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Department of Environment and Natural Resources

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DENR Administrative Order No. 03
Series of 2006

JAN 16 2006

SUBJECT : GUIDELINES FOR DENR ACCREDITATION OF THIRD PARTY SOURCE EMISSION TESTING FIRMS

Section 1: Legal Basis

As provided for in Sections 8 and 38 of Republic Act No. 8749 (Philippine Clean Air Act of 1999), and Rule XLVII, Section 2(c) of DAO 2000-81 (Implementing Rules and Regulations of the Clean Air Act, the Department of Environment and Natural Resources (DENR), hereby promulgates the following guidelines for the accreditation of source emission testing firms.

Section 2: Objective

- (a) Provide assurance to stakeholders, regulators and the public of the reliability of source emission test results; and
- (b) Ensure that accredited firms are fully capable of conducting source emission tests in accordance with the Implementing Rules and Regulations of RA 8749 (DAO 2000-81).

Section 3: Coverage

All firms that provide source emission testing services to demonstrate compliance with the CAA/IRR standards, shall be accredited by the EMB prior to the conduct of said activities. For purposes of monitoring, industries located in a particular area or industrial zone may form cluster and create a pool to engage a particular third party source emission testing firm which shall randomly conduct unannounced emission testing.

- (a) Accreditation will be on a parameter air pollutant basis; and
- (b) The EMB-recognized laboratory shall analyze the samples collected by an accredited testing firm.

Section 4: Definition of Terms

- (a) Accreditation - a formal recognition by the EMB of a sampling firm as competent to carry out sampling activities;
- (b) Applicant - A person/firm seeking formal recognition under this Order;
- (d) Assessment - A process that determines whether an applicant meets the requirements of the guidelines;
- (e) Certificate of Accreditation - a formal recognition by DENR of an applicant as competent to carry out sampling activities;



- (f) EMB – refers to the Central Office;
- (g) Firm – any entity registered under Philippine laws that is engaged in source emission stack testing and related activities; and
- (h) SAT – Sampling Assessment Team

Section 5: Requirements for Accreditation

1. Application requirements

Any applicant who is not disqualified by any existing law or regulation to engage in the conduct of source emission testing is qualified to apply for Certificate of Accreditation provided that the requirements set forth in this section are complied with.

A. Documentary Requirements

- (a) A duly accomplished and notarized application form;
- (b) A certified copy of the following:
 - i. Sole proprietorship: Certificate of Business Name Registration
 - ii. For corporation/partnership: Securities and Exchange Commission (SEC); Certificate of Registration; Articles of Incorporation/Partnership; and Board Resolution under oath specifying the name of its authorized representative.
- (c) Location map of the firm's office and premises;
- (d) List of personnel involved in the operation of sampling including their job descriptions, qualifications, trainings/seminar attended and responsibilities, with supporting documents
- (e) List of prescribed equipment pursuant to Annex A;
- (f) Calibration and maintenance procedures including reference materials;

The organization shall adopt an EMB-approved system for calibration and maintenance of its sampling equipment. Certificates of equipment calibration and logbook of maintenance shall be compiled and made available anytime upon request by the DENR.
- (g) Quality Assurance and Quality Control Procedure;

The organization shall adopt an EMB-approved quality assurance program.
- (h) Copies of all field sampling data sheets previously conducted whenever applicable;
- (i) Procedures for performance of source emission testing;

(j) Chemical waste management practices;

The organization shall have adequate provisions for the collection, storage, treatment and disposal of chemical wastes in sampling activities.

(k) Safety and health procedures to include list of protective personnel equipment:

The organization shall have a health and safety program that includes the use of personal protective equipment.

B. Personnel Requirements

The source emission stack testing team shall be composed of at least;

- (a) One (1) Quality Assurance/Quality Control Manager
- (b) One (1) Team Leader
- (c) One (1) Technical aide

whose qualifications shall be as follows

(a) Quality Assurance/Quality Control Manager

- 1) Licensed engineer, preferably a chemical engineer
- 2) At least one (1) year experience in source emission testing (SET)
- 3) Should have undergone quality assurance training for SET

(b) Team Leader

- 1) Licensed engineer, preferably a chemical engineer
- 2) At least one (1) year experience in source emission testing (SET)
- 3) Should have undergone quality assurance training for SET

And whose duties and responsibilities shall be as follows:

(a) QA/QC Manager

- 1) undertake QA/QC test on the actual source emission testing and the results of sampling
- 2) Prepares report of the QA/QC test

(b) Team Leader

- 1) Prepares the equipment and accessories, glassware for sampling
- 2) Undertake oral and written examinations for source emission testing
- 3) Conducts the source emission test
- 4) Prepares report of the test

(c) Technical Aide

- 1) Assist the Team Leader as requested by the latter.



C. Work area Requirements

There shall be adequate working and storage areas. Working space requirement shall include preparation of reagents, storage space for chemicals, glassware, equipment and areas for cleaning activities.

D. Sampling methods

Sampling methods shall conform to the DENR-EMB approved methods and parameters herein attached as Annex A.

Section 6. Technical Committee/Secretariat

For purposes of this DAO, the following committees/team shall be constituted under the EMB Central Office.

i) Secretariat – the Secretariat shall consist of EMB-Air Quality Management Section technical staff.

The Secretariat shall coordinate and support activities related to the accreditation of the firm. The Secretariat shall assist the SAT in the discharge of its functions.

ii) Sampling Assessment Team (SAT) – the SAT shall composed of two (2) EMB Evaluators (licensed engineer) and one (1) EMB-Regional Office Evaluator (licensed engineer).

The SAT shall prepare the report for the proficiency test. This report shall be forwarded to the Technical Committee for consolidation and review. The report shall contain the recommendation of the SAT.

iii) Technical Committee for Accreditation of Sampling Firm (TCASF) – the TCASF shall be composed of the Chiefs, AQMS and EQD and the Director, EMB.

The TCASF shall review the SAT report and shall indorse to the DENR Secretary for the issuance/non-issuance of the Certificate of Accreditation.

Section 7. Accreditation Procedure

a. Where to file

Applications for accreditation and payment of the applicable fees shall be filed with the EMB Central Office.

b. Review of documentary requirements

The Secretariat consisting of EMB- Air Quality Management Section technical staff shall coordinate and support activities related to the accreditation of the firm. It shall make a preliminary assessment of the completeness of the application documents. Only application with complete supporting documents will be accepted.



The application shall be forwarded to the members of the Sampling Assessment Team (SAT).

Should there be findings of deficiencies, the applicant shall be required to rectify the same.

c. Assessment

An on-site assessment shall be conducted by the Sampling Assessment Team to validate the information contained in the submitted documents in accordance with the requirements herein provided and in other applicable laws, rules and regulations. This shall be conducted within thirty (30) working days upon receipt of the complete document.

The Assessment Report, in a prescribed form, shall be prepared and submitted by the SAT to the Technical Committee for Accreditation of Sampling Firm. (TCASF)

Once the TCASF have reviewed the endorsement and found that same is satisfactory, it shall direct the SAT to conduct the proficiency test.

d. Proficiency Test

The sampling firm shall be required by the SAT to participate in proficiency testing by the conduct of on-site source emission testing. A minimum of three (3) performance tests for each parameter applied for accreditation shall be completed under the observation and audit of the SAT. A written and oral examination shall be conducted to the personnel involved in sampling activities.

f. Final Assessment Report and Evaluation Report

The TCASF shall review the SAT report and shall indorse to the DENR Secretary for the issuance/non-issuance of the Certificate of Accreditation.

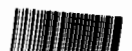
g. Issuance of Certificate of Accreditation

The Certificate of Accreditation shall be issued, signed and approved by the Secretary of the DENR based upon the evaluation result and recommendation of the TCASF. The Certificate shall, among others, contain the following information; name and address of the sampling organization, code number, scope of accreditation, parameters, list of personnel (Owner/proprietor or President/General Manager, QA Manager and Team Leader) effectivity and expiry date, signature of the Secretary, and dry seal of the DENR.

The accreditation shall be valid for three (3) years upon issuance unless revoked pursuant to Section 10.

h. Monitoring

The EMB-CO, in coordination with the EMB-Regional Offices, shall conduct periodic monitoring within six (6) months after the Certificate of Accreditation has been granted, and at least once a year, thereafter. Monitoring shall include but shall not be limited to the following:



- (1) sampling firm's inspection
- (2) on-site observations of sampling activities
- (3) provision of quality control activities
- (4) health and safety requirements
- (5) emission test report review
- (6) personnel

Section 8. Responsibilities of DENR accredited sampling organizations

- a. The accredited sampling firm shall conduct sampling for private companies and individuals, DENR, other government agencies/instrumentalities, NGOs, and local government units pursuant to DENR Approved Methods;
- b. Results of sampling conducted shall be submitted to the DENR one (1) month after the conduct of sampling or in special cases, a maximum of two (2) months;
- c. The accredited sampling firm shall submit annual reports according to the EMB prescribed format.
- d. The accredited sampling firm shall notify DENR of changes in any aspects of its operation, personnel, etc.

Section 9. Grounds for suspension of Certificate of Accreditation

- a. Verified improper sampling techniques/procedures including calibrations, maintenance, etc.
- b. Non-submission of the annual reports;
- c. Refusal to allow the monitoring team to perform its functions;
- d. Violation of DENR requirements on health and safety procedures, waste management, and hazard and risk assessment.

Section 10. Grounds for revocation of Certificate of accreditation

- a. Falsification of documents and test results;
- b. Refusal to conduct on-site demonstration and/or proficiency test; and
- c. Firms with repeated suspensions incurred within the same calendar year.

Section 11. Disqualification

Firms whose Certificate of Accreditation are revoked are automatically disqualified and no longer qualified for reinstatement.

Section 12. Reinstatement of the suspended Certificate of Accreditation

The Certificate of Accreditation shall be reinstated after application of corrective actions as required by EMB and payment of fines.



Section 13. Schedule of fees and fines

The following fees shall be paid to the EMB when applying for accreditation.

Application fee	PhP 300.00
Assessment fee	500.00/man-hour
Reassessment fee	500.00/man-hour
Accreditation fee (payable upon issuance of Certificate)	30,000.00
Fines for reinstatement	30,000.00

All fees and fines collected in the implementation of this Order shall be deposited to the Air Quality Management Fund pursuant to Section 14 of RA 8749.

Section 14. Renewal of Accreditation

The Certificate of Accreditation shall be valid for three (3) years and shall be renewed within two (2) months before its expiration .

Section 15. Requirements for Renewal

1. Assessment of previous stack testing activities;
2. Good standing record; and
3. Continuing education on air quality source emission testing.

Section 16. Transitory Provision

Existing stack emission testing firms may still conduct sampling until 31 July 2006. After this date, no firm shall be allowed to conduct source testing for compliance purposes unless accreditation is secured from EMB.

Section 17. Separability Clause

All Orders, Circulars and Instructions inconsistent herewith are hereby repealed or amended accordingly

Section 18. Effectivity

This Order shall take effect fifteen (15) days from date of publication in at least two newspapers of general circulation.



MICHAEL T. DEFENSOR
Secretary



Publication : Malaya
January 21, 2006
Manila Standard Today
January 21, 2006

ANNEX A

PARAMETERS AND METHODS FOR SOURCE EMISSION TESTING

PARAMETER	STANDARD APPLICABLE TO SOURCE	METHOD OF SAMPLING ^a
Antimony and its Cmpds.	Any source	USEPA Methods 1 through 5 or 29
Arsenic and its Cmpds.	Any source	USEPA Methods 1 through 5 or 29
Cadmium and its Cmpds.	Any source	USEPA Methods 1 through 5 or 29
Carbon Monoxide	Any industrial source	USEPA Method 3 or 10
Copper and its Cmpds.	Any industrial source	USEPA Methods 1 through 5 or 29
Hydrofluoric Acid and Fluoride Compounds	Any source other than manufacture of Aluminum from Alumina	USEPA Method 13 or 14 as appropriate
Hydrogen Sulfide	i) Geothermal power plants ii) Geothermal Exploration And Well Testing iii) Any source other than (i) and (ii)	USEPA Method 11, 15 or 16 as appropriate
Lead	Any trade, industry or process	USEPA Methods 1 through 5 or 12 or 29
Mercury	Any source	USEPA Methods 1 through 5 or 29 or 101
Nickel and its Cmpds. Except Nickel Carbonyl ^f	Any source	USEPA Methods 1 through 5 or 29
NO _x	1) Manufacture of Nitric Acid 2) Fuel burning steam generators a) Existing Source b) New Source i) Coal-fired ii) Oil-fired 3) Diesel-powered electricity generators 4) Any source other than (1), (2) and (3) a) Existing Source b) New Source	USEPA Methods 1 through 4 and Method 7



PARAMETER	STANDARD APPLICABLE TO SOURCE	METHOD OF SAMPLING ^a
Particulates	1) Fuel Burning Equipment a) Urban ^g and Industrial Area ^h b) Other Area ⁱ 2) Cement Plants (kilns, etc.) 3) Smelting Furnaces 4) Other Stationary Sources ^j	USEPA Methods 1 through 5
Phosphorus Pentoxide ^k	Any source	USEPA Methods 1 through 5 or 29
Sulfur Oxides	1) Existing Sources a) Manufacture of Sulfuric Acid and Sulf(on)ation Process b) Fuel Burning Equipment c) Other Stationary Sources ^l 2) New Sources a) Manufacture of Sulfuric Acid and Sulf(on)ation Process b) Fuel Burning Equipment c) Other Stationary Sources ^l	USEPA Methods 1 through 4 and 6 or 8 as appropriate
Zinc and its Compounds	Any source	USEPA Methods 1 through 5 or 29

^a Prescribed equipment are indicated in the Method of Sampling

