



Republic of the Philippines  
Department of Environment and Natural Resources  
Visayas Avenue, Diliman, Quezon City  
Tel Nos. (632) 929-66-26 to 29 • (632) 929-62-52  
929-66-20 • 929-66-33 to 35  
929-70-41 to 43

AUG 18 2003

**DENR ADMINISTRATIVE ORDER**

No. 39

Series of 2003

**SUBJECT: IMPLEMENTING RULES AND REGULATIONS OF DAO 16, SERIES OF 2002 ENTITLED "THE DENR-EMB NATIONAL ENVIRONMENTAL USER'S FEE OF 2002."**

Pursuant to the provisions of Section 6 letters (a), (d) and (g) of Presidential Decree No. 984, otherwise known as "National Pollution Control Decree of 1976" and Executive Order No. 192, Series of 1987, and by virtue of Department Administrative Order No. 16, Series of 2002, the Department of Environment and Natural Resources hereby adopts and promulgates the following rules and regulations:

**ARTICLE I  
GENERAL PROVISIONS**

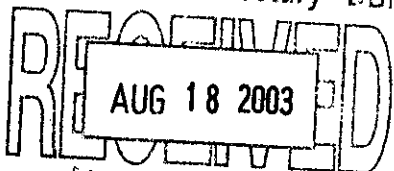
**Section 1. Basic Policy.** It is the policy of the State, consistent with the Constitution, to prevent, abate and control water pollution for the effective utilization of the water resources of this country. Towards this end the State shall pursue a more efficient and effective approach to promote and encourage pollution reduction.

**Section 2. Objectives.** The National Environmental User's Fee (NEUF) is hereby adopted by the DENR through its wastewater permitting system to:

- a. Reduce water pollution and improve the ambient quality of water bodies;
- b. Encourage firms to pursue the least-cost means of pollution reduction and internalize the philosophy of self-regulation;
- c. Implement the concept of Environmental User Fee nationwide.

**Section 3. Scope.** This Order shall apply to all establishments and installations that discharge industrial and commercial wastewater into water bodies and/or land resources.

Office of the Secretary-DBM

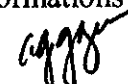


By: Ching CTRL No. \_\_\_\_\_

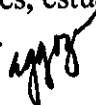
Let's Go Greer

**Section 4. Definition of Terms.** When used in this Order, the following terms and phrases shall have the indicated meanings unless clearly stated otherwise:

- a. *Commercial Wastewater* refers to any liquid waste generated by trading or business establishment and or any other related firms or companies, which include but not limited to restaurants, shopping malls, commercial laboratories, hospitals, markets, commercial condominiums, hotels, gasoline stations, and other establishments engaged in the collection and disposal of wastewater sludge.
- b. *Department* refers to the Department of Environment and Natural Resources (DENR).
- c. *Discharge* includes, but is not limited to the act of spilling, leaking, pumping, pouring, emitting, emptying releasing or dumping of any liquid materials into water body or onto land from which it might flow or drain into said water body.
- d. *Discharger* refers to any person or persons, natural or juridical, discharging liquid wastes, and /or other wastes into the environment.
- e. *Effluent* refers to any wastewater, partially or completely treated, or in its natural state, flowing out of a commercial establishment, manufacturing plant or treatment plant.
- f. *Environmental User Fee (EUF)* refers to one of the market-based instruments applied by the DENR in its permitting system, and is levied to the dischargers for using the environment specifically the water and /or land resources for waste disposal purposes or receptacle facility according to each unit of discharge.
- g. *Fixed Fee* refers to charges that covers administrative cost of processing, filing, monitoring and inspection.
- h. *Industrial Wastewater* refers to any liquid waste resulting from any activity, process of industry, manufacturer or from the development, processing or recovery of any natural resources.
- i. *Inorganic Pollutant* refers to a certain type of pollutant that denotes any chemical compound that does not contain carbon. In wastewater engineering, it is a type of pollutant that contains inorganic components, which are non-biodegradable in nature, usually, residues from geologic formations that are capable of settling.



- j. *Land Resources* refers to the integrated components of soil, hydrology, topography, geology and vegetation together which form the basis of man's use of the environment for agriculture, forestry and human settlements.
- k. *Load-based Fee* is the product of pollutant load and rate of charge per kilogram of pollutant.
- l. *Managing Head* refers to the President, Managing Director, Managing Partner, Chief Executive Officer or highest executive officer of a corporation, partnership or other juridical persons or establishments.
- m. *Organic Pollutant* refers to a certain type of pollutant that oxidizes in the receiving body of water and reduces the amount of dissolved-oxygen available. This type of pollutant contains biodegradable organic substances or oxygen-demanding wastes and measured in terms of BOD<sub>5</sub>, COD and Total Organic Carbon. However, for purposes of these rules and regulations, the organic pollutant shall be measured in terms of BOD<sub>5</sub> during the initial stage.
- n. *Person or Persons* refers to any being, natural or juridical, susceptible of rights and obligations or of being the subject of legal relations.
- o. *Permit Holder* refers to person or persons granted a Wastewater Discharge Permit by DENR and who is bounded to comply with all the stipulations required in the said permit
- p. *Regional Office* refers to any Regional Office of the Environmental Management Bureau (EMB) which is a line bureau under the Department of Environment and Natural Resources per Section 34 of R.A. 8749 (Philippine Clean Air Act of 1999).
- q. *Secretary* refers to the Secretary of Department of Environment and Natural Resources.
- r. *Wastewater* refers to waste in liquid state that contains pollutants or waste substances.
- s. *Water Resources* refers to all bodies of waters such as but not limited to rivers, streams, watercourse/waterways, ponds, reservoirs, lakes, estuarines, marine and groundwater within the territory of the Philippines.



- t. *Wastewater Discharge Permit also known as the Permit* refers to the legal authorization granted by the Regional Office to discharge liquid waste and/or pollutants of specified concentration and volume into any water or land resource for a specified period of time.
- u. *Wastewater Discharge Permitting System* also known as the NEUF permitting system primarily based on powers and function of P.D. 984 (Pollution Control Law), Section 6 letters (c), (d) and (g). It also refers to the entire schemes and methods in regulating the Department's legal authorization for all of wastewater dischargers.

## ARTICLE II WASTEWATER DISCHARGE PERMIT

**Section 5. Requirements for Application for a Wastewater Discharge Permit.** Any person who shall discharge in any manner industrial or commercial wastewater into Philippine water and/or land resources shall secure a wastewater discharge permit from the Regional Office. Such a person shall file an application in two (2) copies using prescribed forms. The application should be under oath by the Managing Head or his/her duly authorized representative. Persons applying for the first time shall submit such documents, information and data as may be required by the Regional Office including but not limited to the following:

- a) Engineer's Report containing such information as :
  - i) vicinity map identifying the street address, location or plant premise;
  - ii) the nature of project or business;
  - iii) production capacity; quantity or volume and the generic name(s) of product(s);
  - iv) the nature and character of the applicant's wastewater and its physical and chemical composition;
  - v) total daily volume of discharge of raw wastewater;
  - vi) treatment process and estimated treatment efficiency;
  - vii) the total daily volume of water consumption and discharge of final treated wastewater or effluent;
  - viii) the name of receiving body of water and its official water classification and in case of land discharge, the nearest receiving body of water and its official water classification;
  - ix) information on flow measurement equipment and procedure;
  - x) Pollution prevention/ Environmental Management System plan or program.
  - xi) DENR ID Number as hazardous waste generator (if applicable)
  - xii) Statement of the cost incurred in the installation and maintenance of wastewater treatment facility, if any.

*agony*

A registered chemical or sanitary engineer or Pollution Control Officer shall sign such engineer report concurred by the Managing Head.

- b) A copy of the results of sampling analysis of the establishment's wastewater characteristics (for four quarters in the previous year as reported in the PCO Quarterly Report);
- c) A copy of the Certificate of Accreditation of the Pollution Control Officer duly issued by the Department, or appointment /designation as such by the Managing Head;
- d) Official Receipt for the payment of the applicable Fixed fee.
- e) For new/modified establishments, a copy of the Environmental Compliance Certificate (ECC) or Certificate of Non-Coverage (CNC) from the Department under DENR Administrative Order No.37 Series of 1996;

Failure to submit the necessary requirements under Section 5 of this IRR shall be sufficient ground for the disapproval of the application.

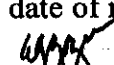
**Section 6. Processing of the Application for a Wastewater Discharge Permit.** The Regional Office shall act on the application for a Wastewater Discharge Permit within thirty (30) working days from receipt of all the requirements cited in Section 5 of this Implementing Rules and Regulations.

The application will either be approved through the issuance of the corresponding permit or denied in writing stating the reason or reasons thereof.

**Section 7. Approval and Issuance of a Wastewater Discharge Permit.** The said permit shall be issued subject to such conditions as the Regional Office may impose including but not limited to the following:

- a. Compliance with the DENR Effluent Standards (DENR Administrative Order No. 35, Series of 1990);
- b. Submission of duly-filled quarterly self-monitoring reports or Pollution Control Officer (PCO) Quarterly Monitoring Report, whichever is applicable;
- c. Issuance of a Temporary Lifting Order (TLO), applicable to those industries with existing PAB (Pollution Adjudication Board) cases.
- d. Payment of EUF.

**Section 8. Motion for Reconsideration for Disapproved Wastewater Discharge Permit Applications.** In case the application is denied, a petition for reconsideration may be filed at the Regional Office within fifteen (15) working days from the date of receipt of a written notice of such disapproval. The Regional Office within thirty (30) working days from the date of receipt of the motion shall decide upon the petition.



**Section 9. Appeals.** The decision of the Regional Office in approving or disapproving an application for the Wastewater Discharge Permit may be appealed to the Secretary within fifteen (15) working days from receipt of written notice of such decision. Said appeal shall not stay the execution of the decision of the Regional Office unless ordered otherwise by the Secretary. The decision of the Secretary is final and executory.

**Section 10. Validity and General Conditions of a Wastewater Discharge Permit.** A Wastewater Discharge Permit is valid for a minimum period of one year, unless suspended or revoked sooner. The said permit shall provide the terms and stipulations for wastewater discharge, amount of fees to be paid, payment scheme and other relevant permit conditions which shall be fully complied with by the discharger/permit holder.

A suspended or revoked permit may be re-issued during the original life of the permit only after the permit holder has fully complied with all permit conditions and has paid all required fees, fines and penalties to the Regional Office. The reinstated permit shall expire according to its original expiry date.

**Section 11. Grounds for Suspension or Revocation of Wastewater Discharge Permits.** After due notice and hearing, the Regional Office may suspend or revoke any existing and valid permit issued under these regulations on any of the following grounds:

- a. Non-compliance with or violation of any provisions of P.D. 984 or these rules and regulations and/or permit conditions ;
- b. Non-submission of quarterly self-monitoring reports ;
- c. Falsification of information stated in the application for permit, which led the Regional Office to issue the permit ;
- d. Refusal to allow lawful inspections under Section 6 (n) of P.D. 984 ;
- e. Non-payment of EUF;
- f. Other lawful and valid causes as provided for in these rules and regulations.

**Section 12. Effect of Disapproval of Application or Suspension or Revocation of Wastewater Discharge Permit.** Disapproved applications or suspended or revoked wastewater discharge permits shall not grant any right or privilege to the applicant or former permit holder to discharge its wastewater into the environment. If the applicant continues to discharge despite disapproval of application or suspension/revocation of a wastewater discharge permit, the Secretary or his duly authorized representative shall immediately issue an Ex-parte Cease and Desist Order directing the discharger to discontinue from further discharging its wastewater into its immediate receiving water body or its tributaries or land resources, or stoppage of discharger's operations, and impose fines and penalties at existing rate applicable and provided for by law, without prejudice to criminal prosecution under P.D. 984, and other applicable laws.

If the wastewater being discharged the quality of which exceeds the existing allowable DENR Effluent Standards provided for under DENR Administrative Order No. 35, Series of 1990, the matter shall be referred to the Pollution Adjudication Board (PAB) for the issuance of an ex-parte Cease and Desist Order pursuant to Section 7-A of P.D. 984 and Section 19 of E.O. 192.



**Section 13. Posting of Permit.** The permit holder/discharger shall display its permit within the premises of the plant or installation in a noticeable place and in such a manner as to be a clearly visible and accessible.

**Section 14. Transfer of Permit.** The Permit shall be non-transferable. Provided, however, in case of sale or transfer of ownership or control of the establishment and/or facilities, the transferee shall notify the Regional Office within fifteen (15) working days of the fact of transfer of ownership or control, providing the name and address of the transferee and attaching the document evidencing the transfer and file an application for transfer of the permit in his name provided that there is no change in the nature of the business. The permit shall expire according to the original expiry date.

**Section 15. Requirements for Renewal of the Wastewater Discharge Permit.** The wastewater discharge permit may be renewed by filing an application for renewal in two (2) copies on forms prescribed by the Regional Office not later than thirty (30) working days before its date of expiration. The application for renewal shall be signed by the Managing Head and the designated/assigned Pollution Control Officer and must be duly notarized. The application should be supported by such documents, information and data as may be required by the Regional Office including but not limited to the following:

- a) Quarterly self-monitoring reports (submitted 30 calendar days after the end of the quarter);
- b) Official receipt for the payment of the Load-based Fee and Fixed Fee;
- c) Description of the details and the cost of the upgrade or rehabilitation of wastewater treatment facilities (if any);
- d) Details of the changes in production technology (if any)

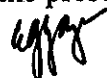
### ARTICLE III WASTEWATER DISCHARGE PERMIT FEES

**Section 16. Wastewater Discharge Permit Fee.** The wastewater discharge permit fee in these rules and regulations shall comprise both *fixed* and *load-based fee*.

$$Df = F + LBF$$

Where: **Df** = total wastewater discharge permit fee per establishment or installation  
**F** = fixed fee per establishment or installation per year (Php/ facility)  
**LBF** = pollutant load-based fee

**Section 17. Schedule of Fixed fee.** The *fixed fee* will be based on the average daily volumetric flow of wastewater discharges (measured in cubic meters per day), and the presence



of heavy metals in the wastewater. The fixed fee is to be paid by all industrial and commercial establishments applying for a wastewater discharge permit. The fixed fee is to be paid at the time of permit application, and the issuance of such permit shall be conditional on the payment of the fixed fee. The fixed fee, which applies to both new and renewed permits on an annual basis, shall be paid in accordance to the following schedule:

Volumetric Rate of Discharge	Fixed fee without the Heavy Metals (PhP)	Fixed fee with the Heavy Metals (PhP)
Up to 30 cu.m./day	6,500	9,000
More than 30 up to 100. cu.m./day	7,500	10,000
More than 100 up to 150 cu.m./day	8,500	11,000
More than 150 cu.m./day	10,000	12,500

**Section 18. Calculation of the Load-based Fee (LBF).** The load based fee is to be paid by all commercial and industrial establishments and installations which have obtained a wastewater discharge permit.

The annual LBF for each establishment will be calculated according to the following formula:

$$\text{LBF} = R \times L$$

Where:

LBF is the pollutant load-based fee to be paid by establishment/installation for four quarters (in PhP/year);  
 R is the rate per kilogram of BOD<sub>5</sub> or TSS (in PhP/kg);  
 L is the total BOD<sub>5</sub> or TSS pollutant load in four quarters (in kg/year)...

An industry shall be charged either by BOD or TSS.

Industries discharging **organic pollutant** shall be charged **PhP5.00 per kilogram BOD<sub>5</sub>** and industries discharging **inorganic pollutant**, shall be charged **PhP5.00 per kilogram TSS**.

In the above formula, the BOD<sub>5</sub> and TSS pollutant load for each establishment and installation is a summation of the average pollutant load for four quarters, calculated as follows:

$$L_{\text{BOD}_5} = \sum_{t=1}^4 [(C_t, \text{BOD}_5 \times Q_t \times N_t) / 10^6]$$

$$L_{\text{TSS}} = \sum_{t=1}^4 [(C_t, \text{TSS} \times Q_t \times N_t) / 10^6]$$

*agay*



Where:

- $C_{t,BOD}$  is the average concentration of effluent BOD<sub>5</sub> of establishment  $i$  in quarter  $t$  (mg/L);
- $C_{t,TSS}$  is the average concentration of effluent TSS establishment  $i$  in quarter  $t$  (mg/L);
- $Q_t$  is the average daily volume of discharged wastewater by establishment  $i$  in quarter  $t$  (Liters/day);
- $N_t$  is the number of operating days for establishment  $i$  during quarter  $t$  (no. of operating days/year).

The pollutant load is to be calculated by each commercial and industrial establishment and installation, based on the Regional Office's monitoring reports. In the absence of such information, data provided in the quarterly self-monitoring reports validated by the Regional Office would be used.

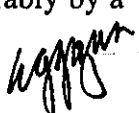
**Section 19. Surcharges and Credits on Annual Wastewater Discharge Permit Fee.** In the event that actual discharge loading is more than those specified in the permit, the Department shall impose surcharges equivalent to the excess loading multiplied by the load-based fee rate plus twelve (12) percent per annum of this amount. Conversely, if the actual discharge loading is less than those allowed, the permit holder shall be entitled to a credit of a portion of the load-based fee corresponding to the reduced loading multiplied by the load-based fee rate. Any surcharge or credit will be determined upon renewal of the permit and shall be incorporated into the permit fee assessment for the coming year.

The allowable loading exceedance must be within 20 percent of the allowable discharge loading as specified in the permit, and is not to exceed the effluent standard, and allowed only for one (1) quarter. In case actual discharge conditions in terms of loading and duration are in excess of what are allowed, the Department may suspend or revoke the permit, and/or impose other sanctions as provided for by these rules and regulations, as the case may be.

**Section 20. Payment Scheme for the Load-based Fee.** The schedule of payments shall be specified in the establishment's Wastewater Discharge Permit. The load-based fee may be paid in full or on quarterly basis. Quarterly payments can be arranged based on the Permit Holder's agreement with the Regional Office. Full payment of the load-based fee within 30 calendar days after release of assessment of fees shall be entitled to a 10 percent discount.

#### ARTICLE IV MONITORING

**Section 21. Self-Monitoring Reports.** The Regional Offices shall require the permit holder or discharger to submit a quarterly self-monitoring report on a prescribed form under oath before a notary public signed by the Managing Head and the Pollution Control Officer or any registered chemical or sanitary engineer as designated/assigned by the Managing Head as PCO. The report shall contain specifically the quality and quantity of wastes discharged daily or periodically, as the case may be, the characterization and laboratory analyses conducted preferably by a

 9

duly licensed and recognized/ accredited laboratory by the Department, and such other material information the Regional Office may require from the discharger.

The self-monitoring report shall be submitted to the Regional Offices within fifteen (15) calendar days after end of each quarter or period allowed under the discharge permit.

**Section 22. Plant Operational Problems.** In the event that the permit holder is unable to comply with any of the conditions of the permit due to a breakdown of the facility covered by the permit or for any cause, the Managing Head and the Pollution Control Officer or any registered chemical or sanitary engineer as designated/assigned by the Managing Head as the PCO, shall notify the Regional Offices within forty-eight (48) hours of such fact and its cause or causes and likewise the remedial steps to contain or solve the problem and to prevent its recurrence, including the details of any plan toward reconstruction or repair/rehabilitation or upgrading of such facility.

In cases where there is imminent danger to public health and safety, the permit holder should notify the Regional Office and the public within 24 hours.

**Section 23. Compliance Monitoring Protocols.** The Regional Offices shall subject permit holders to periodic monitoring inspections. The permit holder shall ensure that all relevant documents (maps, diagrams, permits, manufacturing process documentation, laboratory and monitoring reports etc.) and concerned personnel are available during monitoring activities.

Key personnel from the Regional Office shall inspect the establishment, plant or treatment facilities of the permit holder or discharger at any time to determine compliance with the effluent quality standards, rules and regulations and permit conditions. The water quality parameters relevant to the plant operation and type of industry shall be determined at least quarterly.

**Section 24. Access to Premises.** The permit holder shall provide immediate, safe and adequate access to authorized representatives of the Department or Regional Offices or inspectors after showing proper identification and mission order from the Department or Regional Office.

## ARTICLE V PROHIBITIONS

**Section 25. General Prohibitions.** No person shall throw, run, drain or otherwise dispose into any of the water and/or land resources of the country, or cause, permit, suffer to be thrown, run, drain, allow to seep, or otherwise dispose thereto, any organic or inorganic matter or any substance in liquid form without an approved Permit from the Regional Office.



**Section 26. Specific Prohibitions.** No person shall perform, cause or undertake any of the following activities without first securing permit from the Regional Office:

- a. The increase in volume or strength of any wastes in excess of the permitted discharge specified under any existing permit ; and
- b. The construction or use of any outlet or unauthorized by-pass channels for the discharge of any untreated wastes, liquid or solid, directly into the water and/or land resources of the Philippines.

**Section 27. Other Prohibitions.** Other prohibitions shall consist of the following:

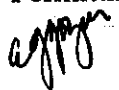
- a. Commission or omission of any act in violation of these rules and regulations including, but not limited to, failure or refusal to secure and/or renew the Permit, submit self-monitoring reports, or refusal to pay fees, fines and penalties;
- b. Refusal, obstruction or prevention of entry of authorized representatives of the Regional Office into any property devoted to industrial, manufacturing, processing, or commercial use for the purpose of inspecting or monitoring the compliance of the establishment/facility with the Permitting System and /or conditions therein;
- c. Discharge, dispose, drain or allow to seep, any wastewater into waters classified as Class "AA" and Class "SA" (as defined in DAO 34, Series of 1992).

## ARTICLE VI FINES AND PENALTIES

**Section 28. General Administrative Fines.** Any person, natural or juridical, found violating or failing to comply with these rules and regulations and/or conditions embodied in the permits issued by the Regional Office shall be liable to administrative fine in an amount not exceeding one thousand pesos (PhP1,000.00) for every day of violation in addition to such other sanctions stated in these rules and regulations. The imposition of the said fines does not preclude the Department from instituting, before the appropriate Courts, the proper criminal or civil action as the case may warrant.

**Section 29. Penalty for Late Renewal.** Failure to renew the wastewater discharge permit within the period specified under Section 15 of these Rules and Regulations shall be liable to a penalty of not to exceed one thousand pesos (PhP1,000.00) per day during which such violation or default continues.

**Section 30. Penalty for Refusing Entry.** Any person who shall refuse, obstruct or hamper the entry of the duly authorized representative of the Regional Office into any property of the public domain or private property devoted to industrial, manufacturing, processing or commercial use during reasonable hours for the purpose of inspecting or investigating the conditions therein relating to pollution or possible or imminent pollution or inspecting or monitoring the compliance of the establishment/facility with the Permitting



System and /or conditions therein, shall be liable to a fine not exceeding two hundred pesos (PhP200.00) or imprisonment of not exceeding one month, or both, or the suspension or revocation of the permit.

**Section 31. Penalty for the Commission of Other Acts Prohibited Under Article V.** Any person who shall violate all other prohibitions under Article V of these Rules and Regulations or any order or decision of the Department, shall be liable to a penalty of not to exceed one thousand pesos (PhP1,000.00) for each day during which such violation or default continues, or by imprisonment of from two (2) years to six (6) years, or by both fine and imprisonment after due notice and hearing and in addition to such person may be required or enjoined to discontinue such violation.

In case the violator is a juridical person, the penalty shall be imposed on the Managing Head for the violation.

**Section 32. Non-Payment of Fines.** The fines so imposed shall be paid to the government through the Regional Office. Failure to pay the fine in any case within the time specified in the aforementioned order or decision shall be sufficient ground for the Regional Office to order the closure or stoppage of the operation of the establishment being operated and/or managed by said person or persons until payment of the fines shall have been made. Payment of the fines does not *ipso facto* operate to vest on the violator the right to resume operation.

## ARTICLE VI FINAL PROVISIONS

**Section 33. Deputization of Functions.** The Department may deputize in writing or request assistance from appropriate government or non-government agencies or instrumentalities for the purpose of enforcing these rules and regulations.

**Section 34. Issuance of Implementing Guidelines.** For the effective implementation of this Administrative Order, the Environmental Management Bureau shall prepare the implementing guidelines of this Order, in consultation with the industry sectors and other stakeholders, within ninety (90) working days upon the issuance of this Order which shall be approved by the Secretary.

**Section 35. Phase out of the Authority to Construct and Permit to Operate.** The Wastewater Discharge Permit shall henceforth replace collectively the existing Authority to Construct and Permit to Operate wastewater treatment facilities.

**Section 36. Separability Clause.** Any section or provision of these rules and regulations declared to be unconstitutional or invalid by a competent court, the other sections or provisions hereof shall remain to be in force.

*Agapan*

**Section 37. Monitoring and Evaluation.** These rules and regulations shall be subject to monitoring, evaluation and/or formal review by the Environmental Management Bureau (EMB) from the adoption of this implementing rules and regulations (IRR). Changes in this IRR shall be subject to public consultation and approval of the Secretary.

**Section 38. Information, Education Campaign.** For the effective implementation and coordination efforts of the NEUF system, the EMB Central Office and Regional Offices, shall conduct the continuing education and information campaign within the concerned sectors and related agencies upon the adoption of these implementing rules and regulations.

**Section 39. Repealing Clause.** Provisions of the 1978 National Pollution Control Commission (NPCC) Implementing Rules and Regulations, as amended, the Effluent Regulations of 1982, and the other existing rules and regulations of the Department, which are inconsistent herewith, are hereby repealed.

**Section 40. Effectivity.** These rules and regulations shall take effect thirty (30) days after its complete publication in at least two (2) national newspapers of general circulation.

**APPROVED.**

  
ELISEA G. GOZUN  
Secretary