

[**DENR ADMINISTRATIVE ORDER NO. 35, May 20, 1990**]

REVISED EFFLUENT REGULATIONS OF 1990, REVISING AND AMENDING THE EFFLUENT REGULATIONS OF 1982

Pursuant to the provisions of Section 6 (i) of Presidential Decree No. 984, otherwise known as the "Pollution Control Decree of 1976", and by virtue of Executive Order No. 192, Series of 1987, the Department of Environment and Natural Resources hereby adopts and promulgates the following rules and regulations:

SECTION 1. Title. — These rules and regulations shall be known as the Revised Effluent Regulations of 1990".

SECTION 2. Scope. — These rules and regulations shall apply to all industrial and municipal wastewater effluents.

SECTION 3. Definitions. — The following words and phrases, as used in these rules and regulations, shall have the following meaning unless the context clearly indicates otherwise:

- a) **BOD** means a measure of the approximate quantity of dissolved oxygen that will be required by bacteria to stabilize organic matter in wastewater or surface water. It is a semi-quantitative measure of the wastewater organics that are oxidizable by bacteria. It is also a standard test in assessing wastewater strength.
- b) **Coastal Water** means an open body of water along the country's coastline starting from the shoreline (MLLW) and extending outward up to the 200-meter isobath or three-kilometer distance, whichever is farther.
- c) **Department** refers to the Department of Environment and Natural Resources.
- d) **Effluent** is a general term denoting any wastewater, partially or completely treated, or in its natural state, flowing out of a manufacturing plant, industrial plant or treatment plant.
- e) **Inland Water** means an interior body of water or watercourse such as lakes, reservoirs, rivers, streams, creeks, etc., that has beneficial usage other than public water supply or primary contact recreation. Tidal affected rivers or streams are considered inland waters for purposes of these regulations.

- f) **Mixing Zone** is the place where the effluent discharge from a point source mixes with a receiving body of water. The area or extent of the zone shall be determined by the discharger and approved by the Department on a case-to-case basis.
- g) **NPI** means New/Proposed Industry or wastewater treatment plants to be constructed.
- h) **OEI** means Old or Existing Industry.
- i) **Primary Contact Recreation** means any form of recreation, where there is intimate contact of the human body with the water, such as swimming, water skiing, or skin diving.
- j) **Protected Water** means a watercourse or a body of water, or any segment thereof, that is classified as a source of public water supply, propagation and harvesting of shellfish for commercial purposes, or spawning areas for *Chanoschanos* and similar species, or primary contact recreation, or that which is designated by competent government authority or by legislation as tourist zone, national marine park and reserve, including coral reef park and reserve.
- k) **"Strong Water"** refers to wastewater whose initial BOD value before treatment -is equal to or greater than 3,000 mg/L.

SECTION 4. *Heavy Metals and Toxic Substances.* Industrial and other effluents when discharged into bodies of water classified as Class A, B, C, D, SA, SB, SC and SD in accordance with Section 68, as amended, of the 1978 NPCC Rules and Regulations shall not contain toxic substances in levels greater than those indicated in Table 1.*

SECTION 5. *Conventional and Other Pollutants Affecting Aesthetics and Oxygen Demand.* Effluents from domestic sewage and industrial wastewater treatment plants not covered under Section 6 of these Regulations, when discharged into receiving waters classified as Class A, B, C, D, SA, SB, SC, and SD in accordance with Section 68, as amended, of the 1978 NPCC Rules and Regulations shall not contain the following pollutants in concentrations greater than those indicated in Tables 2A and 2B.*

SECTION 6. *Effluent Standards for BOD for Strong Industrial Wastes.*

a) *Interim Requirements for Old or Existing Industries.* — For strong industrial wastewaters with high BOD and where the receiving body of water is Class C, D, SC and SD in accordance with Section 68, as amended, of the 1978 NPCC Rules and Regulations, the interim effluent requirements for old industries which will be applicable within the period indicated in Table. 3A.*

b) *Requirements for New Industries.* — Upon the effectivity of these regulations, new/proposed industries, or those

old/existing industries that are yet to construct their wastewater treatment facilities, which are producing or treating strong wastewaters shall comply with the requirements in Table 3B below. By January 1995, this Table shall be applicable to all industries producing strong wastes.

SECTION 7. Mixing Zone Requirements. The following general conditions shall govern the location and extent of the mixing zone:

- a) No mixing zone or combination of mixing zones shall be allowed to significantly impair any of the designated uses of the receiving body of water.
- b) A mixing zone shall not include an existing drinking water supply intake if such mixing zone would significantly impair the purposes for which the supply is utilized.
- c) A mixing zone for rivers, streams, etc., shall not create a barrier to the free migration of fish and aquatic life.
- d) A mixing zone shall not include a nursery area of indigenous aquatic life nor include any area designated by the Department of Environment and Natural Resources for shellfish harvesting, tourist zones and national marine parks and reserves, coral reef parks and reserves and declared as such by the appropriate government agency.
- e) In general, the length of the mixing zone or plume in rivers or similar waterways shall be as short as possible and its width shall be preferably not more than one-half of the width of the waterway.
- f) In discharging hot effluents from power plants, mineral ore milling and similar generators of large volume of liquid wastes the permissible size of the mixing zone shall be determined through modelling taking into consideration the size, hydraulic and hydrological data of the receiving body of water and the design and siting of the wastewater outfall.
- g) For the protection of aquatic life resources, the mixing zone must not be used for, or be considered as a substitute for wastewater treatment facility.

SECTION 8. Additional Requirements.

- a) In addition to fulfilling the above-stated requirements in Sections 4 to 6, no effluent shall cause the quality of the receiving body of water to fall below the prescribed quality in accordance with its classification, or best usage.
- b) Where the combined effect of a number of individual effluent discharges causes one or more water quality parameters to exceed the prescribed limits, the maximum permissible concentrations of such parameters shall be reduced proportionately so as to maintain the desired quality.