RESOLUTION URGING THE DENR TO AMEND ADMINISTRATIVE ORDER NO. 9, SERIES OF 2006, OTHERWISE KNOWN AS GENERAL GUIDELINES IN THE CLOSURE AND REHABILITATION OF OPEN DUMPSITES AND CONTROLLED DUMP FACILITIES

WHEREAS, Republic Act (RA) 9003 created the National Solid Waste Management Commission (NSWMC) with the mandate to oversee the implementation of solid waste management plans, prescribing the control of generation, proper segregation at source, collection, transport, storage, treatment and disposal of solid waste through the formulation and adoption of the best environmental practices and encourage greater private sector participation in solid waste management;

WHEREAS, with the urgent need to accelerate the proper closure and rehabilitation of all open and controlled dumpsites in order to mitigate the possible negative impacts of said disposal facilities for the protection of the environment and the general welfare of the people, the General Guidelines in the Closure and Rehabilitation of Open and Controlled Dump Facilities were approved through the issuance of DENR Administrative Order No. 09, Series of 2006;

WHEREAS, DAO 9, Series of 2006 provides guidance to all LGUs and private operators on the appropriate closure procedures and the extent of subsequent work needed to undertake the full closure program of disposal sites, post-closure care, future land use and monitoring thereof;

WHEREAS, DAO 9, Series of 2006 also requires all LGUs and private operators to prepare their respective Safe Closure and Rehabilitation Plan (SCR P) for submission to the concerned EMB Regional Office for review, approval and implementation as soon as the Authority to Close (ATC) is issued;

WHEREAS, the issuance of the ATC to LGUs and private operators with SCR P at present is no longer consistent with Section 37 of RA 9003 and may be construed as extending the period of operation of open and controlled dumpsites.

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that pursuant to Section 37 of RA 9003, the Commission hereby amends and adopts this Resolution amending Sections 4.2 and 5.2 of DAO 2006-09 to read as follows:

Section 4.2 The LGU shall submit the Safe Closure and Rehabilitation Plan to the EMB Regional Office concerned for review, approval and immediate implementation.

Section 5.2. The EMB Regional Office shall review and evaluate the SCR P submitted by the LGU or the private operator within fifteen (15) days from receipt thereof. The approval of the SCR P shall include conditions identified to carry out the activities in the closure program, post-closure care, future land use and monitoring.

Waste No More! Waste No Time!
BE IT RESOLVED FURTHER, that a corresponding DENR Administrative Order shall be issued accordingly.

APPROVED on this 24th day of January 2013.

ATTESTED BY:

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