Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
20th City Council

PO20CC-001

56th Regular Session

*ORDINANCE NO. SP-*2691*, S-2018*

AN ORDINANCE REGULATING THE TRANSPORT, STORAGE, REUSE, RECYCLING, REPROCESSING OR DISPOSAL OF USED/WASTE COOKING OIL AND GREASE TRAP WASTE BY RESTAURANTS, CAFETERIAS, KITCHENETTES, CANTEENS, FOOD OUTLETS, FOOD CHAINS, FOOD COURTS, FOOD STALLS, AND OTHER SIMILAR ESTABLISHMENTS IN QUEZON CITY AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

Introduced by Councilor ALLAN BENEDICT S. REYES.
Co-Introduced by Councilos Anthony Peter D. Crisologo, Lena Marie P. Juico, Elizabeth A. Delarmente, Victor V. Ferrer, Jr., Oliviere T. Belmonte, Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Ramon P. Medalla, Ranulfo Z. Ludovica, Estrella C. Valmocina, Roderick M. Paulate, Gian Carlo G. Sotto, Kate Abigael G. Coseteng, Jose Mario Don S. De Leon, Franz S. Pumaren, Eufemio C. Lagumbay, Marvin C. Rillo, Raquel S. Malañgen, Irene R. Belmonte, Ivy Xenia L. Lagman, Marra C. Suntay, Hero Clarence M. Bautista, Jose A. Visaya, Karl Edgar C. Castelo, Julienne Alyson Rae V. Medalla, Godofredo T. Liban II, Allan Butch T. Francisco, Marivic Co-Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto, Donato C. Matias, Eric Z. Medina and Ricardo B. Corpuz.

WHEREAS, the Local Government Code of 1991 (Republic Act No. 7160) grants every local government unit the power and authority to promote the general welfare within its territorial jurisdiction, including the promotion of the health and safety of its constituents;

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WHEREAS, the Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990 (Republic Act No. 6969) provides that it is a State policy "to regulate, restrict or prohibit the importation, manufacture, processing, sale, distribution, use and disposal of chemical substances and mixtures that present unreasonable risk and/or injury to health or the environment; to prohibit the entry, even in transit, of hazardous and nuclear wastes and their disposal into the Philippine territorial limits for whatever purpose; and to provide advancement and facilitate research and studies on toxic chemicals";

WHEREAS, Republic Act No. 6969 defines Hazardous Wastes as "substances that are without any safe commercial, industrial, agricultural or economic usage and are shipped, transported or brought from the country of origin for dumping or disposal into or in transit through any part of the territory of the Philippines" and as "by-products, side-products, process residues, spent reaction media, contaminated plant or equipment or other substances from manufacturing operations, and as consumer discards of manufactured products";

WHEREAS, the Department of Environment and Natural Resources (DENR) Revised Procedures and Standards for the Management of Hazardous Wastes (Revising DAO 2004-36) (DENR Administrative Order No. 2013-22) classifies Used/Waste Cooking Oil and Grease trap Waste Oil, including sludge, as a hazardous waste;

WHEREAS, based on scientific studies, reusing any type of cooking or vegetable oil more than twice creates free radicals which increases the likelihood of heart disease, high blood pressure, and other ailments. On the other hand, grease trap waste contaminates water bodies and clogs drainage system if not properly disposed and treated.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. TITLE – This Ordinance shall be known as the "Used/Waste Cooking Oil and Grease trap Waste Regulation Ordinance of 2017".

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SECTION 2. DECLARATION OF POLICY – It is hereby declared the policy of Quezon City Government to prevent and/or minimize the health hazards on ground and water pollution caused by the improper disposal, transport, storage, reuse, recycling, or reprocessing of used/waste cooking oil and grease trap waste by food establishments and other responsible entities.

SECTION 3. COVERAGE – This Ordinance shall apply to all food establishments using cooking oil or vegetable oil for food preparation, and are generating grease trap waste such as but not limited to: restaurants, cafeteria, kitchenettes, canteens, food outlets, food chains, food courts, food stalls, and other similar establishments within the territorial jurisdiction of Quezon City.

This Ordinance shall likewise apply to all persons, whether natural or juridical, who are engaged in the transport, storage, reuse, recycling, reprocessing, and disposal of used/waste cooking oil and grease trap waste.

SECTION 4. MANAGEMENT OF USED/ WASTE COOKING OIL AND GREASE TRAP WASTE – For purposes of this Ordinance, all used/waste cooking oil and grease trap waste from any food establishment shall be transported, stored, reused, recycled, reprocessed, treated, and disposed only through the following:

a. Waste transporter and/or a Treatment, Storage, and Disposal (TSD) Facility duly accredited with the Department of Environment and Natural Resources and registered with the QC-EPWMD; or

b. Quezon City Government, through the Environmental Protection and Waste Management Department (QC-EPWMD), in coordination and/or partnership with the DENR-EMB, and the Accredited Service Providers for the collection, transport, treatment and disposal.

SECTION 5. ENVIRONMENTAL CLEARANCE – All business establishments in Quezon City that generates used/waste cooking oil and grease trap waste, and all service providers engaged in the transport, storage, treatment and disposal of the same, that operates within the territorial jurisdiction of Quezon City, shall register their respective business activity to the QC-EPWMD for purposes of monitoring and ensuring their compliance to the provisions of Republic Act No. 6969, and its Implementing Rules and Regulations, and other relevant environmental laws, rules and regulations.

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The following requirements shall be submitted to the QC-EPWMD in securing Environmental Clearance:

(a) For Food Establishments (Generators) of Used/Waste Cooking Oil and Grease trap Waste:

1) Barangay Clearance;

2) Business Permit to operate issued by the Quezon City Business Permits and Licensing Office (BPLO) and/or proof of payment of business tax; and

3) Relevant National Permits, Clearances, Registrations as may be applicable.

(b) For Waste Transporter and/or TSD (Service Providers):

1) Barangay Clearance;

2) Business Permit to operate issued by the Quezon City Business Permits and Licensing Office (BPLO) and/or proof of payment of business tax;

3) Relevant National Permits, Clearances, Registrations as may be applicable; and

4) Certificate of Accreditation from the DENR-EMB as Transporter/Treater, TSD Facility.

SECTION 6. RESPONSIBILITIES OF CONCERNED PARTIES

(a) For Relevant Generators

1) Shall be responsible for the proper segregation, storage, labeling of the generated used oil and grease trap waste.

2) Registration with the proper local and national agencies.

3) Comply with the requirement as specified in the latest IRR of Republic Act No. 6969 or the DENR Administrative Order/s.

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4) Pay the corresponding service charge fee to the service provider and as may be agreed upon.

(b) For Relevant Service Providers

1) Shall be responsible for the collection, transport, treatment, and disposal of used/waste cooking oil and grease trap waste produced by relevant generators.

2) Registration with the proper local and national agencies.

3) Comply with the requirements as specified in the latest IRR of Republic Act No. 6969 or the DENR Administrative Order/s.

SECTION 7. ALTERNATIVE USE FOR THE USED/WASTE COOKING OIL AND GREASE TRAP WASTE – The QC-EPWMD shall study and recommend to the City Mayor the best use for the collected used/waste cooking oil and grease trap waste as an alternative source of energy or for any industrial usage.

To this end, the City Mayor is hereby authorized to enter into an agreement with a third party capable of converting the used/waste cooking oil and grease trap waste into an alternative source of energy like biodiesel or other forms of fuel energy, or for any industrial usage.

SECTION 8. OTHER PROHIBITED ACTS – It shall be unlawful for the food establishments and Waste transporter and/or a Treatment, Storage, and Disposal (TSD) to commit the following:

a) Non-segregation of used/waste cooking oil and grease trap waste;

b) Illegal disposal and selling of used/waste cooking oil or vegetable oil to unauthorized collector/buyer of the same;

c) Collection, transport, disposal of used/waste cooking oil and grease trap waste by unauthorized person or entity; and

d) Non-registration to QC-EPWMD for Environmental Clearance of the food establishments and service providers covered herein.

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SECTION 9. PENALTIES – For owners, managers, administrators, operators, tenants, or occupants of food establishments; and for Waste Transporter and/or TSD Facility engaged in the collection, transport, storage, treatment and disposal of used/waste cooking oil or grease trap waste from the food establishments operating within the territorial jurisdiction of Quezon City covered herein, who shall fail to comply or violate Section 5, Section 6 and/or Section 8, shall be liable to pay the following fine for every violation as follows:

a. *First Offense – Two Thousand Pesos (Php2,000.00);*

b. *Second Offense – Three Thousand Pesos (Php3,000.00) and suspension to operate business until compliance with this Ordinance;*

c. *Third Offense – Five Thousand Pesos (Php5,000.00) and revocation/cancellation of business permit.*

In addition, the subject vehicle and other tools or instruments actually used in the unauthorized transport, storage and disposal of used/waste cooking oil or grease trap waste shall be impounded until such waste transporter/TSD facility shall comply with this Ordinance. Provided that, all used/waste cooking oil or grease trap waste illegally collected shall be automatically confiscated by the City government for proper disposal, or reuse the same pursuant to Section 7 of this Ordinance.

Provided further, that, in case of juridical persons, the president or general manager shall be liable.

SECTION 10. IMPLEMENTATION – Within sixty (60) days from the effectivity of this Ordinance, the QC-EPWMD shall promulgate the Implementing Rules and Regulations (IRR) of this Ordinance and shall work in close coordination with the BPLO for the effective, consistent, and strict implementation of this Ordinance.

SECTION 11. REPEALING CLAUSE – All Ordinances, Executive Orders or parts thereof which are inconsistent with the provisions of this Ordinance are hereby amended, modified, or repealed accordingly.

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SECTION 12. SEPARABILITY CLAUSE – If any part or provision of this Ordinance is declared unconstitutional or invalid, the same shall not affect the validity and effectivity of the other parts or provisions of this Ordinance.

SECTION 13. EFFECTIVITY CLAUSE – This Ordinance shall take effect ten (10) days after its publication in a newspaper of general circulation and posted in at least three (3) conspicuous places in Quezon City, in compliance with Section 59, Chapter 3, Title II, Book 1 of the Local Government Code of 1991, as amended (RA No.7160).

ENACTED: February 26, 2018.

MA. JOSEFINA G. BELMONTE
City Vice Mayor
Presiding Officer

ATTESTED:

Atty. JOHN THOMAS S. ALFEROS III
City Secretary

APPROVED: 19 APR 2018

HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on February 26, 2018 and was PASSED on Third/Final Reading on March 12, 2018.

Atty. JOHN THOMAS S. ALFEROS III
City Secretary

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