



MAR 26 2019

EMB MEMORANDUM CIRCULAR
No. 2019 - 003

**SUBJECT: UPDATED GUIDELINES IN THE PROCESSING AND ISSUANCE OF
ECC FOR CATEGORY B PROJECTS**

WHEREAS, Republic Act 11032 otherwise known as “An Act Promoting Ease of Doing Business and Efficient Delivery of Government Services amending for the purpose Republic Act No. 9485 otherwise known as the Anti-Red Tape Act of 2007, and for Other Purposes” was enacted on 28 May 2018;

WHEREAS, the President of the Philippines, President Rodrigo Roa Duterte has continuously announced publicly the utmost importance of the said law and directs all concerned to expedite processing of permits and clearances for purposes of eliminating graft and corruption;

WHEREAS, copy of the aforesaid law was disseminated by the Office of the Secretary of the DENR through USec Rodolfo C. Garcia on 11 June 2018;

WHEREAS, Section 3 of the law states that “ This Act shall apply to all government offices and agencies including local government units (LGUs), government-owned or controlled-corporation and other government instrumentalities, whether located in the Philippines or abroad, that provide services covering business and nonbusiness related transactions as defined in this Act”.

WHEREAS, Section 7 of the said law states that “Sec. 7. Zero-Contact Policy. - Except during the preliminary assessment of the request and evaluation of sufficiency of submitted requirements, no government officer or employee shall have any contact, in any manner, unless strictly necessary with any applicant or requesting party concerning an application or request. Once the Department of Information and Communications Technology (DICT) has completed a web-based software enabled business registration system that is acceptable to the public as mandated under Section 26 of this Act, all transactions shall be coursed through such system. All government agencies including LGUs shall adopt a zero-contact policy”.

WHEREAS, EMB-DENR has already prior compliance with the amended RA 9485 otherwise known as Anti-Red Tape Act of 2007 on the “No Contact Policy” of the government through the issuance of Memorandum Circular No. 015-008 which mandates that all applications for Environmental Compliance Certificate for new and single component Category B projects requiring IEE Checklists shall be processed and issued online while all other proposed projects requiring an EIS and IEE for multiple projects and projects with modification shall be filed and processed manually;

WHEREAS, there is need to further simplify and streamline the processing of ECC applications for Category B projects as described under Memorandum Circular No. 2014-005 on the provision of screening and updated project thresholds particularly with respect to projects that requires the assistance of third party reviewers;

NOW, THEREFORE, in compliance with RA 11032 vis-a-vis continuing effort of the DENR thru the EMB in improving the EIS system, all applications for Environmental Compliance

Certificate (ECC) for Category B projects shall now be processed and issued through the EMB Online System.

Section 1. Applicability

The processing and issuance of ECC for all projects falling under the Category B projects shall be processed through the Online System following the revised ECC Online application procedure as indicated in Section 2 of this Memorandum Circular.

Section 2. ECC Online Application Procedures

The ECC online system procedure shall be as follows:

1. Visit EMB-EIA Website and register to have an ECC Online account by filling out forms providing proponent's information;
2. Encode the project information in the ECC Online System to verify if the proposed project will qualify in the online process;
3. Once qualified, the system will prompt the proponent to fill out the online Revised Initial Environmental Examination (IEE) checklist form including the following, in electronic/PDF files, to wit:
 - Site development plan/Vicinity map/Sketch Map signed by registered professional
 - Project plant lay-out signed by registered professional
 - Geo-tagged photographs of proposed project site
 - Proof of authority over the project site (e.g. land title, lease contract, deed of sale, whichever is applicable)
 - Certificate of Viability or Zoning Certification/Clearance issued by the concerned LGU
4. After filling out completely the required fields, an Order of Payment will be generated by the system for printing together with instruction to proceed with the payment at any Land Bank branch nationwide;
5. After payment of fees, submit Online the scanned copy of the deposit transaction slip. The evaluation process and the counting of the mandatory seven (7) days processing period starts.
6. Final evaluation will be conducted by the concerned Regional Office case handler/EIA staff
7. EMB Regional Office may approve or deny the ECC application, and issuance thereof can be printed online and/or through proponent's ECC online account.

Section 3. The EMB Central Office shall handle the review of all applications falling under the classification of Environmentally Critical Projects (ECP) or Category A, and projects with new technology that will require a Third Party Reviewer the review of which shall be subjected to a Review Fund.

Section 4. All projects other than those stated in Section 3 hereof, or projects located in an Environmentally Critical Area (ECA) and categorized as Category B projects, shall be reviewed by the EMB Regional Office without the assistance of Third Party reviewer, hence review fund shall no longer be imposed.

Projects with new technology that require experts not available in the Regional Office shall be forwarded to the EMB Central Office for evaluation.

Section 5. All ECC applications for Category B projects shall be processed and approved, if complete, within seven (7) days from receipt online in accordance with Section 2 of this Memorandum Circular. Otherwise, they shall be automatically approved and shall, as a consequence thereof, be issued the corresponding ECC.

Section 6. Validation of ECC Issued

All ECCs issued can be validated online through the EMB Website. Certified true copies thereof, at the option of the Proponent can be obtained from the concerned EMB Regional Office upon payment of the corresponding fees.

Section 7. Modification/Repealing Clause

Memorandum Circular Nos. 2014-005, 2015-008, and 2015-009 are hereby modified accordingly in so far as threshold level of projects classified as belonging to Category B projects and will be processed and issued ECC thru Online System. Other issuances inconsistent herewith are deemed repealed, superseded and/or modified accordingly.

Section 8. Separability Clause

If any provision of this Memorandum Circular is declared unconstitutional or invalid by a competent court, other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect as if the sections/provisions so declared had never been incorporated herein.

Section 9. Effectivity

This Memorandum Circular shall take effect five (5) days after publication in a newspaper of general circulation and upon acknowledgement of receipt of a copy thereof by the Office of the National Administrative Register (ONAR), UP Law Center.

ENGR. ~~METODIO U. TURBELLA~~
Director

Department of Environment and
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ENVIRONMENTAL MANAGEMENT BUREAU
Office of the Director

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