



1
2
3
4
5
6
7
8 **DENR ADMINISTRATIVE ORDER**
9 **NO. 2022 - _____**

10
11
12 **SUBJECT : CHEMICAL CONTROL ORDER (CCO) FOR VINYL**
13 **CHLORIDE**
14

15 Pursuant to Republic Act 6969 otherwise known as the “Toxic Substances and Hazardous
16 and Nuclear Wastes Control Act of 1990”, DENR Administrative Order (DAO) No. 29, Series of
17 1992, the “Implementing Rules and Regulations of Republic Act 6969” and DAO 05, Series of
18 2005 “Toxic Chemical Substances for Issuances of Chemical Control Orders, and Republic Act
19 No. 8749 also known as the “Philippine Clean Air Act of 1999” which mandates the conversion
20 of the Environmental Management Bureau (EMB) from a staff bureau to a line bureau, the
21 following pertinent rules and regulations with procedural requirements for Chemical Control
22 Order (CCO) for vinyl chloride, and its wastes are hereby promulgated.
23

24 **SECTION 1. Basic Policy.** It is the policy of the State to regulate, restrict, or prohibit the
25 importation, manufacture, handling, processing, storage, sale, distribution, use, and disposal of
26 chemical substances and mixtures that present unreasonable risk and/or injury to human health
27 and the environment; to prohibit the entry, even in transit, of hazardous and nuclear wastes and
28 their disposal into Philippine territorial limits for whatever purpose, and to provide advancement
29 and facilitate research and studies on toxic chemicals.
30

31 **SECTION 2. Objectives.** Pursuant to the policy statement, this Order aims to do the
32 following:

- 33 2.1. Reduce the risk of exposure to human health and the environment of vinyl chloride
34 used in industrial processes;
35 2.2. Increase awareness about the toxicity of vinyl chloride, as well as the availability of
36 technically superior and safer alternatives;
37 2.3. Ensure the proper implementation of the existing framework and appropriate
38 prevention-based programs to mitigate, reduce and eliminate risks from the use of
39 vinyl chloride; and
40 2.4. Provide guidelines to identify potential vinyl chloride release/exposure in industrial
41 facilities to reduce workers’ vinyl chloride exposure.
42

43 **SECTION 3. Scope and Coverage.**
44

45 3.1. Coverage. This Order shall cover the following:
46

- 47 a. Importers
48 b. Distributors
49 c. Manufacturers, processors, and industrial users
50 d. Transporters
51 e. Treatment, Storage and Disposal (TSD) Facilities
52 f. Laboratory Facilities
53

54 3.2. Exemption. The use of vinyl chloride that is regulated by other laws shall not be
55 covered by this Order including, but are not limited to:
56

- 57 A. Vinyl chloride that are monomers of polymers that are not polyvinyl chloride
58 *(CMS to improve this bullet)*
59 B. The processing of polyvinyl chloride resins into polyvinyl chloride
60 articles/products which follow the standards set forth by the Bureau of **Philippine**
61 **Standards** (BPS) of the Department of Trade and Industry (DTI).
62 C. Vinyl chloride and vinyl chloride -containing mixtures that are part of an article as
63 defined in EMB Memorandum Circular (MC) 2020-005, shall be exempted from
64 the CCO requirements, unless otherwise specified in related policies.

65
66 Nonetheless, the use of substances and materials that do not contain vinyl chloride is
67 encouraged to prevent or minimize the exposure to human health or release to the
68 environment. *(To be included in other Section)*
69

70 **SECTION 4. Definition of Terms.** As used in this Order, the following terms shall be
71 defined as:

- 72
73 4.1. Applicant – person(s) or entities engaged in importation, manufacture, use,
74 distribution, transport, recycling and providing service (treatment, storage and
75 disposal) on vinyl chloride
76 4.2. Bureau – refers to the Environmental Management Bureau of the Department of
77 Environment and Natural Resources
78 4.3. Chemical Control Order (CCO) – a policy issuance that prohibits, limits or regulates
79 the use, manufacture, import, export, transport, process, storage, possession and
80 distribution of chemicals that DENR determined to be regulated, phased-out or
81 banned due to the serious risks they pose to public health, workplace and the
82 environment
83 4.4. Chemical Substance – any organic or inorganic substance of a particular molecular
84 identity excluding radioactive materials and includes – any element or uncombined
85 chemical, and any combination of such substances, or any mixture of two or more
86 chemical substances
87 4.5. Department – refers to the Department of Environment and Natural Resources
88 4.6. Distributor – any entity or corporation that is engaged in the sale and distribution of
89 vinyl chloride
90 4.7. Importer – any juridical person or corporation that undertakes the entry of a
91 chemical or chemical substances into the country
92 4.8. Industrial User – any entity or corporation that uses and processes vinyl chloride for
93 industrial purposes only; includes using vinyl chloride by laboratories of the
94 industries
95 4.9. Manufacturer – any juridical person or corporation that undertakes the physical or
96 chemical transformation of substances into new products performed either by
97 power-driven machines or by hand and markets it under his name or trademark
98 4.10. Monomer – molecule that has reactive functional groups or double/triple bonds
99 capable to forming a polymer. A chemical substance that is capable of forming
100 covalent bonds with two or more like or unlike molecules under the conditions of
101 the relevant Polymer-forming reaction used for the particular process
102 4.11. Polymer – (1) means a substance consisting of molecules characterized by the
103 sequence of one or more types of monomer units and comprising a simple weight
104 majority of molecules containing at least three monomer units which are covalently
105 bound to at least one other monomer unit or other reactant and consists of less than
106 a simple weight majority of molecules of the same molecular weight. Such
107 molecules must be distributed over a range of molecular weights wherein
108 differences in the molecular weights are primarily attributed to difference in the
109 number of monomer units; (2) is a substance composed of more than 50% of
110 molecules containing a sequence of at least three monomer units covalently bound
111 at least one other monomer unit or other reactant; (3) has molecules distributed over

- 112 a range of MW; and (4) has no single MW molecule reaching 50% (w/w) of total
113 molecules.
- 114 4.12. Polyvinyl Chloride – produced by polymerization of the vinyl chloride monomer
115 4.13. Premises – shall include, but not limited to, buildings or parts of buildings, tents,
116 stalls or other facility structures whether permanent or temporary
117 4.14. Process – is the preparation of chemical substance or mixture after its manufacture
118 (industrial operations) for commercial distribution
119 4.15. Storage – containment area for supply or stock reserve kept for future use,
120 safekeeping or disposal
121 4.16. Transporter – a person or entity registered to legally transport vinyl chloride as
122 described in the scope of this Order
123 4.17. Treatment, Storage and Disposal (TSD) Facility – Facility where hazardous wastes
124 are transported, stored, treated, recycled, reprocessed, and disposed of
125 4.18. Unreasonable risk – expected high frequency of undesirable effects or adverse
126 responses arising from a given exposure to a substance
127 4.19. Vinyl Chloride – a colorless highly flammable gas, with a mild, sweet odor
128 4.20. Waste Generator – any person who generates or produces hazardous wastes
129 through any institutional, commercial, industrial, or trade activities.
130

131 **SECTION 5. Prohibited Use.** This Order prohibits use of vinyl chloride in aerosols as a
132 propellant or ingredient.

133
134 **SECTION 6. General Requirements and Procedures.** In addition to the general
135 requirement under Title II of DAO 1992-29, the following requirements and procedures have
136 been established for any person or entity importing, manufacturing, distributing, and allowed
137 users of vinyl chloride; and those treating, handling, transporting, storing and disposing of vinyl
138 chloride-bearing or vinyl chloride contaminated wastes. These are:

139
140 6.1. Registration and Permitting. The Bureau shall develop and maintain the electronic
141 permitting system through its Online Permitting and Monitoring System (OPMS).
142 *(For improvement of CMS. To check the format of previous CCO issuances. Possible*
143 *for deletion since this is General Requirements and Procedures which is intended for*
144 *the applicants and not for the Bureau)*

145 All applicants covered under Section 3 shall accomplish the CCO Registration
146 (CCOR) module of the OPMS, submit the required documents, and secure the
147 corresponding Registration Certificate. Those with an existing Priority Chemical List
148 (PCL) Compliance Certificate and with PCL exemption for less than one percent
149 (1%) in mixture and for laboratory use issued under EMB MC 2014-003 and EMB
150 MC 2017-007, respectively, shall also apply for the said CCOR Certificate.
151

152 6.2. Importation and Permitting. Importers shall accomplish the CCO Importation
153 (CCOI) module of the OPMS, submit the required documents, and secure the
154 corresponding Importation Certificate prior to shipment. The CCOI Certificate shall
155 be valid for six (6) months. *(For improvement of CMS. To check the format of*
156 *previous CCO issuances.)*

157
158 *“Any person or entity that imports vinyl chloride shall apply for an Importation*
159 *Clearance online through the Online Permitting and Monitoring System (OPMS) of*
160 *the Bureau. The validity of importation clearance shall be for a period of six (6)*
161 *months.”*

162
163 6.3. Required Documents. Applicants of the CCOR and CCOI Certificates shall submit a
164 copy of the following documents as attachments in the OPMS modules: *(For*
165 *improvement of CMS. To check the format of previous CCO issuances.)*

166
167 *“The application for registration and importation clearance, including importation*
168 *clearance renewal, must be accompanied by the following documents:”*

- 169
- 170 6.3.1. Environmental permits, including:
- 171 a. Hazardous Waste Generator (HWG) **Registration Certificate**
- 172 b. Valid Wastewater Discharge Permit (DP)
- 173 c. Valid Permit to Operate (PTO) Air Pollution Source Equipment or Installation
- 174 (APSE/APSI)
- 175 d. Environmental Compliance Certificate (ECC)
- 176 e. **Valid** Pollution Control Officer (PCO) Accreditation
- 177
- 178 6.3.2. **Globally Harmonized System (GHS) compliant** Safety Data Sheet (SDS)
- 179
- 180 6.3.3. Process flow chart specific to the use of vinyl chloride
- 181
- 182 6.3.4. Certificates of worker training on vinyl chloride safety
- 183
- 184 6.3.5. Photos of storage and/or process facility
- 185
- 186 6.3.6. Latest Self-Monitoring Report (SMR)
- 187
- 188 6.3.7. For importers: Proof of import entry, e.g. Bill of Lading, BOC Single
- 189 Administrative Document, and/or Packing List
- 190
- 191 6.3.8. Proof of payment of application fee
- 192
- 193 6.4. Chemical Management Plan. As integrated into the CCOR module, the applicant
- 194 shall provide information on how vinyl chloride and vinyl chloride-containing
- 195 mixtures are managed in its facility to eliminate or minimize their risk to human
- 196 health and the environment, subject to the requirements in Sections 6.6 to 6.9. The
- 197 information includes:
- 198 A. General chemical exposure prevention and release control program
- 199 B. Housekeeping and occupational hygiene practices implemented
- 200 C. Equipment and devices used in handling the chemical
- 201 D. Personal Protective Equipment (PPE) provided to the workers
- 202
- 203 6.5. Contingency and Emergency Plan. As integrated into the CCOR module, the
- 204 applicant shall provide information on their incident response procedures in case of
- 205 accidents and calamities leading to vinyl chloride exposure or unintentional release
- 206 **i.e.**, chemical spill, fire, explosion, earthquake, etc. It shall follow the requirements
- 207 under Section 8.2.3 of DENR AO 2013-22 and in conformity with the SDS (Refer to
- 208 Annex E, Sections 4 to 6 of EMB MC 2015-011).
- 209
- 210 6.6. Handling and Storage Requirement. The applicant shall ensure that its facility
- 211 complies with the following:
- 212 a. Availability and accessibility of the SDS at all times
- 213 B. Proper stacking/stockpiling, packaging, chemical compatibility arrangement,
- 214 containment, and storage conditions, including good security practices, in
- 215 conformity with the SDS (Refer to Annex E, Sections 7 to 8 of EMB MC
- 216 2015-011)
- 217 c. Adequate engineering controls with proper signage and labeling of chemicals
- 218 d. **Maintain an updated inventory of stored chemicals**
- 219
- 220 6.7. Labeling Requirements. Storage containers and packaging of vinyl chloride shall be
- 221 properly classified and labeled following the **current GHS implementation**. On the

222 other hand, vinyl chloride wastes labelling shall be in accordance with current
223 procedural manual on hazardous waste management.

224

225 **6.8. Manufacturing and Processing Requirements.** The applicant shall ensure that its
226 facility and workers comply with the following: *(For improvement of CMS. To check*
227 *the format of previous CCO issuances)*

228 6.8.1. Standard production flow and operation protocols as established by the
229 management, ensuring maximum protection of the workers, and limiting
230 chemical dispersion into the workplace or to the ambient surroundings.

231 6.8.2. Properly wear Personal Protective Equipment (PPE) in hazardous areas as
232 prescribed by the Occupational Health and Safety Center of the Department of
233 Labor and Employment (OSHC-DOLE).

234 6.8.3. Establish regulated areas to be classified as hazardous zones and shall ensure
235 that these areas are demarcated from the rest of the workplace, thereby alerting
236 the workers of the boundaries where PPEs should be worn.

237 6.8.4. Secure environmental permits as enumerated in Section 6.3.1.

238 6.8.5. Conduct self-monitoring of potential sources of vinyl chloride and report them
239 accordingly in the SMR.

240

241 **6.9. TSD and Hazardous Waste Transport Requirements.** All waste service providers of
242 vinyl chloride and vinyl chloride-containing shall comply with the procedural
243 manual on hazardous waste management.

244

245 **6.10. Training Requirements.** Basic awareness training, knowledge-sharing, and other
246 capacity-building activities shall be conducted regularly for workers involved in
247 handling vinyl chloride. They shall include discussions on the health and
248 environmental hazards of vinyl chloride, safe handling, risks in the workplace,
249 proper disposal, incident response, and other regulatory requirements.

250

251 **6.11 Substitution and Phase-out Plan.** The Department, through the Bureau, may develop
252 a phase-out plan for the allowed uses of vinyl chloride, subject to consultations with
253 relevant stakeholders and government agencies.

254

255 **SECTION 7. Information, Education, Communication (IEC).** The Department,
256 through the Bureau, in collaboration with the chemical industry, concerned government agencies,
257 the academe, and non-government organizations, shall promote industrial compliance and public
258 awareness of this Order's requirements and the hazards posed by using vinyl chloride in the
259 workplace and its release into the environment.

260

261 The proper handling and disposal of vinyl chloride shall be included in the IEC activities
262 to highlight safety protocols. The use of vinyl chloride-free substances and materials shall also be
263 promoted to minimize the release of vinyl chloride into the environment.

264

265 **SECTION 8. Public Access to Records and Confidential Business Information**
266 **(CBI).** The public shall have access to records, reports, or information obtained by the DENR
267 upon request pursuant to this Order, in accordance with Section 12 of RA 6969 except
268 information regarding trade secrets (formulations), sales figures, methods of production, or
269 industrial processes, distributions that would adversely affect the competitive position of such
270 importers, manufacturers and industrial users. *(For improvement of CMS. To check the format of*
271 *previous CCO issuances.)*

272

273 Exemptions to this "no disclosure of information" shall be made subject to the conditions
274 of Section 40 of the IRR of RA 6969 or as may be amended.

275

276 **SECTION 9. Compliance Monitoring Procedure.** The EMB Central Office and/or
277 Regional Offices shall monitor compliance based on duly accomplished and submitted Self-
278 Monitoring Report (SMR) per DAO No. 2003-27 or its revision or amendment. The EMB-CO

279 shall integrate the regional monitoring report for management action. In any complaints of non-
280 compliance, sampling and testing shall be made, as necessary, using a method that conforms with
281 international and/or national standards. *(For improvement of CMS. To check the format of*
282 *previous CCO issuances. Compliance monitoring from the previous CCOs shall be conducted by*
283 *EMB ROs only)*

284

285 **SECTION 10. Revision of Requirements.** The Department may amend, modify, and/or
286 supplement the requirements and standards in this Order after prior consultation with the
287 stakeholders and after due notice and hearing with the public on matters to be revised. The
288 Bureau may issue clarificatory guidelines, if necessary.

289

290 **SECTION 11. Capacity Building.** The EMB Central Office shall develop and conduct
291 continuing training program for both the regulated community and regulators to ensure proper
292 compliance with this Order.

293

294 **SECTION 12. Liability.** The Secretary or his duly authorized representative may cause
295 the impoundment or confiscation of any chemical substance and its conveyance and container if
296 there is reasonable ground to believe that the sale, storage, possession, use, manufacture,
297 transport, or import of the chemical substance does not comply with this CCO following the
298 guidelines under EMB MC 2020-12. Any importer or distributor selling to non-authorized
299 persons or end-users shall be held liable under RA 6969.

300

301 Chemicals may be confiscated, and storage fees of confiscated chemicals shall be charged
302 jointly and solidarily to the importer and/or distributor and end-user. The importer and distributor
303 shall likewise be held liable together with the end-user in cases of injury or damage to public
304 health and the environment and shall properly compensate the affected parties and restore the
305 damaged area or areas resulting from any incident or accident involving the use, sale,
306 manufacture, and distribution of vinyl chloride and storage, transport, treatment, and disposal of
307 vinyl chloride wastes.

308

309 **SECTION 13. Penalty Provision.** Any violation of the requirements specified in this
310 Order shall subject the person(s) liable thereof to the applicable administrative and criminal
311 sanctions as provided for under Section 14 of RA 6969, Sections 41 and 43 of DENR AO 1992-
312 29, and DENR MC 2005-003.

313

314 **SECTION 14. Separability Clause.** If any provision of this Order shall be held
315 invalid or unconstitutional, the other portions or provisions hereof which are not affected
316 shall continue in full force and effect.

317

318 **SECTION 15. Repealing Clause.** All Orders and other similar issuances
319 inconsistent herewith are hereby revoked, amended, or modified accordingly.

320

321 **SECTION 16. Effectivity.** This Order shall take effect fifteen (15) days after its
322 publication in a newspaper of general circulation and upon acknowledgment of the
323 receipt of the copy thereof by the Office of the National Administrative Register
324 (ONAR).

325

326

327

328

JOSELIN MARCUS E. FRAGADA, CESO III

329

OIC Secretary

330