



Republic of the Philippines  
**QUEZON CITY COUNCIL**  
Quezon City  
19<sup>th</sup> City Council

PR19CC-245

22<sup>nd</sup> Regular Session

RESOLUTION NO. SP- 5926, S-2014

**A RESOLUTION URGING THE MEMBERS OF THE HOUSE OF REPRESENTATIVES, THROUGH THE HONORABLE SPEAKER FELICIANO R. BELMONTE, JR., TO AMEND CERTAIN PROVISIONS STATED IN REPUBLIC ACT NO. 8749 OR THE PHILIPPINE CLEAN AIR ACT OF 1999 AND REPUBLIC ACT 9003 OR THE ECOLOGICAL SOLID WASTE MANAGEMENT ACT OF 2000 ON BANNING INCINERATION.**

*Introduced by Councilors GLAN CARLO G. SOTTO and JESUS MANUEL C. SUNTAY.*

*Co-Introduced by Councilors Anthony Peter D. Crisologo, Dorothy A. Delarmente, Lena Marie P. Juico, Victor V. Ferrer, Jr., Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Ramulfo Z. Ludovica, Ramon P. Medalla, Estrella C. Valmocina, Allan Benedict S. Reyes, Franz S. Pumaren, Eufemio C. Lagumbay, Jose Mario Don S. De Leon, Jaime F. Borres, Marvin C. Rillo, Vincent DG. Belmonte, Raquel S. Malañgen, Jessica Castelo Daza, Bayani V. Hipol, Jose A. Visaya, Julianne Alyson Rae V. Medalla, Godofredo T. Liban II, Allan Butch T. Francisco, Karl Edgar C. Castelo, Candy A. Medina, Diorella Maria G. Sotto, Rogelio "Roger" P. Juan, Melencio "Bobby" T. Castelo, Jr. and Ricardo B. Corpuz.*

*WHEREAS, the City's growing population and economic development has increased solid waste generation, creating problems on solid waste management, specifically the availability of a disposal facility that can accommodate the city's wastes;*

*WHEREAS, the scarcity of land for the purpose of establishing a sanitary landfill and the exorbitant cost of acquiring such are limiting the Quezon City Local Government in finding an in-city alternative sanitary landfill site;*

*WHEREAS, disposing the city's solid wastes in sanitary landfills outside Quezon City will result to significant increase in hauling cost due to the added distance, increased truck requirement and other factors;*

*WHEREAS, sanitary landfills, being the most common waste disposal method in the Philippines, also pose threats to the environment such as the release of methane gas which is a potent greenhouse gas when not captured, compromised sanitation when top soil cover is insufficient, surface and groundwater contamination when there is no proper leachate treatment system and also the possibility of a trash slide when engineering interventions are lacking or not introduced;*

*WHEREAS, one of the long-term and sustainable solutions considered by the City in addressing the problem on solid waste disposal is the establishment of an in-city state of the art "Waste-To-Energy" (WTE) facility;*

*WHEREAS, WTE is a process of generating energy in the form of electricity and/or heat, the most common of which is from incineration or combustion of organic materials;*

*WHEREAS, WTE facilities have been extensively used in various developed countries in Europe, United States of America, Japan and South Korea;*

*WHEREAS, developing countries in Asia are also now looking into constructing their own WTE facility through financial assistance due to the numerous benefits of such undertaking;*

*WHEREAS, undertaking a WTE project provides socio-economic and environmental benefits such as requirement of a smaller footprint in terms of land area, decrease in greenhouse gas emission, reduction in the dependence to fossil fuel, generation of jobs as well as production of own alternative energy resulting to additional income for the City;*

*WHEREAS, Republic Act No. 8749, otherwise known as the "Philippine Clean Air Act of 1999", defines incineration as the burning of municipal, bio-medical and hazardous wastes;*

*WHEREAS, Section 20 of Philippine Clean Air Act prohibits incineration processes that emits "poisonous and toxic fumes";*

*WHEREAS, a Supreme Court decision in the case of the Metro Manila Development Authority (MMDA) versus Jancom Environmental Corporation has been issued in 2002 which states that "Section 20 does not absolutely prohibit incineration as a mode of waste disposal; rather only those burning processes which emit poisonous and toxic fumes are banned";* X



*WHEREAS, Section 2 (d) of Republic Act No. 9003, otherwise known as the "Ecological Solid Waste Management Act of 2000," on the other hand, stated that "It is hereby declared the policy of the state to adopt a systematic, comprehensive and ecological solid waste management program which shall ensure the proper segregation, collection, transport, storage, treatment and disposal of solid waste through the formulation and adoption of the best environmental practices in ecological waste management excluding incineration;*

*WHEREAS, the Quezon City Local Government could not pursue the proposed WTE Project because of the stated provisions of R.A. No. 8749 and R.A. No. 9003 and the amendment of said laws is necessary since technological advancements have ensured that such facilities can conform with the emission standards stated in Section 19 of the Philippine Clean Air Act.*


**NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED,** to urge, as it does hereby urge the members of the House of Representatives, through the Honorable Speaker Feliciano R. Belmonte, Jr., to amend certain provisions stated in Republic Act No. 8749 or the Philippine Clean Air Act of 1999 and Republic Act No. 9003 or the Ecological Solid Waste Management Act of 2000 on banning incineration.

ADOPTED: March 10, 2014.


  
**PRECIOUS HIPOLITO CASTELO**  
City Councilor  
Acting Presiding Officer

ATTESTED:

  
Atty. JOHN THOMAS S. ALFEROS III  
City Gov't. Asst. Dept. Head III

**CERTIFICATION**

*This is to certify that this Resolution was APPROVED by the City Council on Second Reading on March 10, 2014 and was CONFIRMED on March 17, 2014.*

  
Atty. JOHN THOMAS S. ALFEROS III  
City Gov't. Asst. Dept. Head III