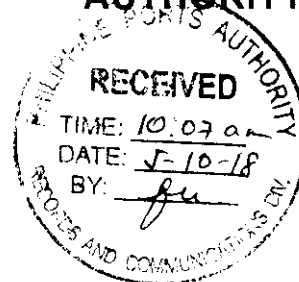
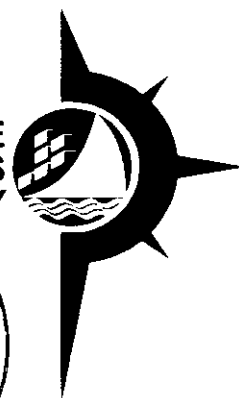


MAY 08 2018

PHILIPPINE
PORTS
AUTHORITY



PPA ADMINISTRATIVE ORDER NO. 05 - 2018

T O : RC Heads
Port Managers
Terminal Operators
Cargo Handling Operators
Others Concerned

SUBJECT : **The Port Environmental Policy (PEP)**

1. Legal Bases:

1.1 Statutory Requirements:

- 1.1.1 Presidential Decree No. 857 (as amended) otherwise known as "Providing for the Reorganization of Port Administration and Operation Functions in the Philippines, Revising Presidential Decree No. 505 dated July 11, 1974, Creating the Philippine Ports Authority, by Substitution, and for other Purposes;
- 1.1.2 Presidential Decree No. 1586 otherwise known as the "Philippine Environmental Impact Statement System".
- 1.1.3 Republic Act No. 8749 otherwise known as "The Philippine Clean Air Act of 1999";
- 1.1.4 Republic Act No. 9275 otherwise known as "The Philippine Clean Water Act of 2004";
- 1.1.5 Republic Act No. 9003 otherwise known as "The Ecological Solid Waste Act of 2000";
- 1.1.6 Republic Act No. 9729 otherwise known as "The Climate Change Act of 2009";
- 1.1.7 Republic Act 6969 otherwise known as "Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990".

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Approved per PPA Board of Director's Certificate Resolution No. 2670 during the 455th Regular Meeting last December 12, 2017.

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1.2 International Requirements:

1.2.1 United Nations Conventions

- 1.2.1.3 Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal is designed to reduce the movements of hazardous waste between nations specifically, to prevent transfer of hazardous waste from developed to less developed countries. The country ratified the agreement on January 14, 1994.
- 1.2.1.1 United Nations Framework Convention on Climate Change (UNFCCC) is a framework for international cooperation to combat climate change by limiting the average global temperature increases. Said convention entered into force on March 21, 1994. The Philippines has acceded to the agreement on July 28, 1994 and entered into force on October 31, 1994.
- 1.2.1.2 Kyoto Protocol legally binds developed country parties to emission reduction targets. The protocol's first commitment period started in 2008 and ended in 2012. The second commitment period began on January 01, 2013 and will end in 2020. Adopted in Kyoto, Japan on December 11, 1997 and entered into force on February 16, 2005. The Philippines acceded to the protocol on November 20, 2003 and entered into force on February 16, 2005.
- 1.2.1.4 The 2015 Paris Agreement adopted in Paris on December 12 2015, marks the latest step in the evolution of the UN Climate Change regime and builds on the work undertaken under the agreement. Its central aim is to strengthen global response to the threat of climate change by keeping the global temperature rise this century well below 2°C above pre-industrial levels and to pursue efforts to limit the temperature increases even further to 1.5°C. The Philippines acceded to the agreement on March 23, 2017 and officially entered into force on April 22, 2017.

1.2.2 IMO Conventions:

- 1.2.2.1 The International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto and by the Protocol of 1997 (MARPOL);

- 1.2.2.2 The Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (LC), 1972 (and the 1996 London Protocol);
- 1.2.2.3 The International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC), 1990;
- 1.2.2.4 Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 2000 (OPRC-HNS Protocol);
- 1.2.2.5 International Convention on the Control of Anti-Fouling Systems on Ships (AFS), 2001;
- 1.2.2.6 International Convention for the Control and Management of Ship's Ballast Water and Sediments, 2004;

1.2.3 References from other International Organizations:

- 1.2.3.1 International Association of Ports and Harbor Facilities (IAPH), a non-profit making, non-government organization which is a global alliance of ports, recognized as the only international organization representing the voice of the world port industry.
- 1.2.3.2 Permanent International Association of Navigational Congresses (PIANC), a non-political and non-profit organization providing expert advice on cost-effective, reliable and sustainable infrastructures to facilitate the growth of waterborne transport.
- 1.2.3.3 APEC Port Services Network (APSN), a non-profit self-funded organization to promote liberalization and facilitation of trade and investments and enhance supply chain security by strengthening economic cooperation, capacity building, information and personnel exchange among port and port-related industries in the Asia Pacific region, so as to achieve the common prosperity of the APEC member economies as a whole.

2. Statement of Policy

- 2.1 The Philippine Ports Authority (PPA), as a government agency tasked to administer the ports in the country including the development of the ports to spur regional and national growth, shall adhere to the concept of ensuring that port activities are focused on minimizing the adverse or negative impact to the environment and ensuring that all aspects of port operation and port development



are geared towards the protection and preservation of the environment for the maximum utilization of port facilities;

- 2.2 The PEP adopts relevant national and international instruments in the protection and preservation of the environment;
- 2.3 The PEP is a policy based on the principles of environmental sustainability, compliance with environmental protection measures and standards, support for alternative sources of energy and implementation of energy efficient measures and the continuous education and capacity building of workers and stakeholders;
- 2.4 The PEP shall be the instrument in institutionalizing environmental preservation and protection and the means to mainstream sound practices in all aspects of port management, port operation, port engineering and development including its financial and logistical requirements, to sustain PPA's environmental policy;
- 2.5 The PEP adopts measures on climate change adaptation, climate change proofing and setting in-place disaster countermeasures and disaster mitigation;
- 2.6 The PEP adopts globally accepted technological advancements, innovations, and best practices to ensure the sustainability, efficiency and environment-friendly operations of PPA ports;
- 2.7 The PEP supports the conduct of studies and scientific researches that are geared in coming up with sound environmental management concepts and climate change mitigation measures; and
- 2.8 The PEP shall be pursued to design, craft and to fully attain and to continuously sustain ***"The Green, Resilient and Smart Port Strategy (GRaSPS)"***.

3. Policy Objectives:

- 3.1 To define the corporate directions of PPA in support of its policy and strategy on environmental protection and preservation in the pursuit of its mandate;
- 3.2 To encourage and provide guidance to and where necessary compliance by port stakeholders in adopting environmental protection and preservation while doing business inside the ports;
- 3.3 To provide a framework for the formulation and design of capacity-building courses consistent with environmental protection, preservation and management; and

- 3.4 To provide the legal basis and effective enforcement of PPA's programs, projects and activities to implement and sustain the Green, Resilient and Smart Port Strategy (GRaSPS).

4. Scope

The PEP shall be applicable in all aspects of PPA ports administration, management, operation, and development such as:

- a) port operations contract administration and monitoring;
- b) cargo handling services including those rendered by service providers, cargo handling equipment including its repair and maintenance;
- c) engineering planning and development, engineering projects implementation and non-engineering project and programs implementation; engineering contract administration and monitoring;
- d) port maintenance and repairs;
- e) contracts formulation;
- f) lease administration;
- g) finance administration;
- h) manpower training and skills development; capacity building; hiring and promotions;
- i) issuance of permits and outsourcing of services;
- j) marketing and port promotions and information dissemination;
- k) procurement of services and suppliers
- l) corporate dealings with stakeholders; and
- m) inter-agency transactions.

5. Responsibilities

The PPA Board of Directors

- a) shall be responsible in exercising the corporate powers of the Authority as prescribed under Section 6 of P.D. 857;
- b) shall approve the Port Environmental Policy (PEP);

The General Manager

- a) shall be responsible in exercising the general powers and duties as prescribed under Section 9a of PD 857;
- b) shall be responsible in implementing and enforcing the Port Environmental Policy (PEP), rules and regulations.

- The Assistant General Managers** - a) Shall be responsible in exercising the general powers and duties as prescribed under Section 9b of PD 857;
 • *Operations;*
 • *Finance and Administration;*
 • *Engineering*
 c) shall be responsible in assisting the General Manager in implementing and enforcing the Port Environmental Policy (PEP), rules and regulations.
- The PPA Head Office Managers** - shall be responsible in ensuring that the projects and programs consistent with the PEP are successfully implemented, funded, monitored and completed;
 • *Department Managers;*
 • *Division Managers*
- The PMO Managers** - shall be responsible in ensuring that the projects and programs consistent with the Port Environmental Policy (PEP), rules and regulations are successfully implemented, analyzed, reported, completed and operated in all ports and terminal under their supervision and control.
 • *The Port Managers;*
 • *Division Managers*
- PPA Rank and File Employees** - shall be responsible in providing full cooperation and participation to ensure that the programs consistent with the PEP are successfully implemented, funded, monitored, completed, operational and sustained.
- Port Service Providers** - a) shall be responsible in complying with PPA port rules and regulation, projects and programs consistent with the PEP;
 • *Port Terminal Operators;*
 • *Cargo Handling Operators;*
 • *Harbor Pilots;*
 • *Shore Reception Facility Operators;*
 • *Port Ancillary Services;*
 b) shall be responsible in providing full cooperation and participation to ensure that the programs consistent with the PEP are successfully implemented, funded, monitored, completed, operational and sustained.
- Port Users** - shall be responsible in abiding with PPA port rules and regulation, projects and programs consistent with the PEP;
- Port Community** - shall be responsible in providing full cooperation and participation to ensure that

the programs consistent with the PEP are successfully implemented, completed and sustained.

6. The Green, Resilient and Smart Port Strategy (GRaSPS)

6.1 The GRaSPS Framework:

The GRaSPS framework shall be PPA's guiding mechanism to attain consistency with the statement of policy and to be able to achieve the policy objectives as defined, and shall apply to the scope as defined in the PEP.

In order to effectively implement the GRaSPS framework, all activities defined by the scope shall ensure to integrate activities and apply the statement of policy, as defined. All activities shall be grouped into two main criteria, which are as follows:

- 6.1.1 **The GRaSPS Framework Hard Infrastructure** – is defined as the fixed assets, physical port developments or improvements, control systems required to operate, manage, administer and monitor the operations of the port as well as accessory buildings, plants or vehicles that are essential in attaining compliance with environmental protection measures and standards, climate change adaptation, climate change proofing, disaster counter measures, including information technology infrastructure to achieve a smart port status.

The hard infrastructure in ports shall be composed of capital assets which shall be designed to be climate change resilient, mitigate the effects of climate change, or port equipment that are environment-friendly, designed and operated to protect the environment, energy efficient and causes reduced GHG emissions, uses alternative sources of fuel or adapts technologies that result to energy efficiency and reduced power consumption as basis for providing the following:

- a. Port facilities such as piers, wharves, causeways, jetties, trestles, back-up areas, container yards, mooring fixtures, dolphins, warehouses, terminal buildings, administration buildings, traffic monitoring control towers, etc.;
- b. Port protective structures such as deflector walls, breakwaters, fender systems, etc.;
- c. Transportation facilities such as service vehicles, port equipment;

- d. Road networks such as access roads, port interior roads, etc.;
- e. Power supply equipment such as electrical substations, generator sets, etc.;
- f. Water supply facilities such as pump rooms, waterlines, etc.;
- g. Communication network equipment such as handheld gadgets, telephone lines, cable and radio and internet lines, etc.;
- h. Waste collection facilities such as sewer lines, drainage lines, waste collection/treatment facilities, material recovery facilities, etc.;
- i. Monitoring and measuring instruments such as handheld devices, radar facilities, Automatic Identification System (AIS), CCTV, alarm systems, tidal monitoring instruments, meteorological monitoring instruments, seismometer/seismograph instruments, etc; and
- j. Shore Reception Facilities (SRF) and Hazardous Waste Storage Facilities.

6.1.2 The GRaSPS Framework Soft Infrastructure – is defined as the human resources and institutions such as port rules and regulations, systems and procedures, business processes, human resource development programs, including communication and awareness which are essential to attain compliance with environmental protection measures and standards, and to support climate change proofing, disaster counter measures, disaster mitigation including information technology infrastructure to achieve a smart port status.

The soft infrastructure in ports shall be composed of resources that are intended to identify, recognize, eliminate and prevent practices that negatively affect the environment, promote a culture of environmental protection, supports research and implementation of effective practices that preserve and protect the environment, adapt to climate change resiliency and mitigation practices, promote, implement and ensure funding for environmental protection and preservation activities, adapting technologies that promote work efficiency, invests in manpower improvement, training and capacity building programs as basis in providing the following:

- a. Human resources such as port officials and employees, port equipment operators, dockworkers, etc;
- b. Governance such as port rules and regulations, business processes, etc.;

- c. Contract management that integrates environmental protection and preservation;
- d. The financial system such as funds and budget management, financial regulations, accounting standards and regulations, etc.;
- e. Social development and manpower investment such as health care systems, training and capacity-building programs, etc.; and
- f. Sports and recreation programs as sports competitions, physical fitness activities, team building activities, cultural activities, etc.

6.1.3 The GRaSPs Implementing Guidelines:

In order to institutionalize The Green Resilient and Smart Port Strategy in all government ports and consistent with the PEP, a corresponding Implementing Guidelines shall be formulated, approved by the General Manager and implemented by concerned units or officials or personnel.

6.1.4 The GRaSPS Action Plans

Guided by the GRaSPS Implementing Guidelines, all units in PPA shall define its action plans (long, medium and short term) and shall identify and associate the corresponding output that is consistent with the PEP Statement of Policy to be approved by the unit head. In order to achieve the GRaSPS Action Plans the annual projects and programs shall be proposed for inclusion to the Annual Plans, Programs and Budget subject to the approval of the General Manager.

7. Repealing Clause

All orders, rules and regulations, circulars and memoranda previously issued which are inconsistent herewith are hereby repealed or modified accordingly.

8. Fines and Penalties Clause

The institutionalization of fines and penalties for violations against the port environment shall be prescribed, contained and approved in a separate PPA issuance.

9. Separability Clause

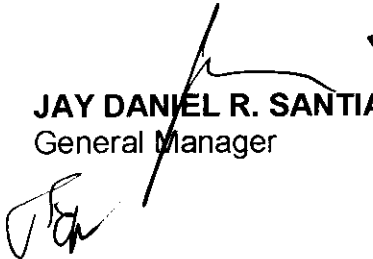
If for any reason any section or part of this Regulation is declared unconstitutional or invalid by competent judicial authority, the declared or invalid Section or part thereof shall

not affect the other Sections or part thereof or parts to which such declaration or nullity does not apply or relate.

10. Effectivity Clause

This Order shall take effect fifteen (15) days after its publication in a newspaper of general circulation and/or in the Official Gazette.

JAY DANIEL R. SANTIAGO
General Manager



Published in the Philippine Star - May 12, 2018

Effectivity Date May 27, 2018

