



REPUBLIC OF THE PHILIPPINES
PROVINCIAL GOVERNMENT OF PALAWAN
OFFICE OF THE GOVERNOR



Provincial Mining Regulatory Board

MR. ERIBERTO SAÑOS
Chairman

MR. ROLAND TALABUCON
PENRO Permanent Alternate

ATTY. NOEL E. AQUINO
Vice-Chairman

DR. ESTELA E. DIVINAGRACIA
Small-Scale Mining Representative

MR. INOCENCIO C. MAGALLANES
NGO Representative

MR. JOSE G. VIADO
Technical Staff

MR. MARK ANJO B. ATIENZA
Monitoring Staff

MS. GILLIAN M. ATIENZA
Board Secretary

Contact Us:

0917-112-5468
palawanpmrbofficial@gmail.com

PMRB Office Ground Flr., PEO
Building, Banca-Bancao,
Puerto Princesa City, Palawan

October 20, 2021

ARNOLDO A. BLAZA JR.

CENRO

Coron, Palawan

Sir,

Greetings!

Respectfully transmitting to your good office the copy of the Provincial Mining Regulatory Board (PMRB) Resolution entitled: **"A RESOLUTION IMPOSING PENALTY AGAINST BCT TRADING AND CONSTRUCTION(NOW ONE HUNDRED PERCENT CONSTRUCTION AND DEVELOPMENT CORPORATION) AND ITS JOINT-VENTURE PARTNER INTERNATIONAL BUILDERS CORPORATION FOR AN AUTHORIZED HAULING OF ORDINARY EARTH MATERIALS/BACKFILLING MATERIALS FROM BGY DECALACHAO AND SITIO TUBATAN, CORON, PALAWAN"** for your information and perusal.

FOR AND BY AUTHORITY OF THE BOARD,


GILLIAN M. ATIENZA
Board Secretary, PMRB

CC: FOREST MGT BUREAU



REPUBLIC OF THE PHILIPPINES
PROVINCIAL GOVERNMENT OF PALAWAN
OFFICE OF THE GOVERNOR
Provincial Mining Regulatory Board



EXCERPTS FROM THE MINUTES OF THE SPECIAL MEETING OF THE PROVINCIAL MINING REGULATORY BOARD HELD ON OCTOBER 15, 2021, 2:00 PM AT DIAKOPES RESTAURANT, BGY. BANCAO-BANCAO, PUERTO PRINCESA CITY.

PRESENT DURING THE MEETING:

MR. ERIBERTO B. SAÑOS
ATTY. NOEL E. AQUINO

DRA. ESTELA E. DIVINAGRACIA
INOCENCIO MAGALLANES
ROLAND TALABUCON
RICHRISTOPHER C. MAGBANUA
JOSE G. VIADO
MARK ANJO B. ATIENZA

- PENRO, CHAIRMAN-PMRB
- Governor's Representative/Vice Chairman
- Small Scale Mining Representative
- NGO Representative
- Permanent Alternate of DENR-PENRO
- Program Director, MGRP
- Staff, Technical Secretariat
- OIC, Monitoring and Enforcement Unit

PMRB RESOLUTION NO. 75 -2021

A RESOLUTION IMPOSING PENALTY AGAINST BCT TRADING AND CONSTRUCTION (NOW ONE HUNDRED PERCENT CONSTRUCTION AND DEVELOPMENT CORPORATION) AND ITS JOINT-VENTURE PARTNER INTERNATIONAL BUILDERS CORPORATION FOR AN AUTHORIZED HAULING OF ORDINARY EARTH MATERIALS/BACKFILLING MATERIALS FROM BGY DECALACHAO AND SITIO TUBATAN CORON, PALAWAN .

WHEREAS, Republic Act 7942 of the Philippine Mining Act and its implementing rules and regulation strictly prohibits the illegal extraction of minerals or quarrying resources from public and private lands without valid permit;

WHEREAS, the Provincial Mines and Regulatory Board (PMRB) also penalizes the illegal transport of quarry resources including sand and gravel without any existing permit from the board or from any government agency as the case maybe;

WHEREAS, based on the report submitted by PMRB Coron through its team leader Ms. Ma. Teresa J. Casareno dated October 12, 2021, One Hundred Percent Construction and Development Corporation and its joint venture partner International Builders Corporation had extracted a total of 220,800 cum from Barangay Decalachao, Coron from July 2019 – December 2020, and the same was used in the embankment of Francisco B. Reyes airport in the same municipality;

WHEREAS, report from the Enforcement and Monitoring Team in Coron further shows that from January 2021 – August 2021, One Hundred Percent Construction and Development Corporation utilized a total volume of 133,425 cubic meter of backfilling materials taken from the waste of the road widening project, another national government project in Sitio Tubatan, Coron Palawan;

WHEREAS, the written explanation/answer from One Hundred Percent Construction and Development Corporation submitted that they simply made use of the ordinary earth and backfilling materials from the land preparation and flattening of a proposed barangay site for schools and other buildings of Barangay Decalacho that earlier requested help from the Honorable Governor, the DENR, the municipal government, Forest Management Bureau among others to flatten the proposed site and the request was done through **Barangay Resolution NO. 25-2020** :

WHEREAS, One Hundred Percent (100%) Construction and Development Corporation submitted to the Board that the construction of the runway embankment is a project of the National Government under the **Department of Transportation** thru its attached agency the **Civil Aviation Authority of the Philippines (CAAP)** and their company is the winning bidder for the phase one (1) of the project:

WHEREAS, while it is undisputed that the ordinary earth/mountain quarry materials were used in the runway embankment project of Francisco B. Reyes airport the responsible company is still liable to pay the fine and penalties appropriate to the volume extracted and hauled;

NOW THEREFORE, upon unanimous decision of all the members present, resolved as it is hereby resolved to:

- (a) Adopt Section 1.1 of Provincial Ordinance 1398-14 but as a form of penalty and to impose a penalty jointly and solidarily against One Hundred Percent Construction and Development Corporation and its joint venture partner International Builders Corporation broken down as follows;

$$220,800 \text{ cum} \times \text{P20 (ordinary earth)} = \text{P4,416,000.00}$$

- (b) Impose a penalty of P50,000 for violating Section 3 of PMRB Resolution No. 018-2010 for the Decalacho hauling and an additional P50,000 for the Sifio Tubatan backfilling materials source from the road widening project in Sifio Tubatan.

(c) Both Corporations are also ordered to secure the proper Ore Transport Permit (OTP) from the Mines and Geo-Sciences Bureau (MGB) prior to any continuation of hauling activities from the two areas mentioned pursuant to Regional Memorandum Order No. 2020-07 dated 29 June 2021 on the Guidelines for the Utilization, Disposition and Transport of incidental earth materials from government projects.

- (d) Require both companies to secure an ECC for the proposed barangay site before any hauling and/or extraction activity be undertaken;

(e) Require both companies to submit a rehabilitation plan for the Decalacho Extraction Site to be approved by this BOARD and immediately implement the same in coordination with the CENRO of Coron, the MENRO and the Provincial Mines and Regulatory Board. The local MENRO and CENRO are also directed to regularly monitor the implementation once commenced.

- (f) To require both companies and the Project Proponent Civil Aviation Authority of the Philippines (CAAP) to secure an appropriate certification from the Office of the President (OP) and the Department of Transportation (DOTr) that the project is part of the Build Build Build (BBB) Program and thus considered an urgent project.

UNANIMOUSLY ADOPTED:

DRA. ESTELA E. DIVINAGRACIA
Small-Scale Mining Representative


INOCENCIO MAGALLANES
NGO Representative


ATTY. NOEL E. AGUINO
Governor's Representative/
Vice-chairman


ROLAND TALABUCAN
Permanent Alternate of DENR-PENRO

I HEREBY CERTIFY to the correctness of the foregoing RESOLUTION which was adopted by the PROVINCIAL MINING REGULATORY BOARD OF THE PROVINCE OF PALAWAN during its regular meeting held on **15** October 2021.


GILLIAN M. ATIENZA
Board Secretary