



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
OFFICE OF THE SECRETARY
Manila

097.13 DPWH
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DEPARTMENT ORDER)
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No. 168)
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**SUBJECT : GUIDELINES IN THE DISPOSAL AND
MANAGEMENT OF SPOILS AND
DEBRIS GENERATED FROM ALL ON-
GOING AND COMPLETED
CONSTRUCTION AND MAINTENANCE
PROJECTS AND THE IMPOSITION OF
SANCTIONS FOR VIOLATIONS
THEREOF**

The reckless dumping of spoils and debris and the inconsiderate stockpiling of materials and construction wastes along road sections subject of construction and maintenance activities pose danger and cause inconvenience to motorists and pedestrians.

In this regard, and to ensure compliance to road work safety and health requirements, all concerned are enjoined to strictly comply with the provisions of these guidelines, as detailed below:

A. APPLICABILITY

This Order shall specifically focus on good housekeeping practices associated with the disposal and management of the following materials:

1. Uncontaminated spoils and debris generated from on-going and completed construction and maintenance projects and activities;
2. Non-hazardous petroleum contaminated soils; and,
3. Non-hazardous contaminated soil.

B. DEFINITIONS

1. Uncontaminated spoils and debris are solid wastes from the construction, repair, maintenance, and demolition of roads and related structures. Examples of which are soils or earth which may also include bricks and rocks; asphalt pavement; concrete; concrete products; masonry wastes; trees (including branches and leaves/stumps/wood chips from clearing operations) incidental rebars and other materials of similar nature.
2. Non-hazardous petroleum contaminated soils are soils contaminated with petroleum products like diesel fuel, kerosene, gasoline, lubricating oils, motor oils, greases, and in which the level of contamination does not result to soils exhibiting ignitability and/or toxicity.
3. Non-hazardous contaminated soils are soils taken from excavation of specific sites which

are part of a construction project and in which soils do not exhibit any signs of ignitability and/or toxicity and that contamination, if any, is not due to residues from petroleum products.

C. APPLICATION OF GOOD HOUSEKEEPING PRACTICES IN THE DISPOSAL AND MANAGEMENT OF SPOILS AND DEBRIS

1. Excavated materials including materials to be used on site should not be left stockpiled on places where motorists, pedestrians, and the travelling public may be inconvenienced.
2. Spoils/debris of any type and category (as mentioned below) MUST BE hauled and disposed off from the project site within the day such spoils/debris are generated. If hauling/disposal cannot be made within the day, the same should be neatly stockpiled in jute sacks and scheduled for immediate hauling/disposal the next day;
3. Uncontaminated spoils and debris and non-hazardous contaminated soils may be disposed off on permitted solid waste management facilities (landfill) or on premises lawfully permitted to accept these materials;
 - a. Earth/rocks/soils, demolished concrete and asphalt pavements should be processed and utilized as backfill for construction projects, but only with the approval of the Engineer;
 - b. To eliminate health hazards and for safety concerns, concrete/concrete products with embedded rebars should not be disposed off on landfills unless rebars are removed;
 - c. Reclaimed asphalt pavement may be used in new hot mix asphalt or in subgrade or embankment provided appropriate and approved procedures are employed in the utilization of same.
4. Non-hazardous petroleum contaminated soils (especially those containing asphalt) should not be disposed off or placed on residential and/or populated areas since such spoils/debris may contain elevated levels of harmful chemical compounds which may present human exposure risks. Neither should uncontaminated spoils and debris be mixed with hazardous materials, e.g., lead based paint tins discarded into a stockpile of brick and concrete because otherwise, the entire quantity of materials shall be appropriately managed as hazardous waste, the disposal of which should be in a dedicated landfill approved by the DENR, or the concerned LGUs;
5. Construction wastes, spoils, debris which can no longer be reused nor recycled, should not be dumped along and within the road right-of-way, (drainage canals, embankment, slope protection works, etc), nor should those wastes/spoils/debris be dumped on abandoned lots, government and private properties, without express approval/clearance from lot owners and concerned national and local government executives. Thus, and prior to the start of any construction project, the concerned contractor should identify its own spoil site where wastes, spoils, debris, may be disposed off, and in which site a written clearance/authority was issued by the DENR or the concerned LGUs;
6. To minimize waste and spoils, it is encouraged that materials be ordered on "as needed" basis and that correct sequencing of project operations be observed to preclude over-

supply of materials to project/construction site;

7. For road safety concerns, no open excavations, nor diggings, nor open holes for scheduled pothole patching, drainage projects, road construction / repair and maintenance works should be left without temporary covers within the day such excavations/diggings are made, i.e. steel plates should be safely placed over excavations/diggings, to provide a smooth, albeit temporary riding surface. Asphalt seals should be immediately applied, likewise within the day, after every rotomilling works. Engineers in charge are directed to plan and program their schedules in order that no open holes/excavations/diggings are left unattended for hours on end;
8. For major road projects, contractors are required to have a dedicated area where materials and equipment may be stored. To this end, it is expected that all waste/spoils/debris generated during construction activities will be brought and dumped inside the contractor's dedicated work area for proper disposal within the day to permitted landfills.
9. For road maintenance and repair activities, it is expected that the District Engineering Office concerned shall haul and dispose off their waste/spoils/debris in accordance with the above-cited provisions.

D. SANCTIONS

Sanctions shall be issued to concerned contractors and DPWH personnel in accordance with RA 9184 and its Implementing Rules and Regulations, specifically the provisions outlined under Section 9.1 of Annex E (*Suspension of Work*) and under Appendix 11, Section 4 (Sanctions and Grounds for Blacklisting), Subsection 4.2.b(ii: *Stockpiling in proper places of all materials and removal from project site of waste and excess materials. . .*).


In addition to the above, the DPWH shall employ the "three-strike policy" whereby contractors (even those on partnership or joint venture agreement with another party) found to have acted in violation of this Order shall be meted with the following sanctions:

1. For the first violation or strike – a first warning;
2. For the second strike – a second warning;
3. For the third strike, which together with the first two strikes constitute the first offense against the 3-strike policy-an administrative penalty of suspension for one (1) year from participating in any procurement process in any office of the DPWH;
4. For the second offense – i.e., the second set of 3-strikes committed by the contractor – an administrative penalty of suspension for two (2) years from participating in any procurement process in any office of the DPWH;

If in any event, the Regional and/or Central Office found that the Project Managers/Project Engineers/Resident Engineers in charge in the implementation of the project failed to submit a complete and verifiable 3-strike report, subject Project Managers/Project Engineers/Resident Engineers shall be governed by the sanctions/penalties imposed under the Uniform Rules on Administrative Cases in the Civil Service:

1. For the first offense (first set of 3 strikes) – Reprimand;
2. For the second offense (second set of 3 strikes) – Suspension for 1 – 30 days;
3. For the third offense (third set of 3 strikes) - Dismissal from the service.

This Order takes effect immediately and amends or supersedes all existing Department Orders and issuances or portions thereof which are inconsistent herewith.



ROGELIO L. SINGSON
Secretary

5.3.2 DFR/ESGJR/RCA

Department of Public Works and Highways
Office of the Secretary



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