

RECORD OF THE SENATE

MONDAY, AUGUST 16, 1999

OPENING OF THE SESSION

At 3:35 p.m., the Senate President, Hon. Blas F. Ople, called the session to order.

The President. The ninth session of the Second Regular Session of the Eleventh Congress is hereby called to order.

Let us all stand for the opening prayer to be led by Sen. Juan M. Flavier.

After the prayer, the Philippine Women's University Choir will lead us in the singing of the national anthem. The Choir will also render another song, entitled *Mahal Kong Bayan*.

Everybody rose for the prayer.

PRAYER

Senator Flavier.

Let us put ourselves in the presence of the Lord.

God, our Father, ever remind us that it is Your love that gave us the mandate to be the watchmen for our trembling Philippine house of democracy.

Because of that love, grant us the wisdom and humility to regard ourselves as servants of Christ and our people.

May all our alignments and realignments be rooted on Your words rather than on aspiration of what we might become by reason of our association with those who hold political dominion.

As writers of the laws of our land, may we be imbued with the clarity of vision and purity of heart so that the new statutes we author or change, we do so for the common good, for the strengthening of our freedom, and not merely to preserve or increase our foothold on power.

May the turbulence of the day yield to a true period of peace. May we know unity without conformity.

Amen.

NATIONAL ANTHEM

Everybody remained standing for the singing of the national anthem.

The President. The Chair thanks the PWU Choir for its uplifting music.

The Secretary will please call the roll.

ROLL CALL

The Secretary, reading:

Senator Teresa S. Aquino-Oreta	Present
Senator Robert Z. Barbers	Present
Senator Rodolfo G. Biazon	Present
Senator Renato L. <i>Compañero</i> Cayetano ..	Present
Senator Anna Dominique M.L. Coseteng ..	**
Senator Franklin M. Drilon	Present
Senator Juan Ponce Enrile	Present
Senator Juan M. Flavier	Present
Senator Teofisto T. Guingona Jr. .	Present
Senator Gregorio B. Honasan	Present
Senator Robert S. Jaworski	Present
Senator Loren B. Legarda-Leviste	Present
Senator Ramon B. Magsaysay Jr.	Present
Senator John Henry R. Osmeña	Present*
Senator Sergio R. Osmeña III	Present
Senator Aquilino Q. Pimentel Jr.	Present
Senator Ramon B. Revilla	Absent
Senator Raul S. Roco	Present
Senator Miriam Defensor Santiago	Present
Senator Vicente C. Sotto III	Absent
Senator Francisco S. Tatad	**
The President	Present

The President. With 17 senators present, there is a quorum.

THE JOURNAL

Senator Drilon. Mr. President, I move that we dispense with the reading of the *Journal* of the previous session and consider it approved.

The President. Is there any objection? [*Silence*] There being none, the motion is approved.

* Arrived after the roll call

** On official mission

have to be a partner who—I do not know how we can word this but my idea, and I will seek the assistance of our colleagues—would be, shall we say, a developed nation, because we do not want strategic partners who will be coming from Third World countries. I would presume that if we limit to size, Indonesia would be operating a larger grid in the Philippines and I do not think we would want to go in that direction.

We will write a set of standards, Mr. President, and we will clearly spell it out as to who the strategic partner is whom we want to link up with and whom we expect will bring in at least US\$2 billion of investment to meet the requirements of the transmission system.

Senator Flavier. I would like to thank the distinguished gentleman for that very lucid and transparent reply, Mr. President.

Finally, I would just like to clarify a little bit on the issue of the franchise. Is it my impression that the Napocor has a franchise and that in subdividing the functions, one of which will be TRANSCO, that the franchise of the Napocor will then devolve to the TRANSCO, Mr. President? May the gentleman comment on that and clarify my understanding, please.

Senator J. Osmeña. Yes, Mr. President. The franchise of the National Power Corporation with respect to the operation of a TRANSCO or a transmission grid will be transferred and devolved to the TRANSCO.

As pointed out by Senator Enrile and we are indebted to him for this, under Section 16 of Article XXII of the Constitution, since we cannot legislate a private corporation, later on this TRANSCO will have to form a corporation under the Corporation Code to be able to accommodate the foreign investors and that corporation will also be the beneficiary of the transmission franchise that we are transferring from NPC to the TRANSCO and later on to this corporation.

If the gentleman will allow me a little further.

Senator Flavier. Yes, please.

Senator J. Osmeña. The NPC operates several activities which require transmissions. It operates island grids; it operates other systems. All of these systems that NPC operates which will remain with NPC will continue to enjoy the franchise that NPC has. The fact that we are, shall we say, allowing the franchise of NPC transmission to be moved is not, in any way, intended to be a diminution of the authority of NPC.

Senator Flavier. In other words, do I understand it,

Mr. President, that TRANSCO need not apply for a new franchise?

Senator J. Osmeña. That is correct, Mr. President. The TRANSCO need not apply for a new franchise.

Senator Flavier. And that these mechanics will be provided by law in this present bill?

Senator J. Osmeña. That is correct, Mr. President. We will provide for that in this bill.

Senator Flavier. I would like to thank the sponsor, Mr. President.

Senator J. Osmeña. I would like to thank the gentleman for his questions and for all the time he has spent with us.

The President. The Majority Leader is recognized.

SUSPENSION OF CONSIDERATION OF S. NO. 1620

Senator Drilon. Mr. President, there are a number of our colleagues who would wish to resume their interpellation. We therefore move, in the meantime, that we suspend consideration of Senate Bill No. 1620 under Committee Report No. 60.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

SUSPENSION OF SESSION

Senator Drilon. Mr. President, I move that we suspend the session for one minute.

The President. The session is suspended, if there is no objection. *[There was none.]*

It was 5:22 p.m.

RESUMPTION OF SESSION

At 5:23 p.m., the session was resumed.

The President. The session is resumed.

SPECIAL ORDERS

Senator Drilon. Mr. President, I move that we transfer from the Calendar for Ordinary Business to the Calendar for Special Orders, Senate Bill No. 1595 under Committee Report No. 52, entitled

AN ACT INSTITUTING AN INTEGRATED SOLID WASTE MANAGEMENT PROGRAM, CREATING THE NATIONAL AND LOCAL SOLID WASTE COUNCILS AND THE NECESSARY MECHANISMS AND INCENTIVES, DECLARING CERTAIN ACTS PROHIBITED AND PROVIDING PENALTIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

BILL ON SECOND READING
S. No. 1595—Creating the National and
Local Solid Waste Councils

Senator Drilon. Mr. President, I move that we consider Senate Bill No. 1595 as reported out under Committee Report No. 52.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

Consideration of Senate Bill No. 1595 is now in order. With the permission of the Body, the Secretary will read only the title of the bill without prejudice to inserting in the *Record* the whole text thereof.

The Secretary. Senate Bill No. 1595, entitled

AN ACT INSTITUTING AN INTEGRATED SOLID WASTE MANAGEMENT PROGRAM, CREATING THE NATIONAL AND LOCAL SOLID WASTE COUNCILS AND THE NECESSARY MECHANISMS AND INCENTIVES, DECLARING CERTAIN ACTS PROHIBITED AND PROVIDING PENALTIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

The following is the whole text of the bill:

Senate Bill No. 1595

AN ACT INSTITUTING AN INTEGRATED SOLID WASTE MANAGEMENT PROGRAM, CREATING THE NATIONAL AND LOCAL SOLID WASTE COUNCILS AND THE NECESSARY MECHANISMS AND INCENTIVES, DECLARING CERTAIN ACTS

PROHIBITED AND PROVIDING PENALTIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

CHAPTER I

GENERAL PROVISIONS

SECTION 1. Short Title. - This Act shall be known and referred to as the "Integrated Solid Waste Management Act of 1999".

SEC. 2. Declaration of Policy. - It is hereby declared the policy of the State to adopt an integrated solid waste management program, which will:

a) Utilize environmentally sound methods that maximize the utilization of valuable resources and encourage resource conservation in all communities;

b) Set guidelines for solid waste volume reduction through waste minimization measures, including recycling, reuse, recovery and others, before collection, treatment and disposal in appropriate solid waste disposal sites;

c) Ensure the proper segregation, collection, transport, treatment and disposal of solid waste through the formulation and adoption of minimum national standards for solid waste management;

d) Retain primary enforcement responsibility for solid waste management with the local government units while encouraging relevant cooperative activities among government agencies, non-governmental organizations (NGOs) and the private sector;

e) Institutionalize public participation in the development and implementation of national and local integrated solid waste management programs; and

f) Strengthen the integration in formal and non-formal education courses of solid waste management and resource conservation and recovery in order to promote environmental awareness and action among the citizenry.

SEC. 3. Definition of Terms. - For the purposes of this Act:

a) Bureau - shall refer to the Environmental Management Bureau;

b) Composting - shall refer to the controlled decomposition of organic matter by microorganisms, mainly bacteria and fungi, into a humus-like product;

c) Council - shall refer to the National Solid Waste Management Council;

d) Department - shall refer to the Department of Environment and Natural Resources;

e) Fund - shall refer to the Solid Waste Management Fund;

f) Generator - shall refer to a person, natural or juridical, who last uses a material and makes it available for disposal or recycling;

g) Leachate - shall refer to liquid that has percolated through solid waste or other matter and has been separated from dissolved or suspended materials;

h) Municipal Waste - shall refer to wastes produced from activities within municipalities which include a combination of domestic, commercial, institutional and industrial wastes and street litters;

i) Open Dump - shall refer to any site other than a sanitary landfill where solid waste is thrown or disposed of;

j) Opportunity to Recycle - shall refer to the act of providing a place for collecting source-separated recyclable material, located either at a disposal site or at another location more convenient to the population being served, and collection at least once a month of source-separated recyclable material from collection service customers and to providing a public education and promotion program that gives notice to each person of the opportunity to recycle and encourage source separation of recyclable material;

k) Package - shall refer to any container used to store, contain, transport, display or sell products, excluding shipping containers or wrapping or other means of storage or transportation of any consumer products in bulk;

l) Person(s) - shall refer to any being, natural or juridical, susceptible of rights and obligations, or of being the subject of legal relations;

m) Recyclable Material - shall refer to any material or group of materials that can be collected and sold for recycling at a net cost equal to, or less than, the cost of collection and disposal of the same material including, but not limited to, newspaper, ferrous scrap metal, non-ferrous scrap metal, used motor oil, corrugated cardboard and kraft paper, aluminum, container glass, high-grade office paper, tin cans, and other materials as may be determined by the Department;

n) Recycling - shall refer to the treating of used or waste materials through a process of making them suitable for beneficial use and for other purposes, and includes any process by which solid waste materials are transformed into new products in such a manner that the original products may lose their identity, and which may be used as raw materials for the production of other goods or services: *Provided*, That the collection, segregation and reuse of previously used packaging material shall be deemed recycling under this Act;

o) Resource Recovery - shall refer to technical and other practices whereby materials or energy for production are obtained from waste products;

p) Sanitary Landfill - shall refer to an engineered facility for the disposal of solid waste in land by spreading the waste in thin layers, compressing it into the smallest practical volume, and covering it with compacted soil;

q) Schedule of Compliance - shall refer to a listing of remedial measures, including an enforceable sequence of actions or operations to be accomplished within a stipulated time frame leading to compliance with a limitation, prohibition, or standard set forth in this Act or any rule or regulation issued pursuant thereto;

r) Secretary - shall refer to the Secretary of the Department of Environment and Natural Resources;

s) Segregation at Source - shall refer to a solid waste management practice of separating, at the point of origin, different materials found in solid waste in order to promote recycling and reuse of resources and to reduce the volume of waste for collection and disposal; and

t) Solid Waste - shall refer to all domestic and municipal refuse, animal waste, crop residues and non-hazardous waste such as commercial and institutional wastes, street sweepings, and construction debris.

SEC. 4. *Lead Agency*. - The Department, through

the Environmental Management Bureau (EMB), hereinafter referred to as the Bureau, in coordination with the Department of Education, Culture and Sports and the Department of Interior and Local Government, shall be responsible for the implementation and enforcement of the provisions of this Act. To this end, the Department shall develop and adopt an integrated national solid waste management framework.

The Bureau, in consultation with a national council on solid waste management shall perform the following powers and functions:

a) Establish standards, criteria and guidelines for the formulation and implementation of national and local solid waste management framework programs and action plans with emphasis on waste minimization strategies and the enhancement of the opportunity to recycle;

b) Establish criteria and guidelines for siting, design, operation and maintenance of solid waste management facilities in the country;

c) Develop and prescribe procedures for the issuance of the appropriate permits and clearances on solid waste management for adoption by the local government units; and

d) Monitor and evaluate programs and project proposals of local government units on solid waste management.

The Bureau shall also provide assistance and support for the following activities of national and local councils on solid waste management:

a) Promotion of solid waste prevention principles, including clean production, resource recovery, and waste minimization, in all sectors of economic activity;

b) Promotion of solid waste management strategies, techniques, processes, and practices and their adoption by waste generators such as industrial firms, commercial establishments, residential areas, government and educational institutions; and

c) Development of a recycling market through the establishment and promotion of a national recycling network that will enhance the opportunity to recycle by linking waste generators and recyclers.

SEC. 5. *National Solid Waste Management Council.*

- There is hereby established a National Solid Waste Management Council, hereinafter referred to as the National Council, which shall be attached to the Department and headed by a Chairman appointed by the President, preferably with a masters degree in management, economics, business and with managerial experience and expertise.

The National Council shall be composed of the following members:

a) Director of the EMB of the Department;

b) Director of the Department of Trade and Industry (DTI);

c) Director of the Department of Health (DOH);

d) Director of the Department of Interior and Local Government (DILG);

e) Director of the Department of Agriculture (DA);

f) Director of the Department of Education, Culture and Sports (DECS);

g) Director of the Department of Science and Technology (DOST);

h) Chairman of the Metro Manila Development Authority (MMDA);

i) President of the League of Provincial Governors;

j) President of the League of City Mayors; and

k) Four (4) representatives from the private sector, including the recycling and composting industries, the advocacy, business and consumer sectors.

The Bureau shall provide secretariat services for the National Council.

SEC. 6. *Powers and Functions of the National Council.* - The National Council shall be primarily responsible for promoting ecologically sound solid waste management principles, strategies, and techniques and their adoption by waste generators such as industrial firms, commercial establishments, residential areas, government and educational institutions.

To this end, the National Council shall perform the

following functions:

- a) Establish a national ecology center that will provide consulting, information, training and networking services to local solid waste management councils of local government units.
- b) Assist the local governments in the establishment of local solid waste management councils and ecology centers;
- c) Coordinate the operation of local councils in the provincial, municipal/city and barangay levels;
- d) Develop and recommend solid waste management action plans with resource recovery features to local government units;
- e) Draw up and recommend anti-dumping measures;
- f) Encourage resource recovery-based livelihood programs for local communities; and
- g) Study, review and recommend the following:
 - i) Standards, criteria and guidelines for the promulgation and implementation of an integrated national solid waste management framework; and
 - ii) Criteria and guidelines for siting, design, operation and maintenance of solid waste management facilities.

SEC. 7. Local Government Units. - Pursuant to the relevant provisions of Republic Act No. 7160, or the Local Government Code, and subject to the review of the Bureau and the National Council as provided herein, the local government units shall be primarily responsible for the implementation and enforcement of the provisions of this Act within their respective jurisdictions.

The provincial, municipal, city and barangay governments, through the local government sanggunians and in consultation with the local solid waste management councils, shall draft and adopt local solid waste management action plans and programs. In order to ensure optimal utilization of valuable resources and encourage resource conservation including waste minimization, in all residential houses, commercial and industrial establishments, educational institutions, agricultural, and other areas through environmentally sound solid waste management techniques and

mechanisms, the local health and/or general services officers shall be responsible for the local implementation of the national standards and guidelines as well as of the local ordinances on local solid waste management.

The action plans shall be submitted by the local executives to the National Council and the Bureau for review: *Provided*, That if the Bureau and the National Council find the local government unit's action plan adequate, it shall be recommended for implementation: *Provided further*, That, the Bureau shall maintain its authority to independently inspect the enforcement procedure adopted: *Provided finally*, That the Bureau shall have the power to take over all or parts of a local government unit plan if the local government unit concerned lacks the capability or fails to meet or fairly enforce the provisions of its plan. Procedures and criteria for assessment of enforcement capability and performance shall be set by the Bureau in consultation with the representatives of the local government units.

In order to ensure enforcement of the provisions of this Act, the local government units shall also:

- a) enact and enforce local ordinances for the proper segregation, collection, transport, storage, treatment and disposal of solid waste, including permitting fees, pollution and other charges, and penalties for violations: *Provided*, That such ordinances shall be in accordance with the national policy on solid waste management and the criteria/guidelines set by the Department for the implementation of the provisions of this Act, and shall enhance and promote waste prevention and the opportunity to recycle;
- b) extensively consult with the local solid waste management councils with regard to general and expert information, research, education and training, and assessment of solid waste management policy, practices and techniques that promote waste prevention and enhance the opportunity to recycle; and
- c) provide assistance and support for promoting among local communities the opportunity to recycle through facilitation of the location, establishment and operation of local recycling centers and other private sector initiatives for the implementation of the provisions of this Act.

SEC. 8. The National Ecology Center. - The National Ecology Center of the National Council shall provide consulting, information, training, and networking

services for the implementation of the provisions of this Act.

In this regard, it shall perform the following functions:

- a) Facilitate training and education in recycling;
- b) Establish and manage a recycling information data base that links waste generators and recyclers and is accessible to other sectors as well;
- c) Provide or facilitate expert assistance in pilot modeling of recycling facilities; and
- d) Develop, test, and disseminate model waste minimization and reduction auditing procedures for evaluating options.

To this end, the National Ecology Center shall be headed by a Director who shall be appointed from among the officers and members of the National Council for a term of three (3) years. It shall maintain a multi-sectoral, multi-disciplinary pool of experts including those from the academe, inventors, practicing professionals, business and industry, youth, women and other concerned sectors, who shall be screened according to qualifications set by the National Council.

SEC. 9. *The Local Solid Waste Management Councils and Ecology Centers.* - There shall be established in every province a Provincial Solid Waste Management Council (PSWMC), in every municipality or city, a Municipal or City Solid Waste Management Council (M/CSWMC), and in every barangay, a Barangay Solid Waste Management Council (BSWMC) for the purpose of preparing and implementing local solid waste action plans in accordance with the provisions of this Act. The local councils, through their respective ecology centers and in coordination with the DECS and the DILG, shall provide consulting, training, information and networking services for the local government units.

Each local Solid Waste Management Council may be composed of the following:

- a) the local government chief executive as Chairperson;
- b) the local government health and/or general services officer, whichever may be applicable and in accordance with the recommendation of the local executive;

c) the local environment and natural resources officer;

d) a representative each of the League of Mayors and the *Liga ng Mga Punong Barangay* of the province, or a representative of the *Liga ng mga Punong Barangay* of the city or municipality; and

e) representatives of the organized private sector.

SEC. 10. *Cooperative Activities.* - The National Council shall encourage cooperative activities by other government agencies and the local government units for the effective and efficient implementation of integrated national solid waste management action plans. It shall also encourage the enactment of improved and, so far as practicable in the light of varying conditions and needs, uniform laws and local ordinances relating to solid waste management to assure the utilization of all appropriate and available facilities and resources of the national government for the implementation of the National Solid Waste Management Framework.

CHAPTER II

SOLID WASTE MANAGEMENT FRAMEWORK AND ACTION PLANS

SEC. 11. *National Solid Waste Management Framework.* - Within three (3) months from the establishment of the National Council, an integrated national and local solid waste management framework program shall be promulgated which shall include:

(a) the publication of an inventory of all solid waste disposal facilities or sites in the country which are classified as open dumps within the meaning of this Act;

(b) the varying regional geologic, hydrologic, climatic, and other factors vital in the implementation of solid waste practices to ensure the reasonable protection of (1) the quality of surface and groundwater from leachate contamination, (2) the quality of surface waters from surface run-off contamination, and (3) ambient air quality;

(c) characteristics and conditions of collection, storage, processing, disposal, operating methods, techniques and practices, location of facilities where such operating methods, techniques and practices are conducted, taking into account the nature of the material to be disposed;

(d) Methods for closing or upgrading open dumps for purposes of eliminating potential health hazards;

(e) Population density, distribution, and projected growth;

(f) The type/s and location of solid waste transport facilities;

(g) The profile of sources, including industrial, commercial, domestic and other sources;

(h) The characterization and generation rates of waste;

(i) The political, economic, organizational, financial and management problems affecting comprehensive solid waste management; and

(j) Practical applications of environmentally sound techniques of waste minimization such as, but not limited to, resource conservation, segregation at source, recycling, resource recovery, reuse and composting.

(k) A technical and economic description of the level of performance that can be attained by various available solid waste management practices which provide for the protection of public health and the environment;

(l) A description of levels of performance and appropriate methods and degrees of control that provide, at the minimum, for protection of public health and welfare through:

- 1) Protection of the quality of groundwater and surface waters from leachate and run-off contamination;
- 2) Disease and epidemic prevention and control;
- 3) Prevention and control of offensive odor;
- 4) Safety and aesthetics; and

(m) Minimum criteria to be used by the local government units to define those solid waste management practices, which constitute open dumping and are to be prohibited. As much as practicable, such guidelines shall also include minimum information for use in deciding the adequate location, design, and construction of facilities associated with solid waste management practices, including the consideration of regional, geographic,

demographic, and climatic factors.

SEC. 12. Local Waste Management Action Plans. -

All solid waste management action plans of local government units must comply with the guidelines established by the National Council and shall:

(a) Identify the responsibilities of the local government unit in the implementation of its plan;

(b) Prohibit the establishment of new open dumps within the local government unit and require that all solid waste shall either be utilized for resource/energy recovery or disposed of in sanitary landfills, or otherwise disposed of in any other environmentally-sound manner;

(c) Provide for the phase-out or eventual closure, or upgrading into sanitary landfills, of all existing open dumps within the local government unit within the prescribed timetable and pursuant to the provisions of this Act;

(d) Provide that the local government unit shall not be prohibited from entering into long-term agreements for the supply of solid waste to resource recovery facilities; and

(e) Provide for resource conservation or recovery schemes and disposal of solid waste in sanitary landfills or any combination of practices, such as, but not limited to, segregation at source, recycling, reuse, and composting, as may be necessary to use or dispose of such waste in a manner that is environmentally-sound.

For purposes of compliance with paragraph (f) hereof, each local government unit plan shall contain a requirement that all existing disposal facilities or sites for solid waste which are open dumps shall comply with such measures as may be promulgated by the Secretary to eliminate health hazards and minimize potential health hazards.

Each action plan shall establish, for any entity which demonstrates that it has considered other public or private alternatives for solid waste management to comply with the prohibition on open dumping but is unable to utilize such alternatives to comply, a timetable or schedule for compliance which specifies a schedule or remedial measures, including an enforceable sequence of actions or operations leading to compliance with the prohibition on open dumping of solid waste within a reasonable time, which in no case shall exceed three (3) years.

SEC. 13. *National Solid Waste Information Database.*

- The national and local solid waste management councils shall establish an information database on solid waste generation and management techniques as well as the management, technical and operational approaches to resource recovery. Entry and retrieval of information from this database shall be made available to the general public.

SEC. 14. *Guidelines for Identification of Common Solid Waste Management Problems.* - For purposes of encouraging and facilitating the development of local government action plans for solid waste management, the Department, in consultation with the National Council, shall, as soon as practicable but not later than three (3) months from the effectivity of this Act, publish guidelines for the identification of those areas which have common solid waste management problems and are appropriate units for clustered solid waste management services.

SEC. 15. *Establishment of Common Waste Treatment and Disposal Facilities.* - All cities and municipalities are hereby mandated to establish common waste disposal facilities to be situated in a location agreed upon by them. The Department and the national and local solid waste management councils shall provide technical assistance to the local government units.

SEC. 16. *Prohibition against Open Dumping of Solid Waste.* - Any solid waste management practice or disposal of solid waste which constitutes the open dumping of solid waste is hereby prohibited, except in the case of any practice or disposal of solid waste under a timetable or schedule for compliance established under Section 12.

SEC. 17. (a) *Access Entry.* - For purposes of developing or assisting in the development of any regulation or enforcement of the provisions of this Act, any person who generates, stores, treats, transports, disposes of, or otherwise handles solid wastes, upon the request of any officer of the Department with at least the rank of a director, or upon the request of a duly designated officer or employee of a local government unit having authority pursuant to its relevant ordinance or solid waste management action plan, shall furnish, or permit authorized persons, at all reasonable times, access to any or all records, if any, relating to such solid wastes.

For purposes of developing or assisting in the development of any regulation or enforcing the provisions of this Act, such officers are authorized to

enter, at reasonable times, any establishment or other place maintained by any person where solid wastes are generated, stored, treated, or disposed of.

(b) **Availability to Public** - Any records, reports, or information obtained from any person under this section shall be available to the public. However, upon a satisfactory showing to the Secretary or the local government unit, as the case may be, by any person that such documents or particular parts thereof, if made public, would divulge information entitled to protection under existing laws, the Secretary or the local government unit, as the case may be, shall consider such information or particular portions thereof confidential in accordance with the purposes of the existing laws. Such documents or portions thereof may be disclosed to other officers, employees, or authorized representatives of the local government units concerned with carrying out the provisions of this Code, or when relevant in any proceeding under this Code.

SEC. 18. *Public Education and Information.* - The National Council shall, in coordination with the PIA, the DECS, and other concerned agencies, conduct a continuing education and information campaign on solid waste management. Such education and information program shall:

(a) Aim at developing public awareness of the ill-effects of the solid waste problem and demonstrating what the public can do to minimize, if not resolve, it;

(b) Concentrate on activities which are feasible and which will have the greatest impact on the solid waste problem of the country, like resource conservation and recovery, recycling, segregation at source, reuse, reduction and composting of solid waste; and

(c) Encourage the general public and the non-governmental and people's organizations to publicly endorse and patronize products that are recyclable, durable, and repairable and those that are not over-packaged.

SEC. 19. *Environmental Education in the Formal and Non-Formal Sectors.* - The National Council, in coordination with concerned government agencies and non-governmental organizations and private institutions, shall strengthen the integration of environmental concerns in school curricula at all levels, with particular emphasis on the theory and practice of waste management principles like waste minimization, specifically resource

conservation and recovery, segregation at source, reduction, recycling, reuse and composting, in order to promote environmental awareness and action among the citizenry.

SEC. 20. *Business and Industry Role.* - The National Council shall encourage the business and industrial sector, through the formulation of appropriate incentives, to manufacture environment-friendly products, to introduce, develop and adopt innovative processes that recycle and reuse materials, conserve raw materials and energy, reduce waste, and prevent pollution, and to undertake community activities to promote effective solid waste management practices.

CHAPTER III CIVIL LIABILITIES/PENAL PROVISIONS

SEC. 21. *Prohibited Acts.* - The following acts are hereafter prohibited:

- a) Littering or throwing garbage, filth, or other waste matters in public places, such as roads, sidewalks, canals, esteros, parks, and establishments;
- b) Open dumping, open burning, burying of bio-degradable in flood prone areas, and collection of non-segregated waste;
- c) The manufacture, distribution or use of packaging materials for consumer products, other than those indicated as recyclable on the list of the EMB-DENR; and
- d) The importation of consumer products packaged in materials other than those indicated in the samelist.

SEC. 22. *Penalties.* - Any person who violates Section 21(a) shall, upon conviction, be punished with a fine of not less than Three Hundred Pesos (P300.00) but not more than Six Thousand Pesos (P6,000.00) or imprisonment of not less than fifteen (15) days but not more than two (2) years, or both, at the discretion of the Court.

Any person who violates Sec. 16 which provides for a ban on open dumping and/or Sec. 21(b) shall, upon conviction, be punished with a fine of not less than One Thousand Pesos (P1,000.00) but not more than Three Thousand Pesos (P3,000.00) or imprisonment

of not less than fifteen (15) days but not more than six (6) months, or both, at the discretion of the Court.

Any person who violates Section 21(c) and (d) shall, upon conviction, pay a fine of Five Hundred Thousand pesos (P500,000.00) plus an amount not less than five percent (5%) but not more than ten percent (10%) of his net annual income during the previous year. Gross violations shall suffer imprisonment for a minimum period of one (1) year but not to exceed three (3) years shall be imposed on gross violations.

Any person who violates Section 17 of this Act shall, upon conviction, be punished with a fine of not less than Twenty Thousand Pesos (P20,000.00) but not more than Fifty Thousand Pesos (P50,000.00) or imprisonment of not less than two (2) years but not more than six (6) years, or both, at the discretion of the Court.

If the offense is committed by a corporation, partnership, or other juridical entity duly organized in accordance with law, the chief executive officer, president, general manager, managing partner or such other officer-in-charge of the business operations shall be liable for the commission of the offense penalized under this Act.

If the offender is an alien, he shall, after service of the sentence prescribed above, be deported without further administrative proceedings.

CHAPTER IV

MISCELLANEOUS PROVISIONS

SEC. 23. *Establishment of Multi-Purpose Cooperatives or Associations in every LGU.* - Multi-purpose cooperatives and associations that shall undertake activities to promote the implementation and/or directly undertake projects in compliance with the provisions of this Act shall be encouraged and promoted in every LGU.

SEC. 24. *Grants to Local Government Units.* - The National Government shall provide grants to any local government unit, or cluster of units, that establishes and adopts innovative solid waste management programs including the promotion of the use of source reduction strategies and techniques by businesses, schools and government offices in their respective localities as well.

SEC. 25. *Solid Waste Savings Associations.* - The

local councils shall be encouraged to establish Solid Waste Savings Associations whereby members shall deposit segregated waste which will be recorded in a passbook and withdrawal of equivalent cash value will be allowed only at schedules to be specified by the councils. Elected officers will lead in systematic segregation, sorting and marketing of recyclable materials as well as in composting activities.

SEC. 26. Capital Fund for Local Solid Waste Management Initiatives. - Government financial institutions, including the Land Bank of the Philippines, and private banks, whether in an independent capacity or with support from other private funding institutions, shall be encouraged to set aside seed capital for this purpose and shall serve as the depositories of the Capital Fund. They shall be responsible for the evaluation and approval of loans and/or grants to local government units and to private solid waste management cooperatives and associations accredited by the National Council.

SEC. 27. Incentives for the Recycling Industry. - Incentives shall be provided to registered investors which reduce their on-stream waste in accordance with standards established by the Department. The Department of Trade and Industry (DTI), in coordination with the Department of Finance, Department of Science and Technology, and the Department shall provide the following incentives:

- a) Income tax holiday, or "carry over losses" at accelerated depreciation, whichever is applicable;
- b) Reduction of duties and taxes on capital equipment import;
- c) Access to credit as established by law;
- d) Other facilities as provided by law for pioneering projects; and
- e) Financial support for research and development (R&D) activities related to the following:
 - i) reduction of waste, segregation, collection, and recycling of waste materials; and
 - ii) development and adaptation of technologies for degradable packaging materials and their use whenever economically feasible.

In addition, the Department shall institutionalize an

annual rewards system to recognize outstanding and innovative applications of source reduction strategies and techniques in business, in the academe, and in the national and local levels.

SEC. 28. Appropriations. - For the initial operating expenses of the National Council, the amount of Forty Million Pesos (P40,000,000.00) is hereby appropriated. Thereafter, it shall submit to the Department of Budget and Management its proposed budget for inclusion in the General Appropriations Act.

CHAPTER V

FINAL PROVISIONS

SEC. 29. Separability Clause. - If, for any reason, any provision of this Act is declared unconstitutional or invalid, such sections or parts not affected thereby shall remain in full force and effect.

SEC. 30. Repealing Clause. - All laws, decrees, issuances, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 31. Effectivity. - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,

Senator Drilon. Mr. President, for the sponsorship speech, may I ask the Chair to recognize Sen. Loren Legarda-Leviste.

The President. Senator Legarda-Leviste is recognized.

Senator Legarda-Leviste. Thank you, Mr. President.

SPONSORSHIP SPEECH OF SENATOR LEGARDA-LEVISTE

My esteemed colleagues, the events of the past days have dramatized the power and fury that nature has unleashed on us. The torrential rains that have brought floods and deaths to a small community has prompted a member of the President's Cabinet in charge of disaster control and coordination to declare that, perhaps, nature is indeed getting back at us.

The Cherry Hills tragedy had moved no less than the

President to reexamine the quarrying in Rizal Province after the Mayor of Antipolo boldly attributed the disaster to the wanton destruction of the Antipolo rainforest.

Mr. President, my question is: Does it have to take a calamity such as this to open our eyes to the environmental shortcomings in our midst? It is an accepted fact that environmental issues affect all aspects of society, from large production systems and lifestyles of individuals.

I believe that waste management is among those issues that have a direct and tangible effect on each and everyone of us. It will, in no small measure, determine our future.

In Metro Manila alone, an estimated 6,000 tons of garbage is produced each day of which 74 percent is household waste. To this collective figure, it has been estimated that each person contributes an average of 419 grams of garbage per day.

Of the estimated 6,000 garbage we churn out daily, only 73 percent is handled while 24 percent is illegally dumped on vacant land, thrown into our rivers, or left on the streets. This exacerbates not only flooding in Metro Manila, but also the poor health conditions of its citizens.

Studies project that by the year 2010, Metro Manila will be producing up to 8,000 ton of garbage per day. And while the streets and waterways of Manila are filling up with refuse, there is still no long-term plan to solve this problem.

Garbage is a local problem that requires local solutions within a national framework for action.

Senate Bill No. 1595 or the Integrated Solid Waste Management bill, which this representation is sponsoring today, seeks to provide that framework by creating guidelines and institutionalizing support mechanisms that will allow local governments to efficiently reduce, segregate, recycle, compost and safely dispose of garbage. This proposed consolidated measure is coauthored by our esteemed colleagues, Senators John Osmeña, Sergio Osmeña III, Flavio, Santiago, Revilla, Honasan, Aquino-Oreta, Biazon, Jaworski, Enrile and Roco.

Mr. President, the problem of waste management in Metro Manila and in other urban centers nationwide is two-pronged. First of all, there is no uniform system for the collection, segregation, recycling and disposal of waste at the local level. Second, there are no safe disposal facilities in which to dump the waste.

Local government units have been mandated by RA No. 7160 or the Local Government Code to address solid waste management in their respective barangays, municipalities and

cities. However, no system has been institutionalized to guide local governments in this massive task.

Collection services are the responsibility of the LGUs who, for the most part, entrust collection and haulage to private collection companies. In most households, the manner of waste discharge is mixed, not segregated. Only 1 percent of the waste is recycled usually by NGOs and private collectors on a small-scale basis.

At present, the only widely used method in the Philippines to dispose of solid waste is by hauling it to raw landfilled sites. Unfortunately, the existing facilities were not designed with a capacity to handle the huge amount of wastes produced each day even within Metro Manila where the problems are greatest. An estimated 73,000 of all wastes produced in Metro Manila had been hauled for disposal to the San Mateo landfill until it closed temporarily last January 15 but for which the MMDA had found a solution recently.

In the absence of alternative sites, San Mateo was reopened within weeks but is expected to close again before the year is over. Mr. President, where are we going to dump the almost 6,000 tons of garbage that Metro Manila produces each day?

Unfortunately, this problem of disposal is exacerbated by several factors. First, when landfills have reached their capacity to hold waste, they need to be closed down. We will eventually run out of space for landfills especially near urban centers. Also, with the escalating value of property, it will become increasingly difficult to situate new landfills.

Next, people do not want to live near landfills. The NIMBY or not-in-my-backyard syndrome is omnipresent worldwide. In Metro Manila, where the foul experiences of Smokey Mountain and San Mateo are still fresh, communities can be expected to resist the placing of new facilities nearby.

Finally, the lack of policies for waste minimization, segregation, recycling and composting aggravate the problem of limited space in landfills. At present, all the garbage is simply mixed and thrown into the dumpsites. With minimization, segregation, recycling and composting, we can reduce the amount of garbage significantly and thus extend the life of landfills, especially because most of the garbage in Metro Manila produces can be reused, recycled or composted.

The Integrated Solid Waste Management bill, seeks to create a multisectoral network that links the Department of Environment and Natural Resources, the Department of Education, Culture and Sports, and the Department of the Interior and Local Government with local government units

in order to provide the technology, research, organization and the facilities necessary to alleviate if not entirely solve the garbage problem. The DENR through the Environment Management Bureau will serve as the lead agency that will develop the network and its management framework.

The network will be created through the National and Local Councils that will work hand in hand with the EMB and local governments to create standards and guidelines for the formulation of national and local solid wastes management framework programs and action plans. These will emphasize waste minimization strategies and opportunities to recycle; local governments will implement the plans.

The National Council will include in its membership directors from EMB, from the Department of Trade and Industry, the Department of Health, the DILG, the DA, the DECS, the DOST, the chairman of the MMDA, the president of the League of Provincial Governors, the president of the League of City Mayors as well as four representatives from the private sector.

Local councils will mirror this membership and will be composed of local government chief as chairperson, the local government health and/or general services officer, the local environment and natural resources officer, a representative each from the League of Mayors and the *Liga ng mga Punong Barangay* of the Province, or a representative from the *Liga ng mga Punong Barangay* of the city or the municipality and representatives from the organized private sector.

We envision the strong representation from the private sector that will provide the public participation necessary for the solid waste management initiatives to be successful.

In order to better promote sound solid waste management, the councils shall establish national and local ecology centers that will act as training and information agents, and will provide networking services to local government units and other concerned groups.

The National Ecology Center will maintain a multidisciplinary, multisectoral pool of experts in order to, first, facilitate training, education and recycling; second, establish and manage a recycling information database that links waste generators and recyclers, and which is accessible to other sectors; third, provide expert assistance in pilot modeling of recycling facilities; fourth, develop, test and disseminate model waste minimization and reduction auditing procedures for evaluating options; fifth, access to credit; sixth, facilities for pioneering projects and financial support for research and development activities related to the reduction, segregation, collection and recycling of waste as well as the development and adaptation of technologies for the han-

dling of degradable packaging materials and their reuse.

For the initial operating expenses of the national council, the amount of P40 million is sought for appropriation. After which the council shall submit to the Department of Budget and Management its proposed budget for inclusion into the General Appropriations Act.

The following acts are prohibited by this bill with corresponding penalties:

First, littering or throwing garbage, filth or other waste in public places. It will be punished with a fine of no less than P300 but no more than P6,000 or imprisonment of between 15 days to two years;

Second, open dumping, open burning, burying of biodegradables in flood-prone areas and collection of nonsegregated waste will be punished with the fine of no less than P1,000, not more than P3,000 or imprisonment between 15 days and six months;

Third, the manufacture, distribution, or use of packaging materials for consumer products other than those indicated as recyclable on the list of the EMB-DENR.

Fourth, the importation of consumer products packaged in materials other than those indicated in the same list. These violations would be punished by a fine of P500,000 plus an amount of no less than 5 percent but no more than 10 percent of the violators' net annual income during the previous year.

Mr. President, this representation deems it important to highlight eight particular provisions of the bill which we believe are essential to the solution of the garbage problem. Foremost, there should be a national framework from which policies and their implementation will emanate. The National Council will be primarily responsible for promoting ecologically sound solid waste management principles, strategies, and techniques and their adoption by waste generators such as households, industries, commercial establishments, government and educational institutions.

To achieve this, the National Council, in cooperation with the Environment Management Bureau, shall first, promulgate an integrated national solid waste management framework program, as well as develop and recommend solid waste management action plans to local governments.

Second, that all local government units are mandated to prepare and implement solid waste management action plans which will ensure optimal utilization of valuable resources and

encourage resource conservation, including waste minimization. These plans must also address the need to assess existing dumps for closure or upgrading as well as the need to prohibit the establishment of new dumps that fall short of our national standards.

Third, that the lead agency, in cooperation with the National Council and Ecology Center, will develop a recycling market through the promotion of a national recycling network that will enhance the opportunity to recycle by linking waste generators to recyclers. This provision seeks to energize the recycling industry in the Philippines and make it an attractive arena for trade.

Mr. President, the Integrated Solid Waste Management bill is a comprehensive measure that we believe will provide the framework upon which our growing garbage problem will be more than adequately addressed. Let me reiterate that this proposed measure recognizes that solid waste is primarily a local problem that needs to be addressed at the local level, in an environmentally sound manner, with strong support from the national government level.

The issue of garbage disposal is one that confronts us daily. Especially for residents of Metro Manila, the sight and stench of dumping grounds—whether in street corners or in big unsanitary landfills—assault our senses incessantly.

Untreated garbage left festering in smelly and unsightly open dumpsites harbor disease-bearing pests. When the rains come, these will flow into drains, canals and creeks that feed into our rivers. Clogged passageways will cause flooding. Water will be contaminated and disease is likely to spread, making many people ill or even causing death. The problem is steadily growing worse and action must be taken at the earliest possible time.

The problem of garbage is one we would like to avoid. It has, however, come to land in our backyard. We must face the fact that waste disposal is an issue that belongs to all of us, and that it is impossible to turn a blind eye to the piles of refuse that fill our streets. We can build walls around our homes but we must not deny that as Filipinos, our whole country is our backyard.

Mr. President, distinguished colleagues in this august Body, I appeal to your good judgment for the urgent passage of our Integrated Solid Waste Management Bill, to stop the flow of garbage into our streets and to protect the health and environment of our Filipino people.

Thank you, Mr. President.

Senator Drilon. Mr. President.

The President. The Majority Leader is recognized.

Senator Drilon. Mr. President, Senator Flavie wishes to deliver a cosponsorship speech.

The President. Senator Flavie is recognized for a cosponsorship speech.

COSPONSORSHIP SPEECH OF SENATOR FLAVIER

Senator Flavie. Mr. President and colleagues of the Chamber, let me paint the scenario.

The estimated waste generation in Metro Manila alone is 5,507 tons per day or roughly 31 tons per hour according to a 1997 survey by the Japan International Cooperation Agency or JICA.

By 2014, the domestic waste will be at a rate of 11,705 tons per day or 487 tons per hour, according to the Presidential Task Force on Waste Management.

These estimates only include domestic wastes, like kitchen waste, paper, plastic, grass, wood and metal. Not included are mining, agricultural, and industrial solid wastes, hazardous waste, sludges, infectious waste, all nonrecyclable wastes.

That estimate considered the present population of more or less 10 million in Metro Manila. With the increase in trend in population growth, the worst is yet to come.

Recently, the only existing landfill in Metro Manila has threatened closure. With the not-in-my-backyard syndrome, we would not have any place to throw our garbage. And with the magnitude of waste we generate everyday, where will they go? In our backyards, every open space, in the drainage system, in our rivers? Where, Mr. President?

Just a few months ago, this Congress has passed the Clean Air Act. In that law, we tried to address the ambient air quality. But today, we need to address a more serious problem, that of solid waste management.

Mr. President, I am one in supporting my Chair, Sen. Loren Legarda-Leviste, for the passage of this timely legislation, Senate Bill No. 1595 under Committee Report No. 52, otherwise known as the Solid Waste Management Bill.

Let me reiterate the salient features of the bill, Mr. President.

1. *Establishment of national framework*

A national council, in cooperation with the Environmental

Management Bureau of the DENR will be established for this purpose. Such will be the basis for framework program and management actions of local government units.

2. Establishment of local government action plans

Local governments, based on the framework and plans developed by the Council, will undertake specific measures in accordance with their resources and their peculiarities.

3. Establishment of a recycling market

This will enhance the opportunity to link waste generators to recyclers. It will likewise hope to make recycling a viable and feasible economic endeavor.

4. Establishment of a nationwide information campaign

Information as regards solid waste generation and management techniques, including informative, technical, and operational techniques to resource recovery will be made available. Related thereto, public education and information, as well as environmental education shall be likewise established by the National Council with the help of the Public Information Agency, DECS and other concerned agencies.

5. Establishment of common waste treatment and disposal facilities

Based on the guidelines set by the Environmental Management Bureau, local government units shall cluster areas and develop a common waste disposal facility for these clusters.

6. Promotion of incentives for business and industry

The objective of this is to encourage the introduction, development and adoption of environment-friendly products and processes. Such incentive shall include the following: income tax holidays, or carryover losses at accelerated depreciation; access to credit and facilities for pioneering projects; financial support for R & D activities related to the reduction, segregation, collection and recycling.

7. Penalties for violation

If industries are given incentives for the use of environment-friendly products and processes, those that violate are penalized. Activities to be penalized under this bill are the following: public littering or throwing of garbage; open dumping; manufacture, distribution or use of packaging materials for consumer products other than those identified by the EMB-DENR; and importation of consumer products packaged in materials other than those identified in a list prepared by the EMB-DENR.

Mr. President, solid waste management is not a novel idea. Most advanced countries have been practicing it for the past decades. It is now ingrained in their culture and day-to-day activity. Our own experiences bare the same results. These success stories tell us that it can be done; and that it can be done properly with success.

These local initiatives however are isolated cases. What we need is a comprehensive and nationwide approach to the problem before it is too late.

This measure, as a whole, proposes to manage on a long-term basis the solid waste generation by community at a minimum cost and through optimizing of existing resources. It envisions the processing of household and other waste produce in the community into reusable materials by employing the method of segregation at source—the households, the schools and the business establishments. Specific wastes are then delivered by a garbage collector to a community-composting garden or to warehouse collection points or even actual end users of recyclable materials, like paper, board, boxes, bottles, plastic, et cetera.

Very importantly, this program attempts to minimize if not, do away with damage to the environment in the course of waste disposal and recognizes an existing industry that generates income through the use of recyclables.

Note, however, that this bill seeks not to address the solid waste problem entirely. What it seeks to envision is to reduce waste at source so that only a minimal amount will need disposition in landfills or in any other allowed facility.

This legislative measure is long overdue. Let us enact this bill before our streets are filled with garbage, our drainage system clogged, our river system dead and our health gravely endangered.

We count on this Body and its members' green votes.

The President. The Chair wishes to thank and congratulate both sponsors, Sen. Loren B. Legarda-Leviste and Sen. Juan M. Flavie, for their very well-thought out sponsorship speeches.

Senator Drilon. Mr. President.

The President. The Majority Leader is recognized.

SUSPENSION OF CONSIDERATION OF S. NO. 1595

Senator Drilon. Mr. President, I move that we suspend consideration of Senate Bill No. 1595 under Committee Report No. 52.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

SUSPENSION OF SESSION

Senator Drilon. Mr. President, I move that we suspend the session for one minute.

The President. Is there any objection? *[Silence]* There being none, the session is suspended for one minute.

It was 5:47 p.m.

RESUMPTION OF SESSION

At 5:49 p.m., the session was resumed.

The President. The session is resumed.

The Majority Leader is recognized.

SPECIAL ORDERS

Senator Drilon. Mr. President, I move that we transfer from the Calendar for Ordinary Business to the Calendar for Special Orders, Committee Report No. 61 on Senate Bill No. 1621, entitled "An Act Amending Section 5 of Republic Act 7638 entitled "The Department of Energy Act of 1992" And For Other Purposes.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

BILL ON SECOND READING

S. No. 1621—Amending the Energy Act of 1992

Senator Drilon. Mr. President, I move that we consider Senate Bill No. 1621 as reported out under Committee Report No. 61.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

Consideration of Senate Bill No. 1621 is now in order. With the permission of the Body, the Secretary will read only the title of the bill, without prejudice to inserting in the *Record* the whole text thereof.

The Secretary. Senate Bill No. 1621, entitled

AN ACT AMENDING SECTION FIVE OF REPUBLIC ACT NO. 7638, ENTITLED "THE

DEPARTMENT OF ENERGY ACT OF 1992" AND FOR OTHER PURPOSES

The following is the whole text of the bill:

Senate Bill No. 1621

AN ACT AMENDING SECTION 5 OF REPUBLIC ACT 7638 ENTITLED "THE DEPARTMENT OF ENERGY ACT OF 1992" AND FOR OTHER PURPOSES

*Be it enacted by the Senate and House of
Representatives of the Philippines in Congress
assembled:*

SECTION 1. Section 5 is hereby amended to read as follows:

"SEC. 5. *Powers and Functions.* - The Department shall have the following powers and functions:

(a) Formulate policies for the planning and implementation of a comprehensive program for the efficient supply and economical use of energy consistent with the approved national economic plan and with the policies on environmental protection and conservation and maintenance of ecological balance, and provide a mechanism for the integration, rationalization, and coordination of the various energy programs of the Government;

(b) Develop and update annually the existing Philippine energy plan which shall provide for an integrated and comprehensive exploration, development, utilization, distribution, and conservation of energy resources, with preferential bias for environment-friendly, indigenous, and low-cost sources of energy. The plan shall include a policy direction towards the privatization of government agencies related to energy, deregulation of the power and energy industry, and reduction of dependency on oil-fired plants. Said program shall be submitted to Congress not later than the fifteenth day of September every year thereafter.

(c) Prepare and update annually a Power Development Program (PDP) and integrate the same into the Philippine energy plan. The PDP