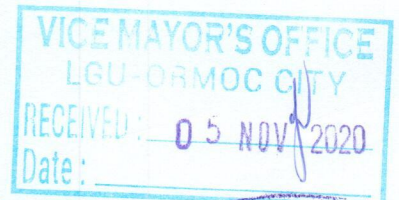
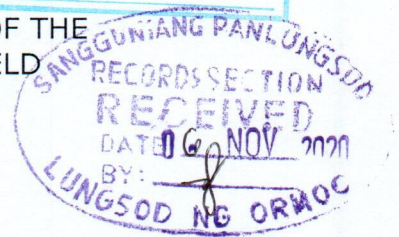


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON NOVEMBER 03, 2020



PRESENT:

Leo Carmelo L. Locsin, Jr.	City Vice Mayor & Presiding Officer
Benjamin S. Pongos, Jr.,	SP Member
Roiland H. Villasencio,	SP Member
Tomas R. Serafica,	SP Member, Majority Floor Leader
Nolito M. Quilang,	SP Member
Eusebio Gerardo S. Penserga,	SP Member
Jasper M. Lucero,	SP Member, Asst. Majority Floor Leader
Peter M. Rodriguez,	SP Member
Vincent L. Rama,	SP Member
Gregorio G. Yrastorza III,	SP Member
Lalaine A. Marcos,	SP Member
Esteban V. Laurente,	Ex-Officio SP Member, Chapter President, Liga ng mga Barangay ng Ormoc
Joan Marbie C. Simbajon,	Ex-Officio SP Member, Chapter President, Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

RESOLUTION NO. 2020-355

**AN URGENT RESOLUTION URGING THE NATIONAL
SOLID WASTE MANAGEMENT COMMISSION TO
RELEASE THE LONG-OVERDUE LIST OF NON-
ENVIRONMENTALLY ACCEPTABLE MATERIALS
WHICH INCLUDE SINGLE USE PLASTICS.**

WHEREAS, Article II, Section 16 of the Philippine Constitution provides that, "the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature";

WHEREAS, Section 16 of RA 7160 also known as the Local Government Code of 1991 provides that, "each local government units within their respective territorial jurisdictions, shall promote health and safety and enhance the right of the people to a healthy and balanced ecology";

WHEREAS, Section 447, 458 and 468, particularly sub-section (a)(1)(vi), of RA 7160 authorizes the Sangguniang to approve ordinances and pass resolutions to protect the environment and impose appropriate penalties to acts which endanger the environment including such activities which result in pollution, acceleration of eutrophication in rivers and lakes, or ecological imbalance";

WHEREAS, among the powers and duties of the National Solid Waste Management Commission the "Commission" under RA 9003, otherwise known as the Ecological Solid Waste Management Act of 2000, is for the Commission to "Adopt a program to provide technical and other capability building assistance and support to local government units in the development and implementation of source reduction by methods such as product design, materials substitution, materials re-use and packaging restrictions";

WHEREAS, the Commission is likewise mandated to "Formulate an updated list of non-environmentally acceptable materials". RA 9003 defines "Environmentally acceptable" to refer to "the quality of being re-usable, biodegradable or compostable, recyclable and not toxic or hazardous to the environment";

WHEREAS, Section 29 of RA 9003, provides that the Commission "shall, after public notice and hearing, prepare a list of Non-Environmentally Acceptable Products as defined by the said Act that shall be prohibited according to a schedule that shall be prepared by the Commission". It also requires that it "shall annually review and update the list of prohibited non-environmentally acceptable products."

WHEREAS, it has been almost eighteen (18) years since the effectivity of RA 9003 with the National Solid Waste Management Commission still to release the list and schedule of phase out of the Non-Environmentally Acceptable Products as mandated by the aforesaid law;

WHEREAS, "Single-use disposable plastics are the greatest obstacle to sound waste and resource management. Inadequate waste management systems and human negligence are often cited as the main contributors to plastic waste leakage into terrestrial and marine environment- but waste and brand audit data in many parts of the world are helping reveal that the unfettered production of disposable plastic is the actual problem.";

WHEREAS, data released in 2015 by the Ocean Conservancy and McKinsey Center for Business and Environment ranked the Philippines as the 3rd largest source of plastic leaking into the ocean and among the highest trash collection rates in Southeast Asia;

WHEREAS, study showed that in the Philippines, the sheer volume of single use plastics is beyond the capacity of local governments to handle and manage. Consider these data from the 2019 GAIA study:

1. "The average Filipino uses 591 pieces of sachets, 174 shopping bags, and 163 plastic labo bags, yearly.
2. Every day, almost 57 million shopping bags are used throughout the Philippines, or roughly 20.6 billion pieces a year.
3. Plastic labo bag use throughout the Philippines is at 45.2 million pieces per day, or 16.5 billion pieces a year.
4. Around three million diapers are discarded in the Philippines daily, or 1.1 billion diapers annually."

WHEREAS, single-use plastic materials and plastic bags which are commonly used for plastic packaging are merely used only once before they are thrown away constitute the most used and the bulk of disposed plastics in this City.

WHEREAS, largely because of its make-up, single-use plastic materials and plastic bags would take thousands of years to disintegrate and decompose when discarded in landfills or in the environment.

WHEREAS, despite the regulations imposed by this City, plastic wastes remain to be a huge contributor in the city's increasing amount of waste material and required a huge chunk of their annual budget and expenditures;

WHEREAS, the indiscriminate dumping of plastic bags and packaging materials into the environment is exacerbating flooding, deteriorating water quality, shallowing of rivers, and as such constitutes a serious threat to public health and the integrity of the environment and the lives of marine creatures;

WHEREAS, the banning of the production, use and distribution of single-use plastics will greatly contribute to a reduction in the volume of solid wastes generated by local communities and which end up in canals, waterways, rivers, streams, and eventually, in the oceans, with approximately 8 million tons of plastics released to the ocean each year;

WHEREAS, because of the deleterious effects of the disposal of plastics bags and packaging materials into the environment, the local government units in Metro Manila like Makati, Quezon City, Pasig, Muntinlupa, Las Piñas, and Pasay have already said "NO to Plastic". At the same time, the Provinces of Cavite, El Nido, Los Baños, Bacolod, Negros Oriental, Baguio, some towns in Pangasinan, Pilar in Siargao and Boracay have already passed and implemented local ordinances prohibiting the use of plastic bags in their localities.

WHEREAS, in 2017 the city of Ormoc enacted Ordinance no. 59, An Ordinance regulating the use of plastic bags and other plastic materials for commercial purposes for two days each week, promoting the use of eco bags and other environment-friendly practices as an alternative and providing penalties therefore.

WHEREAS, due to the increasing attention given by the local government units in managing plastic wastes within their respective territorial jurisdiction with heavy financial cost which should have been allocated for delivery of services, there is a compelling need for the National Solid Waste Management Commission to include single-use plastics as a priority list treated as Non-Environmentally Acceptable Material as above-defined by and which is mandated by RA 9003;

WHEREAS, "disposable plastic is a pollution problem, and the only way to prevent it is to stop it at source". Under the Philippines legal framework, if a material such as single-use plastic is listed as non-environmentally acceptable, the "manufacture, distribution or use of non-environmentally acceptable packaging materials and "Importation of consumer product packaged in non-environmentally acceptable materials" are prohibited, and meted heavy penalties such as P500,000.00 fines, for the first offence.

NOW, THEREFORE, foregoing premises considered, on motion of SP Member Lalaine A. Marcos, Chairman, Committee on Environment, Natural Resources and Energy Conservation, severally seconded by SP Members Tomas R. Serafica, Jasper M. Lucero, Gregorio G. Yrastorza III, Joan Marbie C. Simbajon, Roiland H. Villasencio, Esteban V. Laurente and Peter M. Rodriguez; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution to strongly urge the National Solid Waste Management Commission to immediately release the list of Non-Environmentally Acceptable Packaging as mandated by RA 9003;

RESOLVED FURTHER, that the National Solid Waste Management Commission include single use plastics such as plastic straw and stirrers, plastic disposable cups, plastic disposable cutlery, plastic grocery bags, plastic beverage bottles, and the like in the list of Non-Environmentally Acceptable Materials; and

RESOLVED FURTHERMORE, that through these actions, the National Solid Waste Management Commission promote the use of authentic alternatives, not false solutions, to single use plastics that are considered as environmentally acceptable as referred to in Section 3 (m) of RA 9003 as those that exhibit "the quality of being re-usable, biodegradable or compostable, recyclable and not toxic or hazardous to the environment."




APPROVED, November 03, 2020.

RESOLVED, FINALLY, to furnish copies of this resolution be furnished each to the City Mayor Richard I. Gomez; the City Administrator; the City Legal Officer; the National Solid Waste Management Commission; the City Local Government Operations Officer-DILG; and other offices concerned;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above resolution.


NONILYN D. GALANO
OIC - SP Secretary
(Supervising Administrative Officer)

ATTESTED:


LEO CARMELO L. LOCSIN, JR.
City Vice Mayor & Presiding Officer