



Office of the President

## NATIONAL SOLID WASTE MANAGEMENT COMMISSION

Department of Environment and Natural Resources

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NSWMC Resolution No. 1468, Series of 2021

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### RESOLUTION TO STRENGTHEN THE ENFORCEMENT OF THE PROVISIONS OF R.A. No. 9003 ON OPEN BURNING OF MUNICIPAL SOLID WASTES INCLUDING AGRICULTURAL WASTES

**WHEREAS**, Section 2 of Republic Act No. 9003 declared the policy of the State to adopt a systematic, comprehensive and ecological solid waste management program which shall ensure the protection of public health and the environment;

**WHEREAS**, Section 5 of RA 9003, created the National Solid Waste Management Commission whose primary function is to oversee the implementation of solid waste management plans and prescribe policies to achieve the objectives of RA 9003;

**WHEREAS**, Section 5.m of RA 9003 states that the Commission shall formulate education promotion and information campaign strategies;

**WHEREAS**, Section 48, paragraph 3 of RA 9003 prohibits the open burning of solid wastes;

**WHEREAS**, Rule III of the Implementing Rules and Regulations of RA 9003 defined open burning as the thermal destruction of wastes by means of direct exposure to fire and that this definition shall also apply to traditional small-scale community method of solid waste disposal and management or *sigma*;

**WHEREAS**, the World Health Organization has identified dioxin and furan as highly toxic and can cause reproductive and developmental problems, damage the immune system, interfere with hormones and also cause cancer;

**WHEREAS**, dioxin and furan had been included as part of persistent organic pollutants under the Stockholm Convention on Persistent Organic Pollutants or POPs, adopted on 22 May 2001 and entered into force on 17 May 2004, to protect human health and the environment from POPs;

**WHEREAS**, the Philippines became a party to the Stockholm Convention on POPs on 27 February 2004 and ratified the Convention on 27 May 2004;

**WHEREAS**, the Philippine National Implementation Plan for the Stockholm Convention on POPs identified one of its goals the progressive reductions and continuous monitoring in the releases of dioxins and furans and other unintentional POPs in the Philippines based on scientific knowledge;

**WHEREAS**, the Philippine National Implementation Plan for the Stockholm Convention on POPs enumerated its objectives to reduce releases of dioxin and furan by developing and implementing best available technologies/best environmental practices promotion, adopting and monitoring programmes across most significant dioxin and furan source categories, to formulate and continuously enforce appropriate policies and regulations to control dioxin and furan releases, and to develop and implement a programme for information on the prevention of environmental and health effects of dioxin and furan;

**WHEREAS**, to assess the implementation of the country's environmental laws, the Solid Waste Management Division of the Environmental Management Bureau of the Department of

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Environment and Natural Resources conducted a workshop for Key Personnel of DENR Regional Offices, Provincial and Community Environment and Natural Resources Offices and EMB Provincial Environmental Management Units (PEMUs) on various environmental laws with special focus on RA 9003;

**WHEREAS**, the 2010 National PCDD/PCDF Inventory of the Philippines reported that potential sources of dioxin and furan include waste incineration, ferrous and non-ferrous metal production, power generation and heating, mineral products, transportation, open burning, production and use of chemicals and consumer goods, miscellaneous, disposal/landfill, contaminated sites and hotspots;

**WHEREAS**, the 2010 National PCDD/PCDF Inventory of the Philippines provided a table on national inventory with a breakdown of release from “source groups” and revealed that Open Burning Processes and Disposal/Landfill are the major sources of releases to the environment;

**WHEREAS**, the same Inventory reported that open burning accounts for more than 50 percent of the potential source of dioxin and furan;

**WHEREAS**, the results of the workshops revealed that open burning predominantly in farming and agricultural activities is still evident across different regions in the country for economic and socio-cultural motives;

**WHEREAS**, some farmers in the countryside burn their fields to clear stubbles, weeds and waste before growing a new crop which cause the loss of valuable organic materials that may reduce fertility of the soil;

**WHEREAS**, there is a need to make information available to the public on the potential health and environmental impacts of open burning;

**WHEREAS**, awareness could be heightened through different strategies such as massive information, education, and communication campaign (IEC) through different media made available by technology, enactment of local ordinances, and strict imposition and increase of penalties;

**WHEREAS**, Section 16 of R.A. No. 9003 mandates the formulation of LGUs, through their local solid waste management boards, of their respective 10-year solid waste management plans consistent with the national solid waste management framework;

**WHEREAS**, as of November 24, 2021, the NSWMC reported a total of 1,128 approved ten-year solid waste management (SWM) plans, which is already 66% of its target nationwide.;

**WHEREAS**, considering that some LGUs are still in the initial stages of developing their SWM plans and R.A. No. 9003 provides for a period for its full implementation, a strict and immediate prohibition of open burning is not reasonable, especially for people living in the provinces and rural areas where there are less or no alternative modes of waste disposal.

**WHEREAS**, taking into account the difficulty in the implementation of strictly prohibiting open burning in provinces and rural areas and instead of enforcing through fear of punishment, it is best to develop and strengthen first the alternative modes of waste disposal while being complemented with information campaigns on the effects of open burning to health and safety of the people within provinces and rural areas.

**WHEREAS**, the NSWMC recognizes that some LGUs are yet to accomplish a one hundred percent (100%) collection coverage in their respective jurisdictions. It is in this sense that for these LGUs, the NSWMC permits the provision for the gradual eradication of traditional small-scale method of community/neighborhood sanitation "siga" under Section 20 of R.A. No. 8749 in the local ordinances that the LGUs are expected to develop in strengthening the enforcement of the provisions of R.A. No. 9003.



**NOW THEREFORE BE IT RESOLVED, AS IT IS HEREBY RESOLVED:**

**THAT** the National Solid Waste Management Commission shall encourage its member agencies and other government agencies to undertake the following activities in relation to the gradual removal of open burning as a mode of disposing solid waste and strengthening alternatives thereto:

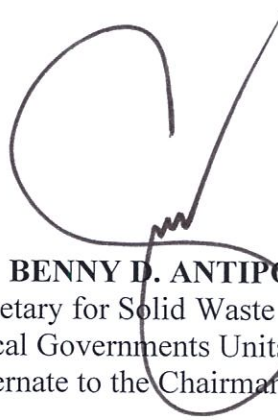
- 1) The Department of Agriculture (DA) to develop policies and guidelines on handling or management of agricultural wastes, considering the agricultural productivity vis-à-vis sustainable soil and environmental considerations.
- 2) The Department of the Interior and Local Government (DILG) to furnish the Commission a copy of its data with regard to the environmental audits it conducts specifically those involving the LGUs commitment to the 10-year solid waste management plan to ensure that the approach to solid waste management is holistic and cognizant of existing realities on the ground. The DILG shall also assist the LGUs for the development of their local ordinances that will fully enforce the uniform collection of wastes in the barangays and along the waterways as well as the recording method system and computation.
- 3) The Local Government Units (LGUs) take legislative measures including, but not limited to, development of local ordinances to strengthen the enforcement of the provisions of R.A. No. 9003 including the proper management of agricultural wastes, to intensify their commitments under their respective 10-year solid waste management plan, to strengthen and regularize their waste collection activities, to fully operationalize their composting and recycling mechanisms, and to increase the capacity of existing waste disposal facilities to reduce the need for disposal of solid waste through open burning. This initiative shall also factor in mechanisms for the improved collection and waste disposal in far-flung areas in provinces and in rural areas. LGUs are also encouraged to adopt new technologies that will help protect the environment.
- 4) The Department of Health (DOH) to advocate on environmental and health effects of open burning.
- 5) The Department of Environment and Natural Resources (DENR) to promote awareness on solid waste management, particularly on health and environmental impacts open burning, through training, education, and distribution of information, education and communication (IEC) materials. The DENR, through its Environmental Management Bureau (EMB), shall be the lead agency to handle the publishing of existing markets for processing and purchasing of wastes.
- 6) The Philippine Information Agency (PIA) to develop IEC materials based on content formulated and officially released by DENR, specific on open burning and to assist in the dissemination of IEC materials on open burning environmental and health effects.
- 7) The Department of Science and Technology (DOST) to develop, promote and evaluate best available technologies and best environmental practices alternatives to open burning.
- 8) The Department of Trade and Industry (DTI) through its Consumer Policy and Advocacy Bureau (CPAB), will be responsible for increasing level of consumer awareness through information dissemination by including topics such as management of agricultural waste in its consumer care webinars.
- 9) The Department of Public Works and Highways (DPWH) to help develop support infrastructures that would help abate open burning.

- 10) The Metropolitan Manila Development Authority (MMDA) as Chairman of the Metropolitan Manila Solid Waste Management Board (Sec. 11 of RA9003) shall monitor and supervise LGUs in the National Capital Region, and their commitment to the 10-Year Solid Waste Management Plan and compliance to RA No. 9003. The MMDA, together with the LGUs, shall also strictly implement/strengthen the face-to-face or online IECs on 3Rs since most of the items taken out for open burning are readily reusable.
- 11) The Technical Education and Skills Development Authority (TESDA), Department of Education (DEPED) and Commission on Higher Education (CHED) to include in their curriculum development the environmental and health effects of open burning.
- 12) The Private Sector, including Non-Governmental Organizations (NGOs), Manufacturing and Packaging Industries and Recycling Industry to help promote IEC on the environmental and health effects of open burning and to develop programs and activities on alternatives to open burning.

**WHEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED,** that these Resolution be adopted, as they are hereby adopted.

This resolution takes effect upon approval.

**APPROVED** on this 24<sup>th</sup> day of November 2021.



**BENNY D. ANTIPORDA**

Undersecretary for Solid Waste Management and  
Local Governments Units Concerns  
Alternate to the Chairman, NSWMC

