

Department Circular No. 2017-11-0011: Revised Rules and Regulations Governing the Business of Retailing Liquid Fuels

Lovely T. Miranda

ENERGY CONSUMERS AND STAKEHOLDERS' CONFERENCE 2018
THEME: "E-Power Mo! Communicating Efficiency
Across the Energy Sector"

24 April 2018
Hotel Supreme, Opal Function Room
Baguio City



Salient Features

DOE Field Offices shall now issue a Certificate of Compliance (COC) and Certificate of Non-Coverage (CNC)

- Issuance of a CNC to establishments/entities that operates a RO for its own-use
- Inclusion of a provision on Electric Vehicle Charging
- Streamlined requirements from 12 to 7
- Set three (3) Categories of Retail Outlets
- Indicated Mandatory Standards and Requirements as prescribed in the PNS, including clean Restrooms
- Identified other types of RO and their requirements (Marine RO, Temporary Emergency RO and “Technology-solution” RO)
- Fines and Penalties



Certificate of Compliance (COC)

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF ENERGY
Oil Industry Management Bureau
Energy Center, Fort Bonifacio, Taguig City
Reference Code. No. «Code»

CERTIFICATE OF COMPLIANCE

for
LIQUID PETROLEUM PRODUCTS RETAIL OUTLET

Having complied with the provisions of Department Circular No. 2003-11-010 entitled "Providing for the Rules and Regulations Governing the Business of Retailing Liquid Petroleum Products" or "Retail Rules", this certificate is hereby granted to:

«Business_Name»
«Name»
«Company»
«Location»

The issuance of this Certificate does not exempt «Business_Name» from compliance with other applicable requirements of concerned Local Government Unit and other licenses/permits/clearances issued by concerned government agencies.

A violation of any of the provisions of the "Retail Rules" shall be a ground for non-renewal, suspension or revocation of this Certificate without prejudice to application of the pertinent provision of the "Retail Rules", and other laws, rules and regulations.

This certificate shall be valid until March 31, 2015 and for the type of business applied for. Renewal of payment shall be on or before the expiry date and subject to revalidation after inspection.

WITNESS MY HAND and the Seal of this Office, this 26th day of November, 2012, Fort Bonifacio, Taguig City, Metro Manila, Philippines.

ZENALDA Y. MONSADA
Director

Official Receipt No. 8505493 Date Issued December 1, 2011 Amount P1,750.00

- *DOE Field Offices explicitly identified*
 - to conduct monitoring of LF ROs
 - to process and issue COC
- *Streamlined requirements from 12 to 7*
- *COC valid for 5 calendar years reckoned from its effectivity*



Certificate of Compliance

A. Documentary Requirements

1. Completely filled-out Application Form
2. A Notice of Undertaking on liability in case of violations committed by dealer, operator, owner or proprietor

B. Supporting Documents

1. Certification from distributor/supplier/dealer's agreement;
2. Notarized Statement that the facility design and operation of the Retail Outlet is PNS-compliant signed by the Engineering Procurement Construction Contractor and Dealer of the Retail Outlet;
3. List of dispensing pumps/hoses and underground storage tank/s with corresponding capacity/ies;
4. Scaled lay-out plan showing the island/dispensing pumps, underground storage tanks, cashier's booth and other facilities;



Certificate of Compliance

B. Supporting Documents

4. Accomplished DOE Form on Undertaking;
5. Latest photographs (in 5R size) showing the full/front, right, and left side views including price display boards, safety informational signs and required stickers/labels for RON, E-10, B-2, among others;
6. DOE SCC/COC Clearance of No Pending Case, as applicable; and
7. Payment of fee.

C. Reportorial Requirements (Annually)

1. Data on Purchase and Sales Volume per Retail Outlet; and
2. Authenticated copy of distributor/supplier/dealer's agreement, if previous is expired.



Certificate of Non-Coverage

Storage and dispensing of Liquid Fuels that are for in-house use operation shall be issued Certificate of Non-Coverage (CNC)

Requirements for CNC issuance

- File a duly-acknowledged formal letter request for a CNC with the OIMB or the Field Offices;
- Present a Feasibility Study indicating, among others, number of vehicles and financial viability of putting up such;
- Submit a valid Membership Agreement and latest Supply Agreement or Certification issued by an OIMB-registered distributor and/or supplier;
- Present pertinent LTO/LTFRB/LGU documents confirming their fleet;
- Dispense Liquid Fuels only to the vehicles of their members as identified through a distinguishing mark in their vehicles and membership identification cards;
- Dispenser/s does not have “money wheels” or “price indicators”; and
- Do not provide retailing services to the public.



Standards and Requirements

- Mandatory Standards and Requirements for New RO, including clean Restrooms
 - Fixed and permanent dispensing pump
 - Forecourt
 - Facilities (Office/Cashier's Booth, Restroom)
 - Signages and Labels
 - UGT



Fuel Storage, Handling, Transfer and/or Dispensing

- LF shall be dispensed to appropriate containers NOT into drums, barrels, bottles or “bote-bote”, or such similar containers;
- LF shall not be sold in drums, barrels, bottles or “bote-bote”, or such similar containers;
- LF shall be sold and dispensed to customers regardless of quantity and amount, directly to the vehicles’ fuel tank;
- A RO or company or any entity/person who supplies LF to any person selling or disposing such LF through the use of drums, barrels, bottles, or “bote-bote”, shall be deemed to be committing **Illegal Trading**.



Categories of RO

CATEGORY	# of Pump Island	# of UGT	Other
1	1 - 2	1	<ul style="list-style-type: none">• Clean restroom• Provision for free tire pressure air filling• Sufficient water for radiator• First aid kits
2	3 - 4	3-4	<ul style="list-style-type: none">• Clean restroom• Provision for free tire pressure air filling• Sufficient water for radiator• With basic mechanical services• First aid kits



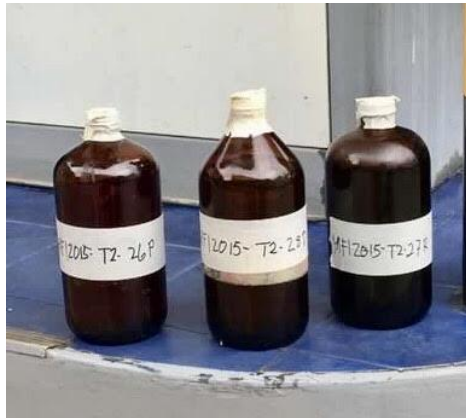
Categories of RO

CATEGORY	# of Pump Island	# of UGT	Other
1	1 - 2	1	<ul style="list-style-type: none"> • Clean restroom • Provision for free tire pressure air filling • Sufficient water for radiator • First aid kits
2	3 - 4	3-4	<ul style="list-style-type: none"> • Clean restroom • Provision for free tire pressure air filling • Sufficient water for radiator • With basic mechanical services • First aid kits

*Retail Outlets may install EV charging facilities in any of the above-mentioned outlet categories



Product Quality



DOE-gathered samples



ITDI-calibrated Test Measure



Sample retention by RO



Other Types of RO

- Marine RO
- Technology-solution RO
- Temporary Emergency RO



Other Types of RO

Marine RO

It shall cater exclusively to marine vessels and it shall be exempted from the UGT requirement, Provided that the aboveground storage tank shall be constructed using materials and technology that can withstand sea-water or corrosive atmosphere and actions of waves on the shoreline, Provided further, That the size of the tank shall have a maximum capacity of up to 20,000 litres, and is enclosed with bund walls on all sides with an enclosure volume of at least 120% of the net capacity of the largest tank and the bund walls should be made of corrosion-resistant material (i.e., concrete).



Other Types of RO

Technology-solution RO which is a result of emerging technologies that address the requirement of Liquid Fuels. The materials are manufactured in accordance to the facilities and product safety certifying bodies such as, UL-listed and equivalent NRTL safety marks (USA), CE marking (UK and EU), RCM, regulatory compliance mark (Australia), PSE (Japan), among others.

➤ Requirements

- Shall address the fuel requirements of those catered by the “bote-bote” retailing in the area applied for, as certified by the concerned LGU;
- A distance of 1 kilometre radius from another Retail Outlet shall be observed;



Other Types of RO

Technology-solution RO

Requirements

- No other commercial establishment shall be installed/constructed within the Retail Outlet other than those necessary for its operation;
- The vehicle being serviced and the delivery of the Liquid Fuels by the Tank Truck shall at all times be inside the business premises;
- One (1) metre set back distance shall be maintained in the following:
 - Cashier's booth or dispensing pump to firewalls; and
 - During the supply operation of Tank Truck, there should be one (1) metre working distance that should be maintained from the Tank Truck to firewalls.



Other Types of RO

Temporary Emergency RO

Upon written notice to OIMB with endorsement from the LGU, the Temporary Emergency Retail Outlet may operate for a period of 15 days, in areas declared as under a state of calamity/emergency and where no Retail Outlet can serve as a result of the prevailing circumstances under emergency or calamity.

A request for renewal and extension shall be covered by Special Permit from the OIMB upon receipt of justification by OIMB from the Retail Outlet, and an endorsement by the LGU. The LGU may set its own criteria and conditions for this type of Retail Outlet to operate.



Punishable Acts

- A. Illegal Trading – 10K - Revocation of COC and Recommend revocation of the permit or license to LGU
- B. Adulteration – 200K with Cease and Desist Order - 300K - Revocation of COC, issuance of Closure Order and Recommend revocation or suspension of the permit or license to LGU
- C. Underdelivering – 10K/dispensing pump – 10K/dispensing pump, Revocation of COC and Recommend revocation or suspension of the permit or license to LGU
- D. Refusal / Obstruction of Inspection and Sampling – 50K with the presumption that there is sale of adulterated products – 200K, Issuance of Closure Order, Revocation of COC and Recommend revocation of the permit or license to LGU
- E. Hoarding – 10K – 10K Revocation of COC and Recommend revocation or suspension of the permit or license to LGU
- F. Continuing to operate after an Order or Notice of Cessation of operation of business has been issued by the DOE – 10K/day of operation - P10,000.00 per day of operation, Revocation of COC and Recommend revocation or suspension of the permit or license to LGU



Thank You!



(02) 840-2155



lovely.miranda@doe.gov.ph



www.doe.gov.ph

