RESOLUTION CREATING A MULTI-AGENCY SUB-GROUP (MASG) TO DEVELOP THE GUIDELINES ON THE ESTABLISHMENT AND OPERATION OF BEST AVAILABLE WASTE TO ENERGY (WTE) TECHNOLOGIES FOR THE COUNTRY

WHEREAS, pursuant to the relevant provisions of Republic Act No. 9003, otherwise known as the "Ecological Solid Waste Management Act of 2000"; Republic Act No. 8749, or the so-called "Philippine Clean Air Act of 1999"; Republic Act No. 9729, or the “Climate Change Act of 2000”; and Republic Act No. 9513, also known as “The Renewable Energy Act of 2008, with their respective Implementing Rules and Regulations, it is now essential for the government to consider the adoption of best available Waste to Energy (WTE) Technologies as means of resource recovery, increase waste diversion, extend the life span of sanitary landfills, and at the same time generation of energy pursuant to RA 9003 and in support to the Renewable Energy Act of 2008.

WHEREAS, the Department of Environment and Natural Resources (DENR) issued Department Administrative Order No. 09, Series of 2006 on September 14, 2006 that adopted policies and procedures in the closure and rehabilitation of open dumpsites and controlled disposal facilities, however it has been thirteen years from the effectivity of Republic Act 9003 yet the compliance of local government units (LGUs) with the mandates of the law is still very low. Similarly, suitable disposal sites for MSW are also becoming limited especially in Highly Urbanized Cities (HUCs) and Urbanizing Cities;

WHEREAS, in view of a Supreme Court decision (G.R. No. 147465 issued on January 30, 2002), the DENR issued Memorandum Circular (MC) 05 Series of 2002 on January 23, 2002 providing clarification that any thermal treatment whether burn or non-burn shall be allowed provided it will meet the standards for stationary source.

WHEREAS, in a NSWMC-TWG Meeting held on May 8, 2014 the body recommended the creation of the Multi-Agency Sub-Group (MASG) for WTE to be composed of the following members:

1. Department of Interior and Local Government- Bureau of Local Government Supervision (DILG-BLGS)
2. Department of Environment and Natural Resources-Environmental Management Bureau (DENR-EMB)
3. Department of Science and Technology- Industrial Technology and Development Institute (DOST-ITDI)
4. Department of Energy (DOE)
5. Department of Trade and Industry- Board of Investment (DTI-BOI)
6. Department of Agriculture- Bureau of Animal Industry (DA-BAI)
7. Department of Health – Environmental and Occupational Health Office (DOH-EOHO)
8. Department of Public Works and Highways (DPWH)
9. Metropolitan Manila Development Authority (MMDA)
10. Climate Change Commission (CCC)
11. Recycling Industry

WHEREAS, the MASG for WTE shall be composed of duly appointed representatives preferably with working knowledge of the mandates of their respective agency;

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WHEREAS, the MASG for WTE shall appoint a chair and may invite resource persons and additional members, as maybe deemed necessary.

WHEREAS, the NSWMCS shall provide the secretariat support and provide research data and information;

WHEREAS, upon approval of this resolution, the MASG-WTE shall prepare a timetable for the development of the said guideline until its finalization and spearhead in the conduct of consultations;

WHEREAS, all expenses to be incurred by the MASG for WTE in the conduct of consultative meetings shall all be charged under the EMB-NSWMCS fund;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, the creation of a Multi-Agency Sub-Group (MASG) for WTE is approved.

This resolution takes effect upon approval.

APPROVED 12th of August, 2014.

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