

[DENR JOINT ADMINISTRATIVE ORDER NO. 03, January 16, 2006]

ENFORCEMENT OF REGULATION ON THE IMPLEMENTATION OF THE NCPP ON MOTOR VEHICLES UNDER THE REVISED CHEMICAL CONTROL ORDER (CCO) FOR OZONE DEPLETING SUBSTANCES (ODS) (DENR ADMINISTRATIVE ORDER NO. 2004-08, SERIES OF 2004)

Pursuant to the provisions of Republic Act No. 6969 (Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990); Republic Act No. 8749 (The Philippine Clean Air Act of 1999); Resolution No. 25 dated 10 March 1993 of the Senate of the Philippines ratifying the Montreal Protocol on Substances that Deplete the Ozone Layer and Resolution No. 86 dated March 19, 2001 of the Senate of the Philippines ratifying Copenhagen Amendments; the Chemical Control Order for Ozone Depleting Substances (ODS), DENR Administrative Order No. 2000-18 and DAO 2002-22 series of 2004; Memorandum or Agreement dated 29 April 2003; and to strengthen the legal infrastructure to support the implementation of the Philippine National CFC Phase-out, the following Administrative Order is jointly issued to implement the Revised Chemical Control Order (DENR Administrative Order No. 2004-08, series of 2004).

SECTION 1. Declaration of Policy - It is the policy of the state to regulate, control, restrict or prohibit the import, export, use, manufacture, distribution, processing, storage, possession and sale of Ozone-Depleting Substances to abate or minimize their risks and hazards to the stratospheric ozone, public health and the environment.

SECTION 2. Coverage - This Joint Administrative Order covers roles and functions of the Department of Environment and Natural Resources -Environmental Management Bureau (DENR-EMB) and the Department of Transportation and Communication-Land Transportation Office (DOTC-LTO) in the implementation of the DAO 2004-08 known as the Revised Chemical Control Orders for Ozone Depleting Substances with particular emphasis on the pertinent provisions of Sections 4,5, 8, 11 and 12 thereof and in accordance with the Memorandum of Agreement dated 29 April 2003, particularly Sections 1, III paragraph 1 and 2, and IV, thereof.

SECTION 3. Definition of Terms - Unless inconsistent with the context or subject matter, the following terms are defined as follows:

Revised Chemical Control Order (CCO) for Ozone Depleting Substances (ODS) - known as DENR Administrative Order No. 2004-08 which mandates DENR to bank, limit and/or regulate the use, manufacture, import, export, transport, processing, possession or sale of ODS.

Chlorofluorocarbons (CFCs) - a family of chemicals that contain chlorine, fluorine and carbon used as refrigerants aerosol propellants, cleaning solvents and in the manufacture of foam.

DENR - the Department of Environment and Natural Resources

DOTC - the Department of Transportation and Communications

EMB- Environmental Management Bureau

LTO - Land Transportation Office and its district offices

MAC - Mobile Air Conditioners used in motor vehicles

Montreal Protocol - the Protocol to the Vienna Convention signed in 1987 which commits Parties to take concrete measures to protect the ozone layer by freezing, reducing or ending production and consumption of controlled substances, as amended.

NCPP - National CFC Phase-out Plan

TESDA - Technical Education and Skills Development Authority

Back Conversion - the act of charging with CFC a system designed for and/or using non-CFC.

SECTION 4. Prohibited Acts - Among the acts prohibited by the Revised Chemical Control Orders as enumerated in Section 11 therefor are back conversion and the use of CFC's in Mobile Air Conditioners (MACs) starting 2006 in motor vehicles manufactured and/or initially registered from 1999 onwards, and starting 2012 in all motor vehicles.