



MEMORANDUM CIRCULAR NO. 2014-08

SUBJECT : POLICY AND PROCEDURAL GUIDELINES FOR THE REQUEST AND CONDUCT OF RESAMPLING AND OTHER PURPOSES

To effectively carry out the provisions of the Implementing Rules and Regulation (IRR) of the Philippine Clean Water Act of 2004 (RA No. 9275) and Board Resolution No. 33, Series of 1996, "Rules and Regulations Implementing the Environmental User Fee System in the Laguna de Bay Region" issued by this Authority, the following guidelines are hereby promulgated:

Section 1. Scope of Application

These guidelines shall cover request for and conduct of resampling of effluent discharges from all development activities in the Laguna de Bay Region, as defined in LLDA Board Resolution No. 408, s. 2011, that discharges effluent into bodies of water classified as Inland Waters Class "C" and Marine Waters Class "SC" as defined in Department Administrative Order No. 34, Series of 1990, "Revised Water Usage and Classification Water Quality Criteria Amending Section Nos. 68 and 69, Chapter III of the 1978 NPCC Rules and Regulations."

Section 2. Policy Guidelines

1. The Authority shall conduct resampling of effluent discharges from point sources of water discharges pollution such as, but not limited to, industrial, manufacturing, processing or commercial establishments, and other developmental activities as defined in LLDA Board Resolution No. 408, s. 2011.
2. The request letter for resampling shall be addressed to the General Manager, this Authority, Attn: Environmental Regulations Department (ERD). It shall disclose the grounds for re-sampling, remedial measures undertaken and the date of completion thereof, as well as a definite schedule of discharge.

Likewise, it shall be supported by official receipt issued by the Authority as proof of payment of corresponding fees and the latest Result of Laboratory Analysis (ROLA) issued by the Authority or DENR recognized laboratory testing facility showing non-compliance with the prescribed effluent standards.

Failure to submit the aforementioned supporting documents and information shall be a ground for the denial of the said request.

3. The ROLA shall be released within ten (10) working days by the Environmental Laboratory and Research Division (ELRD) to the

Environmental Regulation Department (ERD), who shall forward the same, through facsimile machine, to the proponent's facsimile number as indicated in its application form.

4. ROLA, as a supporting document for the request for resampling, may be dispensed with when in-situ pH reading failed to conform to the prescribed pH value.
5. In the event that the request for re-sampling is denied, a letter of denial shall be sent to the proponent, allowing the proponent a period of seven (7) calendar days from receipt of letter of denial to comply with the necessary requirements. In case of failure to comply within the prescribed period, the request for resampling shall be disregarded and the resampling fee shall be forfeited.
6. In the event that LLDA inspectors were unable to collect effluent discharge due to reasons attributable to the proponent, e.g. failure to adhere to the discharge schedule earlier submitted as part of request for resampling, the resampling fee shall be forfeited in favor of the Authority.

Section 3. Procedural Guidelines

Step	Activity	Responsible Person	Time Frame
1.	Receives letter-request for resampling supported by proof of payment	ERD	30 minutes
2.	Evaluates request for resampling i. If request is not approved, proceed to step no. 3 ii. If request is approved, proceed to step no. 7	ERD	30 minutes
3.	Prepares and sends letter of denial to the proponent	ERD	1 day
4.	Submits the required documents to ERD	Proponent	Within 7 calendar days
5.	Evaluates submitted documents i. If request is not approved, proceed to step no.6 ii. If request is approved, proceed to step no. 7	ERD	30 minutes
6.	Prepares final letter of denial, transmits the same to the proponent	ERD	30 minutes
7.	Conducts resampling and transports the effluent discharge to ELRD	ERD	Within 15 working

Step	Activity	Responsible Person	Time Frame
			days from approval of letter-request
8.	Analyses effluent discharge, prepares ROLA, and transmits the same to ERD for its appropriate action.	ELRD	10 working days

Section 4. Repealing Clause.

All existing circulars, orders, and other related issuances that are inconsistent with this Circular shall be deemed revoked and repealed.

Section 5. Separability Clause.

If any portion or provision of this Circular is declared unconstitutional or invalid, the other portions or provisions hereof, which are not affected thereby, shall continue in full force and effect.

Section 6. Effectivity Clause.

This Circular shall take effect 30 calendar days after publication in a newspaper of general circulation and registration with the Office of the National Register, UP Law Center.

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