

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 446

MANDATING THE PHASE-OUT OF LEADED GASOLINE AS ONE OF THE
MEANS OF SOLVING AIR POLLUTION

WHEREAS, Section 16, Article II of the 1987 Constitution provides that “[T]he State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature”;

WHEREAS, Section 4, Chapter I, Title XIV, Book IV of the Administrative Code of 1987 empowers the Department of Environment and Natural Resources (DENR) to “formulate, implement and supervise the implementation of the government’s policies, plans and programs pertaining to the management, conservation, development, use and replenishment of the country’s natural resource”;

WHEREAS, the use of lead in gasoline is one of the main causes of air pollution particularly in Metro Manila;

WHEREAS, lead affects virtually every part of the body and has long been recognized as a neurotoxin with deleterious effects on the intelligence of human beings; on the other hand, it is an additive for gasoline to prevent knocking of engines as well as provide lubricity to engines with soft valves, and the removal of such would require changes in the gasoline formulation and/or use of replacement additives;

WHEREAS, changes in the fuel formulation may need corresponding complementing measures on its use, storage, handling and distribution; and

WHEREAS, it is the role of the government to ensure adequate and continuous supply of fuels, and at the same time ensure that other possible additives, contaminants, and components shall not reach harmful levels.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The DENR, in coordination with the Department of Energy (DOE), the Department of Trade and Industry (DTI), and the Department of Finance (DOF) shall mandate the phase-out of leaded

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gasoline and the phase-in of unleaded gasoline and other suitable unleaded replacement not later than 01 January 2000 in Metro Manila, and nationwide by 01 January 2001, provided that unleaded gasoline and other unleaded replacements shall not result in the aggravation of pollution problems and undue economic difficulties to users.

SEC. 2. The DENR, in coordination with the DOE, DTI and the Department of Science and Technology (DOST) shall formulate and implement appropriate measures such as, but not limited to, quality standards for the fuel and facilities in the manufacture, storage, handling and distribution of unleaded gasoline and other suitable unleaded substitutes.

SEC. 3. The DENR, in coordination with the Department of Transportation and Communication (DOTC), DOE, DTI and DOST shall promote the adoption of necessary measures such as, but not limited to, the inspection, maintenance and use of emission control systems in motor vehicles to control and reduce the pollution from motor vehicle emissions.

SEC. 4. The DENR, in coordination with the DOE, DOTC, DTI and non-government organizations (NGOs) shall conduct continuous evaluation, monitoring and assessment of the phase-out activities and their impacts.

SEC. 5. The DENR in coordination with the Department of Education, Culture and Sports (DECS), the Philippine Information Agency (PIA), the Department of Interior and Local Government (DILG), and other concerned agencies and NGOs shall be involved in a concerted effort for public information dissemination on this matter.

SEC. 6. In the implementation of this Executive Order, the Secretary of Environment and Natural Resources shall require manufacturers and suppliers of fuel additives, and motor vehicles, as well as other entities that may be identified to:

1. Coordinate with the DENR, DOE, DTI, Department of Health (DOH) and DOST in the conduct of test/studies to determine potential public health effects of such fuel or additive, including, but not limited to carcinogenic, teratogenic, or mutagenic effects; and
2. Furnish the description of any analytical technique that can be used to detect and measure the recommended range or concentration of additive, and other necessary information to

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determine: (i) the emissions resulting from the use of the fuel or the additive contained in such fuel; (ii) the effect of such fuel or additive on the emission control performance of any vehicle engine; and (iii) the effect of fuel emission on public health or welfare.

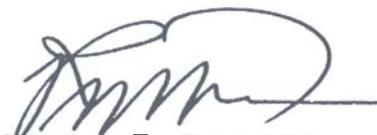
SEC. 7. Consistent with the Philippine Agenda 21, the DENR, in coordination and consultation with the concerned agencies and sectors including business, labor and civil society, shall, within six (6) months, promulgate such rules and regulations as may be necessary for the effective implementation of this Executive Order.

SEC. 8. This Executive Order shall take effect thirty (30) days following its publication in a newspaper of general circulation.

DONE in the City of Manila, this 26th day of September in the year of Our Lord, Nineteen Hundred and Ninety-Seven.



By the President:



RUBEN D. TORRES
Executive Secretary

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Date

