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Philippine Association of Multinational Companies Regional Headquarters, Inc.

October 10, 2014

**HON. FELICIANO BELMONTE**

Speaker

House of Representatives

Quezon City

**Dear Speaker Belmonte:**

We would like to express our support and forward to you the legislative proposal in the attached article to amend the Clean Air Act to allow garbage incineration to help address the perennial problem of flooding due to garbage clogging our waterways and flood control systems. The proposal is consistent with one of Arangkada's 471 recommendations to allow the use of non-polluting clean incineration.

Metro Manila faces a solid waste crisis and is running out of disposal capacity.<sup>1</sup> Sanitary landfills must be built to contain the future solid waste of the metropolis. Once in place and better waste management is achieved at the barangay level, the current sites can be closed. Because of leachate leaking hazardous chemicals into ground water and streams, the current dumps will still need to be cleaned.

Under the Clean Air Act (RA 8749), all incineration is banned to prevent air pollution. However, the law ignored modern incineration technologies, which are non-polluting and can produce energy and construction materials as by-products. Aside from an imminent solid waste crisis, medical and chemical wastes are not properly disposed of or need to be shipped abroad. Metro Manila generates many tons of medical waste daily, but the law forced medical incinerators to close. While hospitals can use autoclave machines, not all medical waste can be properly disposed by this method and should be incinerated

A Supreme Court ruling in January 2002 (GR 147465) affirmed that not all incineration is banned. The decision reads "Section 20 [of the Clean Air Act] does not absolutely prohibit incineration as a mode of waste disposal; rather only those burning processes which emit poisonous and toxic fumes are banned."

Despite the Supreme Court ruling, uncertainty remains, and incineration is not taking place. Environmental groups still claim that all incineration is banned to prevent air pollution. To avoid a solid waste crisis, the DENR should establish clear

<sup>1</sup> Asian Development Bank (ADB), *The Garbage Book: Solid Waste Management in Metro Manila*. ADB, 2004.

rules and standards that would allow modern incineration technologies. There is also a need to amend the Act to allow modern incinerators that meet clean air emission standards.

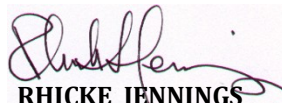
During previous meetings of the JFC and Philippine business groups with Congressional leaders we have supported the filing of the attached draft bill amending the Clean Air Act. The intent of the bill is similar to HB 3161.

Early this year, the House Committee on Ecology conducted a hearing on House Bill 3161, filed by Rep. Edgar Erice, allowing the use of incinerators in burning municipal, biomedical, and hazardous wastes. Unfortunately, the committee deliberation on the bill has stalled.

We would greatly appreciate your support for the Committee to resume consideration of this bill for possible enactment this 16<sup>th</sup> Congress.

Thank you again. We look forward to continued partnership with you in the future.

Regards,



**RHICKE JENNINGS**  
President

American Chamber of Commerce  
of the Philippines Inc.



**IAN PORTER**  
President

Australian-New Zealand Chamber  
of Commerce of the Philippines Inc.



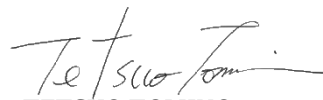
**JULIAN PAYNE**  
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Korean Chamber of Commerce  
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**SHAMEEM QURASHI**  
President

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cc: **Rep. Amado Bagatsing**  
Chairperson, Committee on Ecology, House of Representatives

**Director General Romulo Miral, Jr.**  
Congressional Policy and Budget Research Office