RESOLUTION ADOPTING THE MEMORANDUM OF UNDERSTANDING TO STRENGTHEN THE IMPLEMENTATION OF RECOVERY PROGRAM WITH THE PRIVATE SECTOR

WHEREAS, Republic Act (RA) 9003 provides for the adoption of a systematic, comprehensive and ecological solid waste management program which shall, among others, ensure the protection of public health and the environment, and encourage greater private sector participation in solid waste management;

WHEREAS, Section 2 of the RA 9003 provides that it is the policy of the State to adopt a systematic, comprehensive and ecological solid waste management program which shall, among others:

(1) Utilize environmentally-sound methods that maximize the utilization of valuable resources and encourage resources conservation and recovery;
(2) Encourage greater private sector participation in solid waste management.

WHEREAS, Section 4 of the RA 9003 created the National Solid Waste Management Commission under the Office of the President to oversee the implementation of solid waste management plans and to prescribe policies to achieve the objectives of RA 9003. Specifically, it shall, among others, develop and implement a program to assist local government units in the identification of markets for materials that are diverted from disposal facilities through re-use, recycling, and composting, and other environment-friendly methods; and encourage private sector initiatives, community participation and investments resource recovery-based livelihood programs for local communities;

WHEREAS, Section 5 of the RA 9003 provides the powers and functions of the NSWMC, that it shall encourage private sector initiatives, community participation and investments resource recovery-based livelihood programs for local communities;

WHEREAS, Section 20 of RA 9003 provides for a Mandatory Solid Waste Diversion of all solid waste from waste disposal facilities through re-use, recycling, and composting activities and other resource recovery activities;

WHEREAS, the NSWMC identifies and promotes best environmental practices and encourage multi-stakeholder participation in solid waste management;

WHEREAS, the “JICA Study on the Development of the Recycling Industry” conducted in 2008 revealed that there is a potential resource that can be tapped to increase the recycling rates and divert waste away from the landfills. Furthermore, an NSWMC analysis of data from Waste Analysis and Characterization (WACS), submitted by Local Government Units as part of their 10-year Solid Waste Management Plans, resulted in a classification called “Residuals with Potential” which refers to those materials which cannot be economically or feasibly recycled but can be converted into an alternative resource;

WHEREAS, the “Residuals with Potential” are regarded as fuel alternative to coal, pursuant to DENR DAO 2010-06 for Alternative Fuel Resource (AFR) or RDF;

Waste No More! Waste No Time!
WHEREAS, the NSWMC and the Apo Cement Corporation and Solid Cement Corporation desire to enter into Memorandum of Understanding to define their respective rights and obligations in connection with co-processing of residual plastic wastes coming from Materials Recovery Facilities and Residuals Containment Areas of local government units;

WHEREAS, the NSWMC-TWG has agreed to undertake a MOU to strengthen Recovery System that will promote and engage the participation of all sectors

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the attached Memorandum of Understanding between the NSWMC and the Apo Cement Corporation and Solid Cement Corporation be formalized;

FURTHER RESOLVED, that the Vice Chair of the NSWMC is authorized to sign the said Understanding on behalf of the NSWMC.

This resolution takes effect upon approval.

ADOPTED this __________ day of __________ 2016.

[Signature]

CRISPAN N. LAO
Representative, Recycling Industry and
Vice-Chairman, National Solid Waste Management Commission (NSWMC)