

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

SENATE
OFFICE OF THE SECRETARY

10 JUL 22 1954

SENATE
S. No. 1887

RECEIVED BY

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

R.A. No. 6969 or the "Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990," covers the importation, manufacture, processing, handling, storage, transportation, sales, distribution, use, and disposal of all unregulated chemical substances and mixtures in the Philippines, including the entry, even in transit, as well as the keeping or storage and disposal of hazardous and nuclear wastes into the country for whatever purpose.

However, the law lacks specific guidelines on how the hazardous and nuclear wastes would be transported. This bill seeks to empower the Secretary of the Department of Environment and Natural Resources and the Secretary of the Department of Transportation and Communications, in coordination with other concerned government and non-government entities, to establish the safest routes for the transportation of hazardous and nuclear wastes.¹

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
ack.

¹ This bill was originally filed during the Fourteenth Congress, First Regular session.

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1 AN ACT
REQUIRING THE DESIGNATION OF THE SAFEST ROUTES FOR THE
TRANSPORTATION OF HAZARDOUS AND NUCLEAR WASTES

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

3 SECTION 1. *Short Title.* - This Act shall be known as the "Safest Routes for Nuclear
4 Wastes Act".

5 SECTION 2. *Declaration of Policy.* - It is the policy of the State to regulate, restrict, or
6 prohibit the importation, manufacture, processing, sale, distribution, use, and disposal of
7 chemical substances and mixtures that present unreasonable risk and/or injury to health or the
8 environment; to prohibit the entry, even in transit, of hazardous and nuclear wastes and their
9 disposal into the Philippine territorial limits for whatever purpose; and to provide advancement
10 and facilitate research and studies on toxic chemicals.

11 SECTION 3. *Definition of Terms.* -As used in this Act:

12 (A) "Hazardous wastes" are substances that are without safe commercial, industrial,
13 agricultural, or economic usage and are shipped, transported, or brought from the country of
14 origin for dumping or disposal into or in transit through any part of the territory of the
15 Philippines.

16 Hazardous wastes shall also refer to by-products, process residues, spent reaction media,
17 contaminated plant or equipment, or other substances from manufacturing operations, and as
18 consumer discards of manufacture products;

19 (B) "Nuclear wastes" are hazardous wastes made radioactive by exposure to the radiation
20 incidental to the production or utilization of nuclear fuels but does not include nuclear fuel, or

1 radioisotopes which have reached the final stage of fabrication so as to be usable by any
2 scientific, medical, agricultural, commercial, or industrial purpose; and

3 (C) "Secretaries" refer to the Secretary of the Department of Environment and Natural
4 Resources and the Department of Transportation and Communication.

5 SECTION 4. *Establishment of Safest Routes.* -

6 (A) The Secretaries shall promulgate regulations in selecting the safest routes for the
7 transportation of hazardous and nuclear wastes. Such regulations shall at least prescribe a
8 formula for analyzing the risks presented by each proposed route for the transportation of these
9 wastes and the risks presented by the materials to be transported, especially to public health and
10 safety. Such regulations shall -

11 (1) specify the data to be considered in making the analysis, including
12 demographic data, data on the location of emergency response resources, data on
13 accidents in each route, data on routes recommended by national and local authorities,
14 and data on evacuation distances; and

15 (2) require the maintenance by persons engaged in the transportation of hazardous
16 materials of -

- 17 (a) data on routes recommended by national and local authorities;
- 18 (b) data on government designated wayside rest stops for hazardous cargo
19 trucks;
- 20 (c) current data on hazardous material transportation evacuation and
21 emergency response information;
- 22 (d) highway accident data; and
- 23 (e) data on container failure rates.

24 (B) The Secretaries shall formulate the regulations in coordination with the members of
25 the Inter-Agency Technical Advisory Council established by R.A. No. 6969, and two (2)
26 representatives of each of the local government unit concerned.

27 (C) The Secretaries, within sixty (60) days from finalizing the safest routes, should cause
28 the publication of the routes where the hazardous and nuclear wastes may be transported and the

1 designated safest time when the transportation of these waters may be done. Any changes in the
2 regulation affecting the route and time should be published in the same manner.

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

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

9 SECTION 7. *Effectivity Clause.* -This Act shall take effect fifteen (15) publication in at
10 least two (2) newspapers of general circulation.

11 Approved,