



Republic of the Philippines
Department of Environment and Natural Resources
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MEMORANDUM

FOR : **The Regional Director**
EMB REGIONAL OFFICES

FROM : **The OIC, Director**

SUBJECT : **PEZA SEEKING CLARIFICATION ON EIA POLICY.**

DATE : **JAN 10 2006**

This has reference to a letter sent by the Philippine Economic Zone Authority (PEZA)-Environmental Safety Group (ESG) OIC, Ms. Tonilyn P. Lim seeking clarification on whether a proponent/locator should be issued a Notice of Violation (NOV) and/or an Order to Pay penalties for not implementing the ECC conditions.

Please be guided on the following:

1. Locators not posting billboards to notify the public of the issuance of ECC may not be cited for violations and be subject to penalties, however, we encourage PEZA to require these locators to display copies of their ECCs in a conspicuous place within their plant premises. The ECC issued to the Economic Zone should however be posted on a conspicuous place within the fenced area.
2. Regarding the expansions to approved operation, our Office may allow PEZA to make "judgment calls" as to whether a proposal for the suggested expansion of the approved operation may require a separate Environmental Impact Assessment assuming that most of the proposals would not pose significant impact on the environment. However, for those that may pose significant impact, PEZA should require a corresponding EMP to address these impacts. In all these cases the proposals for expansion should be subject to PEZA's approval and EMB's validations, if necessary. PEZA should regularly notify EMB regarding its recommendation and action on these proposals.
3. With regard to the planting of trees, we agree with PEZA that for locators having difficulty in allocating spaces for greening, this should not be subject to NOV's and payment of penalties. However, we encourage planting of shrubs, ornamental plants or vegetative cover. Further, we would like to encourage PEZA to formulate and adopt a policy of "Greening the Ecozone" which may lead to a more rational approach in determining where the "greens" should be planted within the fenced area.

For your information and compliance.


ATTY. LOLIBETH R. MEDRANO