Management Fund;
- 23 m) Secure necessary scientific, technical, including laboratory facilities, by contract or  
24 otherwise;
- 25 n) Encourage, coordinate, participate in or conduct studies, investigations, research and  
26 technical demonstrations relating to hazardous and radioactive wastes management  
27 as it may deem advisable and necessary for the discharge of its duties pursuant to this  
28 Act;
- 29 o) Encourage waste reduction, resource recovery, exchange and energy conservation III  
30 hazardous and radioactive wastes management;
- 31 p) Oversee any corrective action work undertaken pursuant to rules and regulations  
32 issued in accordance with this Act;

- 1 q) Formulate and undertake appropriate protocol with other concerned agencies for  
2 immediate coordinated responses to hazardous and radioactive waste-related  
3 emergency incidents;
- 4 r) Issue order against any person or entity and impose fines, penalties and other  
5 administrative sanctions to compel compliance with the provisions hereof, standards,  
6 rules and regulations issued pursuant to this Act; and
- 7 s) Exercise such powers and perform such other functions as may be necessary to carry  
8 out the objectives of this Act.

9

10 **SEC. 35. Role of the DOH.** - The DOH shall be primarily responsible in performing the  
11 following duties and responsibilities:

- 12 a) Develop, promulgate and publish criteria identifying and listing the categories of  
13 hazardous healthcare wastes to be monitored and regulated;
- 14 b) Develop and promulgate rules and regulations on the effective management of  
15 hazardous health care wastes in hospitals and other health care facilities; and
- 16 c) Exercise such powers and perform such other functions as may be necessary to carry  
17 out the provisions of this Act.

18

19 **SEC. 36. Role of the PNRI.** - The PNRI shall be primarily responsible in performing  
20 the following duties and responsibilities:

- 21 a) Develop and promulgate regulations establishing a program for the monitoring of the  
22 radioactive wastes listed pursuant to this Act;
- 23 b) Develop, promulgate and publish criteria for identifying and listing the types of  
24 radioactive wastes to be monitored and regulated;
- 25 c) Develop and promulgate rules and regulations on the radioactive wastes management  
26 pursuant to Section 23 hereof;
- 27 d) Formulate specific, relevant and appropriate waste acceptance criteria for  
28 transporters and TSDFs of radioactive wastes pursuant to Section 24 hereof;
- 29 e) Exercise jurisdiction over all aspects of generation, possession, collection, recovery,  
30 transport, entry, even in transit, into Philippine territory, treatment, storage and  
31 disposal of radioactive wastes; and
- 32 f) Exercise such powers and perform such other functions as may be necessary to carry  
33 out the provisions of this Act.

1           **SEC. 37. *Role of Local Government Units (LGUs)*** - Local Government Units shall  
2 have the following duties and responsibilities:

- 3           a) Share the responsibility for the implementation, enforcement and monitoring of the  
4           provisions of this Act within their territorial jurisdictions such as the registration and  
5           compliance monitoring of generators, transports and TSDFs;
- 6           b) Prepare a compliance scheme in accordance with their special hazardous wastes  
7           management program;
- 8           c) Segregation and collection of special hazardous wastes;
- 9           d) Emergency preparedness and response;
- 10          e) Participate in all efforts concerning hazardous and radioactive wastes management;  
11          and
- 12          f) Enact appropriate ordinances to implement LGU's role in this Act.

13  
14           **SEC. 38. *The Inter-Agency Technical Advisory Council (IATAC)***. - For purposes of  
15 policy integration and harmonization and coordination of functions, there is hereby created  
16 an IATAC attached to the Department which shall be composed of the following officials or  
17 their duly authorized representatives:

- 18           Secretary of Environment and Natural Resources, as chairperson;
- 19           Secretary of Health, as co-chairperson;
- 20           Secretary of Science and Technology, as co-chairperson;
- 21           Secretary of Agriculture;
- 22           Secretary of Finance;
- 23           Secretary of Trade and Industry;
- 24           Secretary of National Defense;
- 25           Secretary of Foreign Affairs;
- 26           Secretary of Transportation and Communications;
- 27           President of league of cities;
- 28           President of league of municipalities;
- 29           President of league of provinces;
- 30           President of league of barangays;
- 31           Director General of the Philippine Export Zone Authority;
- 32           Representative from civil society;
- 33           Representative from the industry;
- 34           Representative from the TSDF operators; and

1 Representative from the academe as members.

2  
3 The IATAC shall have the following functions, among others:

- 4 a) Develop and promulgate criteria in assessing the proposed BAT/BEP to be used in  
5 accordance with Section 9 hereof; and  
6 b) Constitute and authorize a multidisciplinary body to conduct annual audit to  
7 determine compliance of the TSDF perpetrators with the terms and conditions in the  
8 permits and licenses issued pursuant to this Act.

9  
10 **SEC. 39. *The IATAC Technical Working Group.*** - The IATAC shall be supported  
11 by a Technical Working Group (TWG) which shall be composed of representatives from the  
12 following:

13 Environmental Management Bureau (EMB) of the Department;  
14 Environmental and Occupational Health Office of the DOH;  
15 Philippine Nuclear Research Institute of the DOST;  
16 Industrial Technology Development Institute of the DOST;  
17 Bureau of Health Facilities and Services of the DOH;  
18 Bureau of Soil and Water Management of the Department of Agriculture (DA);  
19 Fertilizer and Pesticide Authority of the DA;  
20 Bureau of Customs of the Department of Finance;  
21 Bureau of International Trade Relations of the DTI;  
22 Board of Investments of the DTI;  
23 Bureau of Import Services of the DTI;  
24 Department of National Defense;  
25 Land Transportation Office of the DOTC;  
26 Occupational Health and Safety Center of the Department of Labor and Employment;  
27 Philippine Coast Guard;  
28 Nongovernmental organizations (NGOs);  
29 Industry; and  
30 The Academe.

31  
32 The TWG shall provide technical support to the IATAC

1           **SEC. 40. *Linkage Mechanism.*** - The Department and its concerned agencies may  
2 coordinate and enter into agreement with other government agencies, civil society, industrial  
3 sector and other concerned sectors in the furtherance of the policies of this Act: *Provided,*  
4 That the Department shall coordinate with the DILG and the Philippine National Police in the  
5 enforcement of the requirements for transporters issued pursuant to this Act.

6  
7           **SEC. 41. *Visitorial Powers.*** - The Department, the PNRI and the DOH or their duly  
8 authorized representatives shall have access to, and the right to copy therefrom, the records  
9 required to be maintained pursuant to the provisions of this Act. The Secretary of the  
10 Department and the DOH and the Director of the PNRI or their authorized representatives  
11 shall likewise have the right to enter the premises of any generator, transporter or TSDF any  
12 time to question any employee or investigate any fact, condition or matter which may be  
13 necessary to determine any violation, or which may aid in the effective enforcement of this  
14 Act and its implementing rules and regulations. This section shall not apply to private  
15 dwelling places unless the visitorial powers otherwise judicially authorized.

16  
17  
18                                   **CHAPTER VII**  
19                                   **PERMITS AND FEES**

20           **SEC. 42. *Permits for Treatment, Storage or Disposal of Hazardous and Radioactive***  
21 ***Wastes. –***

22 a) Issuance of Permit - Any person owning an existing or a new TSDF of hazardous or  
23 radioactive wastes identified or listed pursuant to this Act is required to secure a permit or  
24 license pursuant to this section. The Department and the PNRI shall prescribe reasonable  
25 fees for the issuance of said permit or license.

26  
27 b) Duration of Permit - Any permit under this section shall be issued annually during the  
28 first three (3) years of operation as a TSDF. Thereafter, the Department and the PNRI  
29 may issue a permit or license which is valid for five (5) years to a TSDF who has  
30 satisfactorily complied with the rules and regulations issued pursuant to this Act for three  
31 (3) consecutive years: *Provided,* That an annual audit shall be conducted by a  
32 multidisciplinary body constituted and authorized by the IATAC created pursuant hereof.

1 c) Permit Modification, Suspension and Revocation - The Department and the PNRI shall  
2 modify, suspend and revoke such permit upon a determination of non-compliance by a  
3 TSDF with the relevant provisions of this Act or the terms and conditions of the permit.  
4

5 d) Interim Status - Any person who owns a TSDF in existence prior to this Act which is  
6 required to have a permit under this section shall be treated as having been issued such  
7 permit for a period of twelve (12) months after the effectivity of this Act: *Provided*, That  
8 the required application for a TSDP permit or license shall have been filed within the said  
9 twelve (12)-month period: *Provided, further*, That this paragraph shall not apply to any  
10 facility which has been previously denied a TSDF permit or license or if authority to  
11 operate the facility has been previously terminated.  
12

13 **SEC. 43. Hazardous and Radioactive Wastes Transporter License. -**

14 a) Any person transporting any hazardous and radioactive waste is required to secure a  
15 waste transporter license from the Department, subject to the payment of a reasonable  
16 fee.

17 b) Duration of License - A waste transporter license issued under this section shall be valid  
18 for a period of one (1) year.

19 c) License Modification, Suspension and Revocation - The Department and the PNRI shall  
20 modify, suspend and revoke such license upon a determination of non-compliance by a  
21 transporter with the relevant provisions of this Act or the terms and conditions of the  
22 permit. A license is not required for the transport of any hazardous or radioactive waste  
23 on the premises where it is generated or onto a property owned by the generator thereof  
24 located within a one (1) kilometer radius from said premises or within the same  
25 industrial estate: *Provided*, That the Department is notified in writing prior to the transfer  
26 and a week after the transfer has been completed. Nothing in this section shall be  
27 interpreted to preclude the Department and the PNRI from inspecting unlicensed  
28 hazardous waste transporting equipment and to require that it be adequate to provide  
29 protection for the health of humans and the environment.  
30

31 **SEC. 44. Hazardous Wastes Disposal Fee. -** All hazardous wastes disposal facilities  
32 shall collect, on behalf of the government, from each hazardous waste generator or  
33 transporter disposing such wastes at the disposal site, a fee that shall accrue to the hazardous

1 wastes management fund. The fee shall be established by the Department, taking into  
2 consideration the following:

- 3
- 4 a) To provide strong economic inducement for generators to modify their production or  
5 management processes;
  - 6 b) To cover the cost of administering hazardous and radioactive wastes management;
  - 7 c) Reflect damages caused by hazardous and radioactive wastes on the surrounding  
8 environment, including the cost of rehabilitation;
  - 9 d) Category of wastes;
  - 10 e) Classification of wastes; and
  - 11 f) The fee, which shall be established after due public consultation, shall be based on the  
12 quantity of wastes disposed.
- 13

14 **CHAPTER VIII**  
15 **FINANCING HAZARDOUSWASTES MANAGEMENT**

16

17 **SEC. 45. *Financial Liability for Environmental Rehabilitation.*** - The Department  
18 shall require generators and owners of TSDFs to put up Environmental Guarantee Fund  
19 (EGF) as part of the Environmental Management Plan attached to the Environmental  
20 Compliance Certificate (ECC), pursuant to Presidential Decree No. 1586 and its  
21 implementing rules and regulations. The EGF shall finance the needs of emergency response,  
22 clean up or rehabilitation of areas that may be damaged during the generation, transport,  
23 treatment, storage or disposal of hazardous and radioactive wastes. Liability for damages  
24 shall continue even after the termination of the project and until the lapse of a given period  
25 indicated in the ECC, as determined by the Department.

26

27 The EGF may be in the form of a trust fund, environmental insurance, surety bonds,  
28 letters of credit, self-insurance and any other instrument which may be identified by the  
29 Department. The choice of the guarantee instrument or combinations thereof shall depend  
30 among others, on the assessment of the risks involved. Proponents required to put up  
31 guarantee instruments shall furnish the Department with evidence of avilment of such  
32 instruments.

33

1           **SEC. 46. *Performance Bond.*** – Prior to issuance of the required permit to operate,  
2 the Department shall require transporters, owners of treatment/storage facilities to post  
3 performance bond. The performance bond shall be forfeited in the, event of abandonment of  
4 sites and/or non-performance of post-closure requirements issued pursuant to Section 15  
5 hereof: *Provided*, That this provision shall not apply to State-owned treatment/storage  
6 facilities and to recyclers identified and listed as such, pursuant to this Act.

7  
8                                                                   **CHAPTER IX**  
9                                                                   **INCENTIVES**

10  
11           **SEC. 47. *Rewards.*** - Rewards, monetary or otherwise, shall be provided to  
12 individuals, private organizations and entities, including NGOs that have undertaken  
13 outstanding and innovative projects, technologies, processes and techniques or activities in  
14 hazardous and radioactive wastes management. Said rewards shall be sourced from the  
15 Hazardous and Radioactive Wastes Management Fund herein created.

16  
17           **SEC. 48. *Incentives Scheme.*** - An incentive scheme is hereby provided for the  
18 purpose of encouraging enterprises, private entities, LGUs and NGOs to develop or undertake  
19 an effective hazardous and radioactive wastes management, or actively participate in any  
20 program geared towards the promotion thereof, consistent with the objectives of this Act.

21  
22       a) **Tax and Duty Exemption on Imported Capital Equipment and Vehicles** - Within five (5)  
23 years upon the effectivity of this Act, registered enterprises, LGU sand NGOs shall  
24 enjoy tax and duty-free importation of machinery, equipment, technology and spare parts  
25 used for the processing, storage and treatment of hazardous and radioactive wastes,  
26 including cleaner production and waste minimization technologies: *Provided*, *That* the  
27 importation of such machinery, equipment, technology and spare parts shall comply with  
28 the following conditions:

- 29                       *i.*   They are not manufactured domestically in sufficient quantity, of  
30 comparable quality and at reasonable prices;  
31                       *ii.*   They are reasonably needed and will be used actually, directly and  
32 exclusively, for the above mentioned activities; and  
33                       *iii.*   There is an approval from the Board of Investment (BOI) of the DTI for  
34 the importation of such machinery, equipment, technology and spare parts:



1                    *Provided, further,* That the sale, transfer or disposition of such machinery,  
2                    equipment, technology and spare parts, without prior approval of the BOI,  
3                    within five (5) years from the date of acquisition shall be prohibited;  
4                    otherwise, the registered enterprise, LGU or NGO concerned and the  
5                    buyer, transferee or assignee shall be solitarily liable to pay twice the  
6                    amount of tax and duty exemption given it.

7  
8    b) Tax Exemption on the Sale of Domestic Capital Equipment - Within five (5) years from  
9                    the effectivity of this Act, the sale of domestic capital' equipment, including its spare  
10                    parts to registered enterprises, LGUs and NGOs to be used for the processing, storage  
11                    and treatment of hazardous and radioactive wastes, shall be exempted from any  
12                    applicable taxes imposed under the National Internal Revenue Code of 1997, as  
13                    amended: *Provided,* That said incentive shall be subject to the same conditions and  
14                    prohibition cited in the preceding paragraph.

15  
16    c) Tax Exemption of Donations, Legacies and Gifts - All donations, gifts and legacies  
17                    made by any person or entity in favor of the registered enterprises, LGU sand NGOs, for  
18                    the support and maintenance of the program for effective hazardous and radioactive  
19                    wastes management, shall be exempt from donor's tax and such amount of donations  
20                    shall be deductible from the gross income of the donor pursuant to Section 34, paragraph  
21                    (H) of the National Internal Revenue Code of 1997, as amended.

22  
23    d) Financial Assistance Program - Government financial institutions such as the  
24                    Development Bank of the Philippines (DBP), the Landbank of the Philippines (LBP), the  
25                    Government Service Insurance System (GSIS) and such other government institutions  
26                    providing financial services shall, in accordance with and to the extent allowed by the  
27                    enabling provisions of their respective charters or applicable laws, accord high priority  
28                    to extend financial services to individuals, enterprises or private entities engaged in  
29                    hazardous, radioactive, medical and hazardous special wastes management.

30  
31    e) Extension of Grants to LGUs - Cities or municipalities whose special hazardous wastes  
32                    management programs have been duly accredited by the Department or have adopted  
33                    innovative wastes management programs may be entitled to receive grants for the

1 purpose of developing their technical capacities toward actively participating in the  
2 program for effective and sustainable wastes management.

3  
4 f) Incentives to Host LGUs - LGUs which host common hazardous and radioactive wastes  
5 management facilities shall be entitled to incentives as provided for under this Act.

6  
7 g) Tax Exemption on Hazardous Wastes Generated Within PEZA Areas, Freeports and  
8 Other Special Ecozones - Hazardous waste materials generated within PEZA areas,  
9 freeports and other special ecozones shall be allowed to be brought to the Philippine  
10 customs territory for the sole intention of recycling and treatment, and shall be exempted  
11 from payment of any tax due on said hazardous wastes: *Provided*, That said recyclable  
12 hazardous waste materials are identified and listed in accordance with Section 5 of this  
13 Act.

14  
15 **CHAPTER X**  
16 **CIVIL LIABILITY AND PENAL PROVISIONS**

17  
18 **SEC. 49. *Generator's Liability.*** - The generator is primarily responsible for the  
19 management of hazardous and radioactive wastes until said waste has been certified as  
20 properly, treated or disposed by duly accredited TSDFs: *Provided*, That wastes that are  
21 exported outside of the country and treated and disposed in accordance with international  
22 agreements, the TSDFs in the country of destination shall issue the certificate of treatment  
23 and disposal. All other environmental service providers involved in the transport, treatment,  
24 storage and disposal of said waste shall be jointly and severally liable with the generator in  
25 the event of any adverse environmental impacts due to the improper management of the  
26 waste.

27  
28 **SEC. 50. *Prohibited Acts.*** - The following acts are prohibited:

29 a) Discarding, throwing or dumping of hazardous or radioactive wastes, as listed  
30 pursuant to this Act in public places, such as roads, sidewalks, canal, esteros,  
31 parks, establishments and municipal solid waste facilities, or causing or permitting  
32 the same;

- 1 b) Undertaking activities involving the collection or transport of hazardous or  
2 radioactive wastes in violation of the standards and other requirements or permits  
3 set forth in this Act;
- 4 c) Causing or permitting the collection of non-segregated or unsorted hazardous  
5 wastes;
- 6 d) Operating TSDFs without permits issued pursuant to this Act;
- 7 e) Transporting hazardous or radioactive wastes without the required permit or  
8 license pursuant to this Act;
- 9 f) The mixing of source-separated recyclable material with other hazardous wastes  
10 in any vehicle, box, container or receptacle used in hazardous or radioactive  
11 wastes collection or disposal;
- 12 g) Disposal of hazardous or radioactive wastes in open and controlled dumps as  
13 enjoined in this Act, or causing and permitting the same;
- 14 h) Establishment and operation of open and controlled dumps for hazardous and  
15 radioactive wastes;
- 16 i) Transporting and dumping of collected hazardous or radioactive wastes in areas  
17 other than facilities prescribed under this Act;
- 18 j) Open burning of hazardous or radioactive wastes;
- 19 k) Transporting any hazardous or radioactive wastes to a TSDF which is not  
20 authorized to receive such waste pursuant to this Act;
- 21 l) Treating, storing or disposing of any hazardous or radioactive waste either: (1)  
22 without permit or license to do so pursuant hereof; or (2) in knowing violation of  
23 any material condition or requirement of such permit or license; or (3) in violation  
24 of any standard promulgated pursuant to this Act;
- 25 m) Making any false material statement, representation or certification in any  
26 application, label, permit, record, report, manifest or other document filed,  
27 maintained or required to be maintained under this Act;
- 28 n) Falsifying, tampering with or rendering inaccurate any monitoring device or result  
29 therefrom used, filed, maintained or required to be maintained under this Act;
- 30 o) Generating, treating, storing, transporting, disposing of or handling any hazardous  
31 or radioactive waste, and who, in connection therewith, knowingly destroying,  
32 altering or concealing any record required to be maintained pursuant to this Act;
- 33 p) Owning, maintaining or operating any hazardous or radioactive waste disposal  
34 facility in a manner which permits any acts or hazardous waste management

1 practices in violation of standards or rules and regulations issued pursuant to this  
2 Act;

- 3 q) Failing to notify the Department, the DOH and the PNRI of hazardous or  
4 radioactive wastes activities pursuant to Section 6 hereof;
- 5 r) Importing or causing or permitting the entry, even in transit, into Philippine  
6 territory in violation of the provisions of this Act and its implementing rules and  
7 regulations, and relevant international agreements and protocols;
- 8 s) Constructing, substantially altering or operating, including all post-closure  
9 activities and operations specified in the rules and regulations, a hazardous or  
10 radioactive waste TSDf without first obtaining a permit as specified in this Act;  
11 and
- 12 t) Site preparation, construction, expansion or operation of TSDFs without an ECC  
13 required pursuant to Presidential Decree No. 1586 and this Act.

14  
15 For purposes of this provision, the term "hazardous wastes" shall include special  
16 hazardous and healthcare wastes.

17  
18 **SEC. 51. Fines, Damages and Penalties.** - Unless otherwise provided herein, any  
19 person who commits any of the prohibited acts provided in the immediately preceding  
20 section or violates any of the provisions of this Act or its implementing rules and  
21 regulations shall be fined by the Pollution Adjudication Board (PAB) in the amount  
22 not less than Ten thousand pesos (P10,000.00) but not more than One hundred  
23 thousand pesos (P100,000.00) for every violation: *Provided*, That for violation of  
24 Section 52 involving prohibited acts under paragraphs (a), (g), (h), (i), (l), (p), (s) and  
25 (t) of the immediately preceding section, the fine shall be imposed for every day of  
26 violation.

27  
28 For purposes of the application of the fines, the PAB, within one (1) year upon the  
29 effectivity of this Act, shall establish a fine rating system to adjust the maximum fine based  
30 on the violator's ability to pay, degree of willfulness, degree of negligence, degree of severity  
31 of the offense, history of non-compliance and degree of recalcitrance.

32  
33 The fines herein prescribed shall be reviewed and revised, whenever necessary, every  
34 three (3) years to compensate for inflation and to maintain the deterrent function of such

1 fines: *Provided*, That the PAB may order the closure, suspension of development or  
2 construction, or cessation of operations until such time that proper environmental safeguards  
3 are put in place and/or compliance with this Act or its rules and regulations are undertaken.  
4 This paragraph shall be without prejudice to the issuance of an *ex parte* order for such  
5 closure, suspension of development or construction, or cessation of operations during the  
6 pendency of the case: *Provided, further*, That if the prohibited act undertaken shall require  
7 cleanup and rehabilitation, the offender shall also be required to restore or compensate for the  
8 restoration of the area. The PAB may also award such damages as it may deem just under the  
9 circumstances in favor of the private complainant in the case.

10  
11 In case of gross violation of this Act, the PAB shall issue a resolution recommending  
12 that the proper government agencies file criminal charges against the violators. Gross  
13 violation shall mean any of the following:

- 14
- 15 a) Deliberate disposal of hazardous or radioactive wastes without the required permit issued  
16 pursuant to this Act;
  - 17
  - 18 b) Three (3) or more violations referred to in paragraphs (a), (d), (g), (k), (l) and (m) of  
19 Section 50 hereof within a period of two (2) years; or
  - 20
  - 21 c) Blatant disregard of the orders of the PAB, such as the nonpayment of fines, breaking of  
22 seals or operation of the source of pollution despite the existence of an order for closure,  
23 discontinuance or cessation of operation, or unjustified, refusal for the entry or access to  
24 any premises of an authorized Department representative, In which case, offenders shall  
25 be punished a fine of not less than One hundred thousand pesos (P100,000.00) but not  
26 more than Three million pesos (P3,000,000.00) and/or with imprisonment of not less than  
27 three (3) years but not more than ten (10) years, at the discretion of the court. If the  
28 offender is a juridical person, the chief executive officer and the pollution control officer  
29 or its equivalent shall suffer the penalty herein provided: *Provided*, That the officers and  
30 incorporators of the TSDFs who violated the post-closure requirements issued pursuant to  
31 Section 15 hereof shall be banned from setting up TSDFs and hazardous and radioactive  
32 waste transport companies and engaging in the operation of the same.

1 If the offender is an alien, he or she shall, after service of the sentence prescribed  
2 above, be deported without further administrative proceedings. The fines herein  
3 prescribed shall be reviewed and revised, whenever necessary, every three (3) years to  
4 compensate for inflation and to maintain the deterrent function of such fines.  
5

6 **SEC. 52. *Administrative Sanctions.*** - Local government officials and officials of  
7 government agencies concerned who fail to comply with and enforce rules and regulations  
8 promulgated relative to this Act shall be charged administratively in accordance with  
9 Republic 13 Act No. 7160 and other existing laws, rules and regulations.  
10

11 **SEC. 53. *Administrative Action.*** - Without prejudice to the right of any affected  
12 person to file an administrative~ action, the Department, the [ >OR and the PNRI shall, on its  
13 own instance or upon verified complaint by any person, institute administrative and  
14 civil/proceedings against any person who violates:  
15

- 16 (a) Standards or limitations provided under this Act; or  
17 (b) Any order, rule or regulation issued by the Department: the DOH or the PNRI with  
18 respect to such standard or limitation.  
19

20 **SEC. 54. *Citizen Suits.*** - For purposes of enforcing the provisions of this Act or its  
21 implementing rules and regulations, any citizen may file an appropriate civil, criminal or  
22 administrative action in the proper courts or bodies against the following:  
23

- 24 a) Any person who violates or fails to comply with the provisions of this Act or its  
25 implementing rules and regulations; or  
26 b) The Department or other implementing agencies with respect to orders, rules and  
27 regulations issued inconsistent with this Act; or  
28 c) Any public officer who willfully or grossly neglects the performance of an act  
29 specifically enjoined as a duty by this Act or its implementing rules and regulations;  
30 or abuses his authority in the performance of his duty; or, in any manner,  
31 improperly performs his duties under this Act or its implementing rules and  
32 regulations: *Provided*, however, That no suit can be filed until after a thirty (30)-day  
33 notice pas been given to the public officer and the alleged violator concerned and  
34 no appropriate action has been taken thereon.

1  
2 The court shall exempt such action from the payment of filing fees, except fees for  
3 actions not capable of pecuniary estimations, and shall, likewise, upon prima facie showing  
4 of the non-enforcement or violation complained of, exempt the plaintiff from the filing of an  
5 injunction bond for the issuance of a preliminary injunction.  
6

7 Within thirty (30) days, the court shall make a determination if the complaint herein is  
8 malicious and/or baseless and shall accordingly dismiss the action and award attorney's fees  
9 and damages.  
10

11 **SEC. 55. *Suits and Strategic Legal Action Against Public Participation (SLAPP)***  
12 ***and the Enforcement of this Act.*** - Where a suit is brought against a person who filed an  
13 action as provided for in Section 54 of this Act, or against any person, institution or  
14 government agency that implements this Act, it shall be the duty of the investigating  
15 prosecutor or the court, as the case may be, to immediately make a determination not  
16 exceeding thirty (30) days whether said legal action has been filed to harass, vex, exert undue  
17 pressure or stifle such legal recourses of the person complaining of or enforcing the  
18 provisions of this Act. Upon determination thereof, evidence warranting the same, the court  
19 shall dismiss the case and award attorney's fees and double damages. This provision shall  
20 also apply and benefit public officers who are sued for acts committed in their official  
21 capacity, there being no grave abuse of authority, and done in the course of enforcing this  
22 Act.  
23

24 **CHAPTER XI**  
25 **MISCELLANEOUS PROVISIONS**  
26

27 **SEC. 56. *Mandatory Public Hearings.*** - Mandatory public hearings for the  
28 Framework shall be undertaken in accordance with the process to be formulated by the  
29 Department.  
30

31 **SEC. 57. *Research on Hazardous and Radioactive Wastes Management.*** - The  
32 Department, after consultations with the cooperating agencies, shall encourage, cooperate  
33 with and render financial and other assistance to appropriate government and private  
34 agencies, institutions and individuals in the conduct and promotion of researches,

1 experiments and other studies on hazardous and radioactive wastes management, particularly  
2 those relating to:

- 3
- 4 a) adverse health welfare, effects of the release into the environment of hazardous and  
5 radioactive wastes, and methods to eliminate said effects or minimize the health  
6 risks;
  - 7 b) the operation and financing of hazardous and radioactive wastes disposal programs;
  - 8 c) the planning, implementation and operation of resource recovery and resource  
9 conservation systems;
  - 10 d) the production of usable forms of recovered resources, including fuel from  
11 hazardous wastes;
  - 12 e) the development and application of new and improved methods of collecting,  
13 separating and disposing of hazardous and radioactive wastes and processing and  
14 recovering materials and energy from hazardous and radioactive wastes;
  - 15 f) cleaner production technologies;
  - 16 g) improvements in land disposal practices for hazardous and radioactive wastes; and
  - 17 h) development of new uses of recovered resources and identification of existing or  
18 potential markets of recovered resources.
- 19

20 In carrying out hazardous and radioactive waste researches and studies, the Department,  
21 the DOH and the PNRI or their authorized representatives may award grants or enter into  
22 contracts with government agencies, NGOs and private persons.

23

24 **SEC. 58. *Public Education and Information.*** - The Department, the PNRI and the  
25 DOH, in coordination with the Department of Education (DepEd), the Technical Education  
26 and Skills Development Authority (TESDA), the Commission on Higher Education (CHED),  
27 the Department of Interior and Local Government (DILG), the Philippine Information  
28 Agency (PIA) and the LGUs, shall conduct a continuing education and information campaign  
29 on hazardous and radioactive wastes management. Such education and information program  
30 shall:

31

- 32 a) Aim to develop public awareness of the impacts of hazardous and radioactive  
33 wastes and how to prevent or minimize their adverse effects;





1           Receipts from donations shall be accounted for in the books of the recipient  
2 government agency in accordance with pertinent accounting and auditing rules and  
3 regulations.  
4

5           **SEC. 62. *Implementing Rules and Regulations.*** - Within one (1) year after the  
6 effectivity of this Act, the Department, the DOH and the PNRI, in coordination with the  
7 Committees on Environment and Ecology of the Senate and the House of Representatives,  
8 respectively, shall promulgate the implementing rules and regulations of this Act: *Provided,*  
9 That rules and regulations issued by other government agencies and instrumentalities relative  
10 to hazardous and radioactive wastes management consistent with this Act shall supplement  
11 the rules and regulations issued by the DENR, the PNRI and the DOH pursuant to the  
12 provisions of this Act.  
13

14           There shall be a mandatory review of the implementing rules and regulations and  
15 standards set pursuant to the provisions of this Act.  
16

17           **SEC. 63. *Joint Congressional Oversight Committee.*** - There is hereby created a Joint  
18 Congressional Oversight Committee to monitor the implementation of this Act. The  
19 Committee shall be composed of five (5) Senators and five (5) members of the House of  
20 Representatives, to be appointed by the Senate President and the Speaker of the House of  
21 Representatives, respectively. The Oversight Committee shall be co-chaired by a Senator and  
22 a member of the House of Representatives designated by the Senate President and the  
23 Speaker of the House of Representatives, respectively.  
24

25           **SEC. 64. *Transitory Provision.*** - Pending the establishment of the Framework under  
26 Section 8 hereof and the promulgation of the implementing rules and regulations of this Act,  
27 pertinent existing laws, regulations, programs and projects on hazardous and radioactive  
28 wastes management shall be enforced: *Provided,* That for specific undertaking, the same may  
29 be revised in the interim in accordance with the intentions of this Act.  
30

31           **SEC. 65. *Report to Congress.*** - The Department shall report to Congress not later  
32 than March 30 of every year following the approval of this Act, detailed account of its  
33 accomplishments and progress on hazardous and radioactive wastes management during the

1 year and make the necessary recommendations in areas where there is a need for legislative  
2 action.

3  
4 **SEC. 66. *Separability Clause.*** - If any provision of this Act or the application of such  
5 provision to any person or circumstance is declared unconstitutional, the remainder of this  
6 Act or the application of such provision to other persons or circumstances shall not be  
7 affected by such declaration.

8  
9 **SEC. 67. *Repealing. Clause.*** - Republic Act No. 6969, Executive Order No. 192,  
10 Republic Act No. 9003, Republic Act No. 7160 and Republic Act No. 2067, as amended, are  
11 partly modified. All laws, decrees, issuances, rules and regulations or parts thereof  
12 inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

13  
14 **SEC. 68. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication  
15 in the Official Gazette or in at least two (2) newspapers of general circulation.

*Approved,*