

MINUTES OF THE 2nd QUARTER 2022
MINE REHABILITATION FUND COMMITTEE MEETING
Rio Tuba Nickel Mining Corporation
MGB MIMAROPA Region Conference Room
11 July 2022 | 9:00 a.m.

ATTENDANCE:

MRFC Members:

1. Engr. Glenn Marcelo C. Noble	Chairperson and Regional Director MGB MIMAROPA Region
2. Ms. Lormelyn E. Claudio, CESO IV	Co-Chairperson and Regional Exec. Director DENR MIMAROPA Region
3. Engr. Nunilon R. Tanguilig	Representing Mr. Joe Amil M. Salino Regional Director, EMB MIMAROPA Region
4. Atty. Noel E. Aquino	Representing Hon. Victorino Dennis M. Socrates Provincial Governor, LGU - Palawan
5. For. Reynaldo C. Rivera	Representing Hon. Abraham M. Ibba Mayor, LGU – Bataraza
6. Mr. Reynaldo F. Tupas	Representing Ms. Marie Grace T. Pascua, PhD Regional Director, NCIP MIMAROPA Region
7. Mr. Niño Rey C. Estoya	Representing Atty. Teodoro Jose S. Matta Executive Director, PCSDS
8. Fr. Jasper A. Tabangay	Social Action Director, AVPP – Palawan
9. Mr. Inocencio C. Magallanes	Chairperson, Haribon Palawan
10. Engr. Remedios C. Camo	AVP Industrial Safety and Environment Nickel Asia Corporation RTNMC Representative

Guest and Other Participants:

1. Engr. Ronelbert A. Suguitan	RTNMC
2. EnP Janice M. Tupas	RTNMC
3. Ms. Ma. Christinne Eloisa Q. Blanco	RTNMC

MMT Members:

1. Engr. Al Janry S. Tuazon	MGB MIMAROPA
2. Engr. Kate Gabrielle Castillo	MGB MIMAROPA

Secretariat (MGB MIMAROPA):

1. Engr. Alvin S. Requimin	Head Secretariat
2. Engr. Hanna Lee B. Arriesgado	Secretariat
3. Engr. Venus V. Jesoro	Secretariat

I. Preliminaries

Engr. Alvin S. Requimin, Chief of Mine Safety, Environment, and Social Development Division (MSESDD), called the meeting to order at 10:30 a.m. upon confirmation of a quorum (10 out of 10) by the Secretariat.

52 **II. Meeting Proper**

53
54 **A. Provisional Agenda**

55 Among the items that were included in "Other Matters" were as follows:

- 57 • Proposed Capacity Building for Multipartite Monitoring Team (MMT)
58 for Graymont (Philippines), Inc. (GPI), Coral Bay Nickel Corporation
59 (CBNC) and RTNMC and Proposed Palawan Rehabilitation
60 Commission as requested by Mr. Inocencio C. Magallanes (HARIBON
61 – Palawan);
- 62 • Clarification on the Two (2) ECCs of RTNMC as proposed by Engr.
63 Nunilon R. Tanguilig (EMB MIMAROPA);
- 64 • Proposed Tree Planting Activities in Northern Palawan as requested
65 by Engr. Ronelbert A. Suguitan (RTNMC); and
- 66 • Highlights of ASDMP Accomplishment per Engr. Requimin.

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68 Upon motion of For. Reynaldo C. Rivera (MENRO Bataraza), duly seconded
69 by Mr. Magallanes, the Provisional Agenda was approved including the
70 additional items for discussion in "Other Matters."

71
72 **B. Draft Minutes of the 1st Quarter 2022 MRFC Meeting**

73
74 Subject to minor corrections such as inclusion of the title of all attendees
75 (i.e. Engr., Ms. etc.) and verification of the DENR standards for Cr (VI)
76 whether 0.2 mg/L or 0.02 mg/L, Mr. Magallanes moved for the approval of
77 the draft minutes of the 1st Quarter 2022 MRFC meeting, duly seconded by
78 Engr. Tanguilig.

79
80 **C. Matters Arising from the Minutes of the 1st Quarter 2022 MRFC Meeting**

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82 **1. RED Claudio's suggestion to conduct a Fish Tissue/Bioassay, to**
83 **coordinate with ERDB regarding a study on tree species capable of**
84 **absorbing metals and installation of wash bay to address mud**
85 **accumulation**

- 86
87 • Ms. Janice M. Tupas (RTNMC) commented that fish tissue analysis
88 is included in the coastal resource assessment that will be
89 conducted within the month of August while they are yet to
90 coordinate with ERDB regarding the study. The company has
91 already installed a wash bay at the mine site.

92
93 **2. Relocation of informal settlers in the coastal *sitios* of Marabajay and**
94 **Tagdalungon**

- 95
96 • For. Rivera updated the Committee that the MLGU already
97 purchased a land to relocate the residents of the mentioned
98 *sitios*. However, it is not within the capacity of the MLGU to
99 relocate all the residents.
- 100
101 • RED Lormelyn E. Claudio (DENR MIMAROPA) clarified that though
102 there was a violation of the Water Code of the Philippines, the

issue on relocation is beyond the scope of the MRFC's duties and responsibilities. However, DENR, EMB and the rest of the members (including RTNMC through its Corporate Social Responsibility) are ready to render assistance to the LGU to address the matter.

- Mr. Magallanes explained that the issue has been discussed in the MRFC for more than five (5) years already and a task force was created by virtue of a Special Order by the former DENR MIMAROPA Regional Director, Mr. Henry A. Adornado, PhD. He suggested to have a formal dialogue with Mayor Ibba to discuss the issue.
- Atty. Noel E. Aquino (LGU Palawan) did his part in coordinating with Mayor Ibba. He suggested for the MRFC members to attend the said meeting.
- Upon suggestion of RED Claudio, RD Glenn Marcelo C. Noble (MGB MIMAROPA) instructed the Secretariat to prepare a letter inquiring on the actions taken by the LGU regarding the matter. Also, include in the letter the tentative schedule of the meeting with the Mayor per Atty. Aquino.

3. MMT Insurance

- Engr. Remedios C. Camo (RTNMC) said that as discussed last meeting, the company is willing to provide the insurance. She requested for the list of MMT members and the insurance provider.
- Mr. Niño Rey C. Estoya (PCSDS) suggested for the Secretariat to check any legal impediment on the provision of insurance for MMT members who are government employees (i.e. conflict of interest).

D. Technical Reports

1. Presentation of highlights of the entry and exit meetings of the 1st Quarter 2022 MMT validation

Engr. Al Janry S. Tuazon (MGB MIMAROPA) reported the 1st Quarter 2022 MMT monitoring observations and recommendations. Comments and recommendations of the MRFC members are as follows:

RTNMC Gotok Limestone Quarry Project (GLQP)

- On Progressive Rehabilitation: Maintenance and Protection, RED Claudio suggested to monitor the survival rate instead of indicating the number of trees replanted.
- Regarding maintenance of siltation ponds/silt collector sumps and canals, RED Claudio commented to include the volume of

silt collected and indicate whether the company has a discharge permit. As for its effectiveness in collecting silt, the Chairperson suggested to include a statement such as *"Physico-chemical properties and level of heavy metals of samples taken from water quality monitoring stations were within DENR standards."*

RTNMC Nickel Project

- The Chairperson advised the company to catch up on the production of clonal and earthballed seedlings.
- RED Claudio suggested to include the type of hazardous wastes being produced, and present the Permit to Transport and Certificate of Treatment.
- Regarding road sweeping, RED Claudio commented on the need to improve the activity by using mechanical sweepers. She was concerned with the possible impacts on the health of the road sweepers (i.e. inhalation of heavy metals). Engr. Camo responded that the company already purchased a mechanical road sweeper.
- Mr. Magallanes commented that it should be included in the report that the Gotok Limestone Quarry has no effluent/discharge due to sinkholes found within the area. He likewise commented on the unsafe structures, specifically the bamboo pathway along the rehab area. In response to this, Engr. Camo said that the company would re-evaluate the projects.
- RED Claudio reminded the MMT-SG to include maps of sampling locations for water, air and noise monitoring and land use. Engr. Camo responded that it is included in the company's report.
- The Chairperson reminded all companies to ensure the accomplishment of all targets indicated in the approved AEPEP.

2. Presentation of highlights of the 2nd Quarter 2022 Air, Water, and Noise Monitoring and Sampling

Engr. Tuazon presented the results of the 2nd Quarter 2022 air, water, and noise monitoring:

- a. Particulate Matter (PM₁₀) of samples taken from the six (6) air quality monitoring stations were within DENR standard;
 - b. Water quality monitoring results of the eight (8) sampling stations were within the Water Quality Criteria as provided in DAO 2016 – 08.
- Engr. Tanguilig noticed that the level of hexavalent chromium in Station 5 – Lower Togpon Pond Discharge is beyond the water

quality standard. He noted that this is not the final discharge point.

- The Chairperson suggested to include a remark that this is not the final discharge point or else it would seem like the company incurred a violation.
- With the retirement of Ms. Perlita I. Quiling (PCSDS), Mr. Magallanes inquired who will lead the sampling team to which Engr. Tanguilig responded that EMB MIMAROPA will take over.

3. Presentation of compliance with the 1st Quarter 2022 MMT's field findings and recommendations and presentation of physical and financial accomplishments, including updating of established funds

RTNMC's compliance with the 1st Quarter 2022 MMT field findings and recommendations were presented by Ms. Ma. Christinne Eloisa Q. Blanco (RTNMC) and Ms. Tupas for the Gotok Limestone Quarry Project and Nickel Mining Project, respectively.

- The Chairperson inquired on GLQP's active area upon noticing that most of the area have undergone progressive rehabilitation.
- Engr. Suguitan explained that the company is currently applying for an expansion (along the west portion of the MPSA) since it has reached the quarry bottom.

E. Presentation of recent drone shots/videos of rehabilitation areas

A brief video presentation was presented showing the active mining areas, siltation ponds, and ancillary facilities of CBNC (i.e. Tailing Storage Facilities).

- RED Claudio inquired whether the bird population increased or decreased upon noticing that only 27% of the total MPSA has been disturbed.
- Ms. Tupas responded that it did increase based on the 2019 flora and fauna assessment. She committed to present a detailed presentation next meeting.
- RED Claudio commended RTNMC (and CBNC) for supporting activities relative to the protection of the Ursula Island. Likewise, for the ecotourism initiatives of the company.

F. Other Matters

1. Proposed Capacity Building for MMT Members for GPI, RTNMC and CBNC

- Mr. Magallanes proposed to have a cross-visit in mining companies located in Surigao.

- MGB MIMAROPA will conduct a meeting with the concerned mining companies in August to discuss the proposed cross-visit while the company will prepare the budget. If possible, the cross-visit will be conducted around September, latest will be in October.

2. Proposed Tree Planting Activities in Northern Palawan

- RTNMC is offering to conduct tree planting in areas affected by Typhoon Odette in compliance with the tree replacement requirement due to the expansion.
- PCSDS and concerned agencies will recommend possible areas where tree planting may be conducted.

3. Clarification of two (2) ECCs of RTNMC's Nickel Mining Project

- Engr. Tanguilig requested for RTNMC to coordinate with EMB CO regarding the consolidation of the two (2) ECCs (i.e. Bulanjao Area and 990-has.).

4. Highlights of ASDMP Accomplishment

In lieu of RTNMC's ASDMP accomplishment presentation, Ms. Rocelyn F. Rebullante (MGB MIMAROPA) presented the result of the ASDMP monitoring that she conducted.

- Mr. Magallanes noted that there are SDMP projects that are not being utilized such as the slaughterhouse and transport terminal.
- The Chairperson inquired whether the projects were determined by the community or the LGU. He explained that there should be a project description, plan and cost benefit analysis for projects under SDMP.
- Engr. Camo explained that the projects were conceptualized in consultation with the community. Once the project is completed, it is turned over to the community. Day-to-day operations of the structure lies on the BLGU.
- Ms. Rebullante explained that a project proposal is required prior to approval while the implementation and sustainability of the projects depend on the BLGUs as it is turned over to the community through a Memorandum of Understanding (MOU) or Memorandum of Agreement (MOA). One of the possible solutions is to seek the help of the DILG (to police the BLGU).
- Mr. Estoya suggested to review if there is a provision in the MOU/MOA that the project will be revoked if it will not be implemented within a specific time frame. Furthermore, he asked

whether it is possible to engage the MLGU instead of the BLGU as the latter is more capable and concerned with the Seal of Good Local Governance.


5. Proposed Palawan Rehabilitation Commission (Typhoon Odette)

- Mr. Magallanes explained that the Sangguniang Panlalawigan and Provincial government is in the process of creating a Palawan Rehabilitation Commission. He invited other sectors to be part of this initiative.
- The Chairperson responded that the MGB will gladly join as long as there is an invitation letter.

III. Adjournment

All matters properly discussed and there being no other business for deliberation, the meeting was adjourned at 3:59 p.m. on the motion of Mr. Magallanes and duly seconded by Engr. Tanguilig.

Attesting to the correctness of the foregoing:


HANNA LEE B. ARRIESGADO
Secretariat
MGB MIMAROPA

Approved by:


GLENN MARCELO C. NOBLE
Regional Director and
Chairperson, MRFC for RTNMC