



MAR 30 2005

**DENR ADMINISTRATIVE ORDER**

No. 2005- 04

**SUBJECT: Integration of the Regional Offices of EMB and MGB to the DENR Regional Offices and Defining the Authority of the RED over the EMB and MGB Regional Offices**

This Administrative Order is hereby issued to effect the operational integration to the DENR Regional Offices of the objectives, functions and responsibilities of the regional offices of the Environmental Management Bureau and the Mines and GeoSciences Bureau.

This Order is in accordance with Book IV, Chapter 5, Section 22 of Executive Order No. 292, the Administrative Code of 1987, which allows organizing an integrated regional office on a department-wide office.

**I. Statements of Policy**

- A. The implementation of environmental and natural resources (ENR) programs and projects and the enforcement of ENR laws and regulations at the field level should be done in a coordinated and unified manner to ensure improved and faster service to the clientele;
- B. At the region, the Regional Executive Director is the principal head of the DENR organization and operations, including those pertaining to the Environmental Management Bureau and the Mines and GeoSciences Bureau.
- C. Taking into consideration their technical capability, the Provincial and Community Environment and Natural Resources Offices (PENRO and CENRO) shall be delegated functions that are necessary to carry out the activities of the EMB and MGB regional offices.

**II. Authority To be Exercised By the Regional Executive Director Over the EMB and MGB Regional Offices**

- A. Endorsement to the Bureau Director appointments of personnel to regular positions
- B. Endorsement to the Bureau Director/ Secretary of appointment of Division Chiefs
- C. Preventive suspension of personnel
- D. Dropping from the rolls of absentee personnel
- E. Approval of retirement and resignation



- F. Endorsement of reassignment or detail to another regional office or sector within the DENR regional office.
- G. Approval of leaves of regional personnel up to one year. Leaves exceeding one year shall require the approval of the Secretary
- H. Office clearance due to separation from service
- I. Permission to exercise profession outside of office hours
- J. Approval of Notice of Salary Adjustment, except the notice for Presidential appointees, which shall be signed by the authorized Central Official
- K. Endorsement to the bureau head/Secretary of personnel's participation in foreign training and local/foreign scholarship
- L. Entering into Memoranda of Agreement for EMB and MGB regional concerns
- M. Approval and signing of Vouchers and Checks exceeding P100,000, except payrolls which shall approved by the Regional Director.

III. Except for the above functions and authorities, the Regional Directors of EMB and MGB shall continue to exercise the authorities as provided by the Manual of Approval.

IV. The Regional Directors of EMB and MGB shall furnish the RED copies of the following documents within one (1) week after their issuance:

**A. EMB**

- 1. Environmental Compliance Certificate (ECC)
- 2. Certificate of Non-Coverage (ECC)
- 3. Cease and Desist Order for projects in environmentally critical areas (ECA)
- 4. Notice of Violation of projects in ECA and by generators/treaters of hazardous wastes
- 5. Permit to Operate (for air pollution control facilities)
- 6. Discharge Clearance (for water pollution control)
- 7. Permit to Transport Hazardous Wastes
- 8. All other permits and clearances issued by the Regional Director

**B. MGB**

- 1. Approval or Denial/rejection of application for exploration permit (EP) outside mineral reservation
- 2. Transfer of assignment of application for EP and Financial or Technical Assistance Agreement (FTAA) outside mineral reservations
- 3. Approval of relinquishment/ cancellation of area outside mineral reservations



4. Approval of declaration of mining project feasibility outside mineral reservations
5. Denial/Rejection of application for Mineral Agreement (MA) and FTAA outside mineral reservations
6. Transfer or assignment of MA and FTAA application outside mineral reservations
7. Approval of deviations from Exploration Work Programs outside mineral reservations, whether MA or FTAA
8. Conversion of MA or FTAA application to EP application outside mineral reservations
9. Transfer or assignment of FTAA applications outside mineral reservations
10. Industrial sand and gravel permit for areas moiré than 5 ha but not exceeding 20 ha where clearance has been granted by the Bureau Director
11. Approval of Annual Environmental Protection and Enhancement Program (EPEP) for areas outside mineral reservations
12. Issuance of survey authority outside mineral reservations
13. Withdrawal/cancellation of order of survey/ verification of survey returns and approval of survey plan for areas outside mineral reservations
14. Issuance of certificate of accreditation for mineral products and by-products for processors, traders, dealers and retailers outside Metro Manila
15. Ore transport permit for permit holders, accredited traders, retailers, processors, Lessees, SMP holders and for small scale mining within mineral reservations
16. Ore sample transport certificate
17. Delivery receipt for sand and gravel transport for more than 5 ha but not exceeding 20 ha
18. Seizure/confiscation of illegal sourced mineral products, including tools, equipment and conveyances used in the commission of illegal mining
19. Application for Purchaser's License (to purchase explosives)
20. Application for license to purchase/transfer explosives
21. Application for blaster foreman's license
22. Registration of Safety Engineer and Safety Inspector
23. Permit for Electrical/Mechanical Installation

#### **IV. Relationship with PENRO and CENRO:**

- A. The Regional Directors shall coordinate very closely with the the respective PENRO's and CENRO's in the conduct of their field activities within the jurisdiction of the PENROs and CENRO's
- B. The RD's shall keep the PENROs and CENROs updated on issues, problems, programs and activities pertaining to the latter's jurisdiction.



- C. The PENRO's and CENRO's shall provide assistance to the EMB and MGB Regional staff in the conduct of activities within their areas

**V. Other Authorities and Responsibilities of the Regional Executive Director**

- A. The Regional Executive Director shall be responsible for carrying out Cease and Desist Orders issued by the Pollution Adjudication Board and to issue Notice to Proceed for the conversion of open dumps to controlled dumps.
- B. The RED shall serve as the regional alter-ego of the Secretary/Chairman of the National Solid Waste Management Commission in the implementation of RA 9003 (the Ecological Solid Waste Management Act). The EMB Regional Office shall provide technical and secretariat support to the RED in the performance of functions related to the implementation of RA 9003.
- C. The RED shall be the principal representative of the DENR in the Regional Development Council.

**V. Regional Management Committee**

The Regional Directors of the MGB and EMB shall continue to be members of the Regional Management Committee

This Order shall be reviewed periodically as part of the overall effort to improve services in the field.

This Order takes effect immediately.

  
**MICHAEL T. DEFENSOR**  
Secretary

