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SENATE

S. NO. 386

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

The Constitution mandates that the State shall responsibly promote the exploration, development, utilization, and conservation of all its mineral resources. The State also recognizes the need to protect and advance the right of the people to a balanced ecology and a wholesome and healthy environment. Moreover, the Philippine Mining Act of 1995 provides for the proper exploration, development, utilization and processing of all mineral resources in the country.

Quarry wastes are a largely unavoidable by-product of the extraction and processing of aggregates. They are defined as wastes because no market currently exists for them, but unlike many other wastes they are generally inert and non-hazardous. Quarry wastes are generally considered as waste materials and cause an environmental load due to disposal problems.

The type and amount of wastes depend on the nature of the operation. Most sand and gravel workings do not produce much, if any, permanent waste. Even so, it shall be the duty of the State to ensure that the communities living near the quarrying sites as well as the environment be protected and remain healthy.

This bill seeks to mandate licensed sand and granite quarrying contractors to practice proper disposal of waste derived from their quarrying activities.

In view of the foregoing, immediate approval of this measure is earnestly sought.


ANTONIO "SONNY" F. TRILLANES IV
Senator

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S. NO. 386

Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
MANDATING LICENSED SAND AND GRANITE QUARRYING
CONTRACTORS TO PRACTICE PROPER DISPOSAL OF WASTE MATTER
IN QUARRYING SITES AND FOR OTHER PURPOSES

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

1 **Section 1. Declaration of Policy.** – It shall be the policy of the State to
2 responsibly promote the exploration, development, utilization, and conservation of all its
3 mineral resources. The State also recognizes the need to protect and advance the right of
4 the people to a balanced ecology and a wholesome and healthy environment.

5
6 **Sec. 2. Effluent Water to be Free from Mud.** – Every licensed sand quarrying
7 contractor shall only use fresh water in connection with his sand quarrying operations and
8 shall make such provision or take such steps as will ensure that all the water, before it
9 leaves the sand quarrying area on which it has been so used, is freed from any mud, sand,
10 silt or any other refuse of the sand quarry which is likely to interfere with the natural flow
11 of water in any river, stream, channel or watercourse.

12 The Department of Environment and Natural Resources (DENR) in coordination
13 with the Local Government Units (LGUs) may, by notice in writing, require any licensed
14 sand quarrying contractor to provide such spillways, retaining walls, brush dams, settling
15 pits and other mechanical appliances or devices as the DENR and the concerned Local
16 Government Unit may consider necessary for effectual compliance with paragraph (1) of
17 this Section and may also order the licensed sand quarrying contractor to suspend his
18 sand quarrying operations until such provision has been made.

1 The compliance of the licensed sand quarrying contractor with a notice or order
2 made under paragraph (2) of this Section shall not affect any liability incurred by any
3 licensed sand quarrying contractor arising from a breach of paragraph (1) hereof.

4 **Sec. 3. *Disposal of Waste Matter.*** - The DENR may give such directions in
5 writing as it may consider necessary for the disposal of all earth, sludge, dirt, sand, silt or
6 other waste matter from any sand or granite quarry.

7 The DENR may, by notice in writing, require any licensed quarrying contractor
8 to take such precautions and to construct and maintain such drains, spillways, channels
9 and other works as may in its opinion be necessary to ensure that earth, sludge, dirt, sand,
10 silt or other waste matter from any sand or granite quarry will not be carried or washed
11 away by storm water or by fresh water used for the purpose of working the sand or
12 granite quarry to any place not being a place where the same may lawfully be deposited.

13
14 **Sec. 4. *Implementing Rules and Regulations.*** - The DENR together with the
15 Department of Interior and Local Government, as well as the various Local Government
16 Units (LGUs) shall promulgate the rules and regulations for the effective enforcement of
17 the provisions of this Act.

18
19 **Sec. 5. *Separability Clause.*** - Should any provision of this Act or any part thereof
20 be declared invalid, the other provisions, so far as they are separable from the invalid
21 ones, shall remain in full force and effect.

22
23 **Sec. 6. *Repealing Clause.*** - All laws, orders, issuances, rules, and regulations or
24 parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

25
26 **Sec. 7. *Effectivity.*** - This Act shall take effect fifteen (15) days after its complete
27 publication in at least two (2) newspapers of general circulation.,

Approved,