



April 28, 2022

MEMORANDUM CIRCULAR No. 003

Series of 2022

SUBJECT: AMENDING SECTION 5 OF MC 2016-008¹ RELATIVE TO THE ISSUANCE OF PERMIT TO OPERATE (PTO) TO ALL STANDBY GENERATOR SETS (G.S.) WITHOUT REQUIRING SOURCE EMISSION TESTING

Pursuant to Section 1 of DAO 2004-26 in relation to DAO 2000-81 of R.A. 8749, otherwise known as the Philippine Clean Air Act of 1999, this Memorandum Circular is hereby issued.

Section 1. Definition of terms.

- a. Peaking Power Plants refers to facilities using Generator Sets that run only when there is high demand for electricity².
- b. Standby G.S. refers to a backup electrical system that operates during an outage to transfer the electrical load and supply power to circuits³. Maximum Power available from the G.S. to energize variable electric load in which operation should not exceed a cumulative of 200 hours annually⁴.
- c. Source Emission Testing⁵

Section 2. Standby G.S. is not required to conduct source emission testing.

Standby G.S., regardless of capacity⁶, under the following circumstances, shall not be required to conduct source emission testing for permitting and compliance monitoring purposes:

1. Operating **not more than 200 hours annually, provided it operates not more than 3 hours per day nor more than three (3) days per week**, for light Commercial and Industrial Operation (Hotels, Malls, Banks, Buildings, Schools, Telecommunication towers, Fuel Dispensing Facilities, Manufacturing Firms among others)
2. During (a) Emergency Hospital Operations; (b) Rescue and Medical Missions related to Natural Calamities; (c) Conflict Areas such as War, Terrorist Attacks, and the like; or (d) All activities affecting National Security

In lieu of source emission testing as a permitting requirement, the applicant shall include in the OPMS the approved estimation methods, such as calculations using internationally recognized Emission Factors, the schedule and duration of preventive maintenance, and monthly records of power interruption.

Section 3. Generator Sets that are still required to conduct source emission testing.

¹ <https://air.emb.gov.ph/wp-content/uploads/2016/04/EMB-MC-2016-008.pdf>

² Electricity Peaking Stations by Clarke Energy retrieved on 2019-08-06.

³ Robert B. Hickey Electrical Construction Databook, McGraw Hill, 2002 ISBN 0-07-137349-7, Chapter 14

⁴ ISO 8528-1 International standards for Reciprocating Internal Combustion Engine driven alternating current generating sets

⁵ Section 4(h) of DAO 2013-026

⁶ <https://air.emb.gov.ph/wp-content/uploads/2016/08/MC-2007-003.pdf>





All G.S. used in Peaking Power Plants and all G.S. using Bunker Fuel Oil (BFO), regardless of operating hours, are still required to conduct source emission testing before the issuance of the Permit to Operate (PTO).

Section 4. Submission of updated EMOP.

All applicants covered under Section 2 of this Memorandum Circular shall be required to submit to the respective EMB Regional Offices their updated Environmental Monitoring Plan (EMOP) within thirty (30) days from the effectivity of this Memorandum Circular.

Section 5. Suspension or Revocation of Permit and Administrative Penalties.

The Bureau may suspend or revoke any existing and valid permit if there is failure or inaccurate information submitted in the permit application, such as operating beyond standby operating hours without prejudice to the imposition of administrative fines pursuant to Section 47 of RA 8749.

Section 6. Repealing Clause.

Section 5 of MC 2016-008 with respect to source emission testing for PTO of Standby Generator Sets is hereby amended. All other issuances, orders, and instructions inconsistent herewith are hereby repealed or modified accordingly.

Section 7. Separability Clause.

If any of the provisions of this Memorandum Circular is declared invalid, illegal or unconstitutional, all other provisions stated herein shall remain valid and not be affected thereby.

Section 8. Effectivity.

This Memorandum Circular shall take effect fifteen (15) days after its publication in a newspaper of general circulation and upon acknowledgment of receipt of a copy thereof by the Office of the National Administrative Register (ONAR), UP Law Center.

ENGR. WILLIAM P. CUÑADO

