Resolution Amending NSWMC Resolution 8 re: Guidelines on the Review and Approval of the 10-year Solid Waste Management Plans of Local Government Units (LGUs)

WHEREAS, Section 10 of the Republic Act (RA) No. 9003, also known as the Ecological Solid Waste Management Act of 2000 provides that Local Government Units (LGUs) shall be primarily responsible for the implementation and enforcement of the provisions of the Act within their respective jurisdictions;

WHEREAS, Section 16 of the RA 9003 requires provinces, cities and municipalities through their local solid waste management boards, to prepare their respective 10-year solid waste management (SWM) plans consistent with the National Solid Waste Management Framework and in accordance with the provisions of the Act and the policies set by the National Solid Waste Management Commission (NSWMC);

WHEREAS, Section 16 of the RA 9003 also provides that all LGU SWM plans shall be subject to the approval of NSWMC;

WHEREAS, there is a need to amend the guidelines in the review and approval of Ten-year (10) SWM Plans of LGUs contained in the NSWMC Resolution No. 08, Series 2009;

RESOLVED AS IT IS HEREBY RESOLVED, amendments on the Guidelines to the Review and Approval of the 10-year Solid Waste Management Plans of Local Government Units are hereunder specified:

Section 1. Provision of Technical Assistance

Technical assistance shall be provided to the LGU in the preparation of its SWM plan by the following field personnel:

1. Community Environment and Natural Resources Office (CENRO);
2. Provincial Environment and Natural Resources Office (PENRO);
3. Provincial Environmental Management Office (PEMO);
4. Regional Ecological Solid Waste Management (ESWM) Coordinator; and
5. Office of the Secretariat- NSWMC

Depending on the nature of the assistance being requested by the LGU, assistance from other bureaus of the Department of Environment and Natural Resources shall be provided.

The DENR field personnel shall coach and/or mentor the LGU in the SWM plan preparation. Emphasis will be on the quality standard and format of the plan as required by RA 9003, its IRR, and other policies set by the NSWMC (see Annex A- Outline of the Ten-Year Solid Waste Management Plan). Because of their critical role in ensuring the quality of the plan, the DENR Regional field personnel will undergo capability building trainings that will be provided by the NSWMC-Secretariat.

The DENR Regional Offices, PENROs, PEMOs and CENROs shall incorporate in their Work and Financial Plan the provision of the abovementioned technical assistance to ensure the availability of appropriate manpower and budgetary support for this activity.
Section 2. Review of LGU SWM Plans

Local Government Units shall submit the plan to the Regional Office of the Environmental Management Bureau for the conduct of evaluation that shall be based on a checklist of criteria prepared by the NSWMC-Secretariat. The review shall be completed within a maximum period of 30 days from receipt of the draft LGU SWM plan.

Based on the results of the review, the EMB Regional Office may either accept or return the draft SWM plan to the LGU. In the case of the latter, gaps or reasons for returning the LGU SWM plan shall be cited. LGU SWM plans that are accepted by the EMB Regional Office shall be endorsed to the Local Solid Waste Management Board for adoption and shall be referred to the Sangguniang Bayan or Sangguniang Panlunsod or Sangguniang Panlalawigan for confirmation.

The City/Municipal Mayor or the Provincial Governor shall submit the plan duly endorsed by the local Sangguniang Bayan or Sangguniang Panlunsod or Sangguniang Panlalawigan to the EMB regional office for endorsement to the Office of the Secretariat of the NSWMC.

Section 3. Approval by the NSWMC

The approval of LGU SWM plans shall be made by the NSWMC during its regular meeting immediately following the receipt of the endorsement made by the NSWMC Secretariat, provided that no more than thirty (30) days shall lapse between the receipt of the endorsement and the approval of the LGU SWM plan.

Special meetings may be called by the NSWMC for the purpose of approving LGU SWM plans in the event the regular meetings mentioned above are scheduled beyond 30 days from receipt of the endorsement.

The NSWMC may subdivide into groups with DENR as the chairman and the following as members: DILG, DOST, League of Provinces of the Philippines, League of Cities and/or League of Municipalities of the Philippines, Liga ng mga Barangay and a representative from the private sector to expedite the approval of the plan.

The NSWMC Secretariat shall furnish each commissioner with the evaluation sheets of LGU SWM plans recommended for approval at least seven (7) days before the regular or special meetings, as the case may be. The evaluation sheets must be signed by the evaluator/s and attested by the Head of the Secretariat who categorically recommend the approval. A copy of the LGU SWM plan shall be made available by the NSWMC Secretariat to the Commissioners upon request.

The approval of LGU SWM plans shall be included in the agenda of the regular or special meetings of the NSWMC.

The approval of LGU SWM Plans by the NSWMC shall pass through the NSWMC TWG regular or special meetings with quorum in attendance of TWG members to be recommended by the head of the Secretariat and shall be signed by the DENR Secretary as Chairman of the Commission or his duly representative.

This resolution modifies NSWMC Resolution No. 8 and supersedes other resolutions pertaining to the approval of the LGU SWM plans.

APPROVED this day of October 09, 2009.

JOSE L. ATIENZA, JR.
Secretary, Department of Environment and Natural Resources (DENR) and Chairman, NSWMC

ATTESTED BY:

GERARDO V. CALDERON
Executive Director, NSWMC/S

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