

Workshop 2015 of the Asian Network for Prevention of Illegal Transboundary Movement of Hazardous Wastes

23-25 November 2015, Singapore

Session 4: Measures for Strengthening Border Control Activities for Combatting Illegal Traffic in Asia

“Philippines – Good Practices and Challenges of Border Control in Asia”

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“Heterogeneous Scrap Plastic Illegally Shipped from Canada to the Philippines”

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Chronology of Events

Date	
01 June – 10 July 2013	<ul style="list-style-type: none"> Five (5) Import Clearances were issued by EMB for the subject forty (40) container vans declared as scrap plastics for recycling.
08 August 2013	<ul style="list-style-type: none"> Compliance inspection was conducted by EMB Hazardous Waste Management staff at the facility of the importer to ensure that the next applications It was noted that the imported scrap materials are mixed with other waste such as papers and metals manually sorted by the workers. resulting to the and requested BOC to put on “ALERT” the succeeding shipments . <p>(photodocumentation on the next slide)</p>
05 September 2013	<ul style="list-style-type: none"> Issuance Notice of Violation (NOV), technical conference was held 07 September 2014
19 November 2013	<ul style="list-style-type: none"> Payment of Administrative fine of PhP50,000



PICTURES AT THE FACILITY OF CHRONIC PLASTICS



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Chronology of Events: *(continuation)*

22-27 November 2013	<ul style="list-style-type: none"> • EMB issued ten (10) Import Clearances to the importer for the other fifty (50) container vans of scrap plastics. • BOC issued an Alert Order
10 February 2014	<ul style="list-style-type: none"> • Inspection conducted by EMB team and BOC headed by Deputy Commissioner Ariel Nepomuceno. <p>(photodocumentation on the next slide)</p>
10 March 2014	<ul style="list-style-type: none"> • The Environment of Canada was informed regarding the issue and requested to order the exporter to retrieve the wastes back to Canada.
17 July 2014	<ul style="list-style-type: none"> • DENR letter was sent to the Minister of Environment Canada as agreed on the previous meeting of the DFA-Office.



Photos taken during the joint inspection at MICT



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Chronology of Events: *(continuation)*

<p>22 August 2014 (Office of American Affairs, DFA)</p>	<p>Inter Agency meeting attended by:</p> <ul style="list-style-type: none">• DENR-EMB• DOF-BOC• DFA-OAA• DFA-UNIO• DFA- Office of Legal Affairs• DOJ• ICTSI (Port Operator)
<p>08 September 2014</p>	<ul style="list-style-type: none">• Reply letter (17 July 2014 DENR letter) from Environment Canada through Mr. Michael Martin in behalf of the Minister was received with no direct answer to the request for assistance o



Schedule of Activities

As agreed during the 29 October 2014 Interagency meeting presided by Atty. Jonas R. Leones (EMB Director, the following are the next steps:

ACTIVITY*	DATE/TIME	VENUE
Procedural Meeting	04 November 2014/ 9:30 AM	Environmental Management Bureau (EMB)
Inspection/Sampling	07 November 2014/ 10:00 AM	Bureau of Customs Port Area, Manila
Presentation of Findings	11 November 2014/ 9:30 AM	Environmental Management Bureau (EMB)

***representative(s) from the Embassy of Canada will be invited in the conduct of next step activities by DFA-OAA**



Waste Assessment and Characterization Study (WACS)

Manila International Container Terminal Yard
10 November 2014

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Schedule of Activities

Time	Activity/Venue
0730H	X-Ray Scanning (Container Yard)
0945H	<ul style="list-style-type: none"> • Entry Briefing of Interagency Members MICP District Office Conference Room
1000H	<ul style="list-style-type: none"> • Opening and Disinfection of Container Vans (ZCSU 821145, 819370, 842595) - Bureau of Quarantine staff (DOH) - Plantex was used as Disinfectant
1030H	<ul style="list-style-type: none"> • Pulling-out of one (1) bail from ZCSU 819370 • WACS proper (sorting/segregation)
1400H	<ul style="list-style-type: none"> • Lunch at MICP District Office Conference Room



Attendance

NAME	OFFICE
Didith Tan	BOC-Deputy Commissioner
Ariel Nepomuceno	BOC-Deputy Commissioner
Gerry Macatangay	BOC
JR Gumabon	BOC-OCOM
Yasmin Mapa	BOC-RCMG
Willie Tolentino	ESS-BOC
Nicocmedes Enad	ESS-BOC-DOF
Frank Javier	BOC-PIAD
Jay Crisostomo	BOC-PIAD
Randy Vizconde	BOC-Enforcement Group
Angelica Pago	DOF
Arvin Jo	DOF
Lucille Karen Isberto	DOF
Rupert Bustamante III	Dep. Coll. Ops – MICP



NAME	OFFICE
Porfirio Gabiola	Law Division-MICP
Annie Lesszrel	Embassy of Canada
Geraldine Bucad	Embassy of Canada
Richard Osea	DFA-OAA
Reichel Quiñones	DFA-OAA
Sonia Mendoza	Office of Sen. Legarda
Christopher Ilad	NSWMC
Cynthia Evardone	NSWMC
Juvinia Serafin	NSWMC
Salvacion Solis	NSWMC
Belly Cabeso	NSWMC
Geri-Geronimo Sañez	EMB
Solon Rativo	EMB
Irvin Cadavona	EMB
Dennis John Cabanatan	EMB

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• OPENING AND DISINFECTION



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(Sorting, Segregation & Weighing)

SORTING



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SEGREGATION



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WEIGHING



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RECYCLABLE MIXED PLASTICS



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RESIDUALS



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RECYCLABLES AND RESIDUALS



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Result of WACS (ZCSU 819370)

Waste Material(s)	No. of Bags	Weight (kg)	% Composition
Recyclable Mixed Plastics	26	181.15	33.25
Recyclable Mixed Metals	3	12.80	2.35
Electronic Waste (E-Waste)	1	1.30	0.24
Glass (Bottles & cullets)	1	1.25	0.23
Residuals	46	348.38	63.94
TOTAL	77	544.88	100.00

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Status of Activities

ACTIVITY	DATE/TIME	VENUE	STATUS/REMARKS
Procedural Meeting	04 November 2014/ 9:30 AM	Environmental Management Bureau (EMB)	COMPLETED (As scheduled)
Inspection/Sampling	07 November 2014/ 10:00 AM	Bureau of Customs Port Area, Manila	COMPLETED (moved to 10 November 2014 per BOC's advise)
Presentation of Findings	11 November 2014/ 9:30 AM	Environmental Management Bureau (EMB)	COMPLETED (As scheduled)



Updates

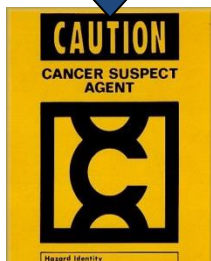
- Other agreements reached by the inter-agency included the filing of criminal cases by the DOJ against the local importer, Chronic Plastic with damages and payment of incidental costs. In the same case, the DOJ requested also the court for an order for the immediate disposal of the wastes.
- On 1 April 2015 an order was issued by the Judge of RTC, National Capital Judicial Region, Branch 47, Manila directing the immediate disposal of the illegal shipments and/or contraband. Likewise, the BOC was also ordered to immediately release the container vans to the Shipper of the wastes, the Le Soleil Shipping Agencies, Inc.
- On 25 June 2015, in compliance with the Court's order, the disposal of the subject municipal wastes plastic was effected at Metro Clark Waste Management Corporation's (MCWMC) landfill in Capas, Tarlac. The actual disposal was witnessed by the representatives from the BOC, EMB-DENR and the Local Government Units. Per record, a total of twenty six (26) containers were disposed at the MCWMC Landfill while the remaining twenty (24) are still at the Subic Bay International Container Terminal (SBICT).



Updates

- On 27 July 2015, a joint letter by DENR-EMB and BOC was sent to the Assistant Secretary of DFA requesting DFA to file a DIPLOMATIC PROTEST against the Government of Canada and to likewise enjoin them to revisit their domestic regulations on the export or illegal traffic of its wastes anywhere in the world.
- As of the moment, the BOC is coordinating with the LGUs of Tarlac for reconsideration of their positions not to allow the disposal of the wastes at Metro Clark.
- Further, arraignment of the accused consignee and brokers has been ordered by the Judge of RTC, Manila, Branch 47 last 11 August 2015 on the criminal cases filed for violating Section 3601 of the Tariff and Customs Code of the Philippines and a pre-trial schedule has been set on 22 September 2015.





**FOR MORE INFORMATION,
VISIT OUR WEBSITE**

www.emb.gov.ph/portal/haz

Send email to:

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