DENR ADMINISTRATIVE ORDER NO. ___
Series of 2015 [4]

SUBJECT: GUIDELINES FOR MANDATORY SOLID WASTE SEGREGATION-AT-SOURCE, SEGREGATED COLLECTION AND RECOVERY, AND PRESCRIBING FINES AND PENALTIES FOR VIOLATIONS THEREOF

Section 1. RATIONALE

Republic Act (RA 9003), otherwise known as “The Ecological Solid Waste Management Act of 2000” provides for an ecological solid waste management program, creates the necessary institutional mechanisms and incentives, declares certain prohibited acts and provides penalties for violations.

Pursuant to the relevant provisions of R.A.7160, otherwise known as the Local Government Code and RA 9003, the Local Government Units (LGUs) shall be primarily responsible for the implementation and enforcement of the provisions of the said Acts within their respective jurisdictions. The segregation-at-source and segregated collection of solid waste shall be conducted at the barangay level specifically for biodegradable/compostable and recyclable/reusable wastes. The collection of non-recyclable/residual materials and special wastes shall be the responsibility of the municipality or city.

Section 2. OBJECTIVES/PURPOSES

These Guidelines have the following Objectives:

1. To require all LGUs to implement and fully comply with their mandates as embodied in RA 9003, specifically Sections 21, 22, 23 and 24 and its IRR;

2. To set specific guidelines and provide minimum requirements and standards pertaining to the implementation of waste segregation-at-source to be carried out simultaneously with segregated collection by authorized collectors/haulers with the end in view of ensuring the effectiveness of the implementation of RA 9003;

3. To facilitate the recognition of the informal waste sector as a partner of public and private institutions and establishments in the implementation of segregated collection, transport and recovery programs;

4. For LGUs to require all operators of MRFs, junkshops, recovery centers, consolidators and recyclable dealers to accept all types of recyclable materials in Annex A of the guidelines as provided by the industries to LGUs through the Commission;

5. To promote technological, educational, economic efforts and social awareness to prevent environmental damage and unnecessary loss of valuable resources of the nation through the 3Rs of waste management;

Let’s Go Green
6. For LGUs to enact or amend their City/Municipal/Barangay Ordinance with imposition of fines and penalties to violators for the efficient and effective implementation of these guidelines.

Section 3. SCOPE

These guidelines shall apply to all sources of solid wastes within the respective jurisdictions of LGUs such as residential, business, commercial, industrial, institutional and all other sources.

These guidelines shall also apply to all haulers of solid waste, private or public haulers/collectors responsible or authorized by any entity for the collection of segregated solid waste from the different sources within the territorial jurisdiction of all cities and municipalities and barangays throughout the country.

These guidelines shall also apply to all junkshops, materials recovery facilities, etc. within the territorial jurisdiction of all cities and municipalities throughout the country.

Section 4. SEGREGATION-AT-SOURCE and STORAGE

1. Each province, city or municipality, through the Provincial/City/Municipal Solid Waste Management Board (P/C/MSWMB), shall provide measures to facilitate waste avoidance, segregation at source, resource recovery, recycling and reuse.

2. All Barangays, through the Barangay Solid Waste Management Committees (BSWMCs), are required to develop their respective Solid Waste Management Plans and Programs to ensure the proper implementation of segregation-at-source by all waste generators.

Section 5. WASTE CLASSIFICATION AND LABELLING

1. All household, institutional, industrial, agricultural and commercial establishments shall segregate their waste into biodegradable/compostable, recyclable, residual and special wastes. Special wastes are further classified into Toxic and Hazardous Waste (THW); Household Health Care Waste (HHCW); Bulky Waste.

2. Separate containers/bags/bins with proper labels such as Biodegradable/Compostable; Recyclable; Residual and Special waste (THW, HHCW, Bulky) shall be strictly followed/used.

Household Health Care Waste (HHCW) shall be placed in yellow containers/bins/bags or any container that is properly labeled/tagged as HHCW.

Color coding of waste containers is recommended for adoption for other types of wastes: Green for biodegradable, Blue for recyclable, Red for household toxic and hazardous waste and Black for residual waste.
Table: Waste Classification and Labelling

<table>
<thead>
<tr>
<th>WASTE CLASSIFICATION AND SYMBOL</th>
<th>CHARACTERIZATION</th>
<th>Bag or Bin Labels/Tags</th>
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</table>
| 1 Biodegradable/ Compostable Waste | Waste which can be broken down to harmless or non-poisonous substances by the action of micro-organisms are called biodegradable waste such as plants, fruits and vegetables, leaves, twigs, soiled or wet paper and wood. | Biodegradable*  
Green Color Code (recommended) |
| 2 Recyclable Waste | Any waste material retrieved from the waste stream and free from contamination that can still be converted into suitable beneficial use or for other purposes, including, but not limited to plastics, paper, iron and steel, aluminum, tin, glass, bottles and cans. | Recyclable*  
Blue Color Code (recommended) |
| 3 Residual Waste | Non-biodegradable waste materials that have no beneficial use. | Residual*  
Black Color Code (recommended) |
| 4 Special Waste | | |

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| 4.a Toxic and Hazardous Waste (THW) | Harmful to human health and the environment or is difficult to handle such as containers of paint, thinner, pesticides and similar chemicals, busted or broken fluorescent lamps and bulbs, household/dry cell batteries, consumer electronics such as cell phones and batteries, mercury-containing thermometers, etc. or any other items to be identified under RA 6969 | THW  
Red Color Code (recommended) |
<table>
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<tr>
<th>4.b. Household Care Waste (HHCW)</th>
<th>Health Waste</th>
<th>Syringes, cotton swabs, wipes, bandages, condoms, used diapers, sanitary napkins and other infectious waste</th>
<th>Yellow container or HHCW tag or label (required)</th>
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<tbody>
<tr>
<td>4.c. Bulky Waste</td>
<td></td>
<td>Waste materials which cannot be appropriately placed in separate containers because of either its bulky size, shape or other physical attributes. These include large worn-out or broken household, commercial and industrial items such as furniture, lamps, bookcases, filing cabinets and other similar items.</td>
<td></td>
</tr>
<tr>
<td>5 Construction and demolition waste</td>
<td>Debris, wood, iron, spoils and others.</td>
<td></td>
<td>To be covered by separate guidelines</td>
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</tbody>
</table>

"Translation to local dialect may be added

** Excluded are toxic and hazardous wastes from hospitals/clinics, manufacturing industries, and all other sources of similar wastes identified in the Joint Administrative Order (JAO) 2005-02 of DENR-DOH.

Section 6. STORAGE

1. All recyclable materials shall be handled and stored pursuant to the Recycling Guidelines. (See Annex B).

2. For household, institutional, commercial, and industrial establishments, an area shall be allocated for storage of segregated wastes prior to pick up by the different waste haulers and collectors.

Section 7. COLLECTION AND TRANSPORT

1. Only segregated municipal solid waste from different sources shall be collected by the LGUs or private collectors/haulers or informal waste collectors as authorized by the LGUs. No segregation, no collection policy shall be strictly enforced.

2. Separate collection schedules and/or separate trucks/pedicabs/pushcarts or haulers shall be required for specific types of waste. If separate collection schedule or separate collection vehicle is not viable, compartmentalized trucks/equipment shall be allowed. Collection schedules shall be posted in every Barangay Hall, and other conspicuous and strategic locations.

3. LGUs and their contracted haulers or their accredited informal waste collectors may use a combination of collection equipment e.g. compactor trucks, dump trucks, push carts and other collection vehicles. Open-top collection trucks shall be properly equipped with dump box appropriate cover (i.e. canvas, tarpaulin and the likes) and leachate collector to avoid spillage. Push carts shall also have cover such as canvas, tarpaulins and other recyclable covering materials to avoid spillage. Compactors shall be equipped with leachate collector.
4. For purposes of identification, all collection vehicles shall bear a readable and visible body number, the name, and telephone number of the contractor/agency collecting solid wastes, the type of wastes being collected (biodegradable/non-biodegradable) and the LGU source of wastes.

5. Cities/Municipalities through its local SWM boards may authorize barangays or cluster of barangays to collect residual wastes. All residual wastes collected by LGUs and authorized private haulers or barangays shall be disposed of in DENR approved sanitary landfills or processed in its Eco-Center or in a duly authorized processing facility using DOST verified processing/treatment technologies.

6. Barangays shall formally organize informal waste pickers/collectors and provide training and assistance by integrating them into the barangay waste recovery system and likewise become authorized partners in the recovery of recyclable wastes.

7. The collection and transport of special waste shall be governed by applicable existing laws, rules, and regulations such as RA 6969 and JAO 2005-02 of DENR-DOH. LGUs may impose fees on generators of special wastes for its collection, transport, treatment and disposal services.

8. For institutions like hospitals, clinics, laboratories and other health care facilities including veterinary clinics (see Annex C), only segregated general wastes shall be collected by the LGUs. All infectious wastes and healthcare wastes as defined in the JAO 2005-02 of DENR-DOH shall be the responsibility of respective institutions for its collection, storage, treatment and proper disposal.

9. All LGUs and private collectors/haulers, authorized waste pickers and other personnel directly dealing with handling, collection and transport of solid waste shall undergo Occupational Health and Safety (OHS) Seminar and/or appropriate training by any entity accredited by the Occupational Safety and Health Center (OSHC) of DOLE and shall be equipped with Personal Protective Equipment (PPE) to protect them from the hazards of handling solid wastes.

10. All recyclable materials (see Annex A) including those of low commercial values shall be collected and delivered by authorized collectors/haulers to drop-off centers. The industries will provide the Commission with a directory of drop-off centers, which shall be updated annually or as the need arises. In the absence of drop off centers, low value recyclables may undergo processing by LGU Materials Recovery Facilities.

11. All biodegradable waste shall be collected and transported to waste processing facilities, (e.g. Composting, Biogas generation, Digesters, etc.) Kitchen waste and leftover food may be used as animal feed. Coco waste may also be recycled into coir and other byproducts.

12. The LGU shall be responsible for the proper collection, transport and disposal of dead animals from households. (Refer to Annex D).

Section 8. MONITORING AND ENFORCEMENT

The DENR shall strictly enforce compliance with these guidelines. A Multi-Party Monitoring Team (MMT) shall be created by DENR/EMB in each region to complement the existing monitoring capability of DENR/EMB.
Section 9. FINES AND PENALTIES

Imposition of fines and penalties for violation of these guidelines and Section 48 (4), (6), (7), (8) and (13) of RA 9003 shall be pursuant to Section 49 of RA 9003 and its Implementing Rules and Regulations.

RA 6969 and Joint Administrative Order 2005-02 and other related laws shall be applied on violations on collection, storage, transport, treatment and disposal of special waste.

Collection and retention of fines shall be pursuant to Section 46 of RA 9003 and Rule XVII, Section 4 of the IRR where 40% portion of the collected fees shall accrue to the Local Solid Waste Management Fund and 60% to the National Solid Waste Management Fund.

Local government officials and officials of government agencies concerned who fail to comply with and enforce rules and regulations promulgated relative to this Act shall be charged administratively in accordance with R.A. 7160 and other existing laws, rules and regulations.

Section 10. GENERAL PROVISIONS

1. A National Communication plan for the dissemination of the guidelines shall be prepared by the EMB-SWM section.

2. LGUs shall enact or amend a City/Municipal Ordinance with imposition of fines and penalties to violators and incentives for the efficient and effective implementation of these guidelines.

3. LGUs shall be assisted by NEC in establishing and implementing buy back centers and reclamation programs for low value recyclable materials in coordination with the manufacturers, distributors, traders, informal waste sectors, recyclers and consolidators and provide incentives thereof.

4. LGUs shall designate Solid Waste Management Officers in their respective jurisdictions to implement the penal provisions of RA 9003 or the enabling ordinance of the LGU.

5. LGUs such as Provincial Solid Waste Management Boards and City/Municipal Solid Waste Management Boards shall recommend to the Commission for deputation of Solid Waste Management Officer in their respective jurisdictions to effect the arrest of violators in implementing the penal provisions of RA 9003.

Deputation of Solid Waste Management Officers shall be done by the city/municipality after undergoing seminar/training on ESWM.

Only duly deputized enforcers/authorized personnel by the Local Government shall be allowed to possess and issue citation tickets.

Citation Tickets shall be issued only when there is actual violation of the Resolution. Documentation such as pictures, sworn statements, etc., may be made as optional by the SWM Officer/Deputized Enforcers/Authorized personnel.

The deputized enforcer shall accomplish the citation ticket/s immediately upon discovery of a violation. As soon as the ticket/s has been issued, the duplicate copy shall be given to the violator without delay. The specific time and the date of issuance shall be indicated. The deputized enforcer shall dutifully advise the violator/s to report to the Office of the Barangay Chairman and pay the corresponding fine within seventy two (72) hours from issuance of the citation ticket/s at the Office of the City/Municipal Treasurer.
The Citation Ticket issued by the SWM Officer/Deputized Enforcer shall be submitted to the Office of the Barangay Chairman or Office of the City/Municipal Mayor for documentation not later than 3:00 o'clock in the afternoon of the day the violation was committed. The receiving clerk shall also indicate the time and date of the issued ticket/s received and dutifully affixed his/her signature for information.

6. The LGUs likewise shall institute policy through a resolution or an ordinance that would require all accredited waste collectors and recyclable dealers including the accredited informal waste collectors/dealers shall collect cautiously all recyclable waste materials and not to be selective.

7. The LGU shall use the Local Solid Waste Management Fund to implement and enforce the provisions of these guidelines.

Section 11. LIABILITY

1. For the City/Municipal level, the Local Chief Executives and Sangguniang Panglunsod (SP)/Sangguniang Bayan (SB) Presiding Officer shall be held liable if Section 4, item (1), Sections 6 and 7 of these guidelines is not implemented within its respective area of jurisdiction pursuant to RA 7160 upon effectivity of the guidelines;

2. For the Barangay Level, the Barangay Chairman and its Sangguniang Barangay shall be held liable for failure to act on Section 4, item (2), Sections 6 and 7 of these guidelines upon its effectivity;

3. For subdivisions, condominiums, hotels, condotels, commercial, institutional, and industrial establishments, the homeowners' associations, owners/managers, building administrators and heads of institutions shall also be held liable for non-compliance with Section 6, item (2) of these guidelines upon its effectivity;

4. For haulers of solid waste from the different sources of waste shall likewise be held liable of the fines and penalties imposed for violations of Section 7, items 1, 2, 3, 4, 7, 9, 10 and 11 of these guideline upon its effectivity.

Section 12. SEPARABILITY CLAUSE

If any section of these guidelines is held or declared unconstitutional or invalid by a competent court, the other sections or provisions hereof shall continue to be in force as if the sections or provisions so annulled or voided have never been incorporated herein.

Section 13. REPEALING CLAUSE

All pertinent guidelines, rules and regulations or portions thereof inconsistent with these guidelines are hereby revised, amended and/or modified accordingly.

Section 14. AMENDMENTS

These guidelines may be amended and/or modified in whole or parts hereof from time to time by the DENR.
Section 15. EFFECTIVITY

These guidelines shall take effect fifteen (15) days after publication in two (2) newspapers of general circulation and filing with the Office of the National Administrative Register with a grace period of 30 days upon its effectivity.

RAMON J.P. PAJE
Secretary, Department of Environment and Natural Resources (DENR) and
Chairman, National Solid Waste Management Commission (NSWMC)