



MEMORANDUM

TO : THE REGIONAL DIRECTOR
ENVIRONMENTAL MANAGEMENT BUREAU MIMAROPA

FROM : THE DIRECTOR AND CONCURRENT ASSISTANT SECRETARY
FOR FIELD OPERATIONS

SUBJECT : CLARIFICATION ON THE TENURIAL INSTRUMENT OF RTNMC WHILE SECURING ECC FOR THE RIO TUBA BENEFICIATED NICKEL SILICATE ORE EXPANSION (PRODUCTION/EXTRACTION OUTPUT) PROJECT (ECC-CO-1312-0043) AND THE CLARIFICATION IF THE ADDITIONAL STRUCTURES ARE COVERED BY THE ISSUED ECC

DATE : May 19, 2023

This refers to your undated Memorandum that was received by this Office on 11 January 2023 regarding the clarification of the tenurial instrument of Rio Tuba Nickel Mining Corporation (RTNMC) while securing an ECC for its Beneficiated Nickel Silicate Ore Expansion (Production/Extraction Output) Project (ECC-CO-1312-0043), and if the construction of said the proponent of additional structures such as Mine Tailings Pond, Golf Course, and an Ice Plant are beyond the Project Description/components as stated in the ECC.

As presented in the Project Description of the Final Environmental Performance Report and Management Plan (EPRMP) of the above project, the Mineral Production Sharing Agreement (MPSA) of RTNMC was granted on 04 June 1998, a year after the ECC with reference number ECC-CO-9612-008-302 was issued on 11 December 1997. The same MPSA was used as a tenurial instrument of the RTNMC during its application for ECC amendment in the year 2015.

Further, it was stated as the existing mine facilities and infrastructure of the RTNMC in the EPRMP of the project, under the Townsite Infrastructure among others include the Pelota and Tennis Court, Swimming Pool, Club House, and an Ice Plant. The Mine and Plant Site as one of the project components also covers Siltation Ponds. These facilities were considered during the review of the EPRMP of the project and are covered by the ECC issued for the project as one of its components. The golf course, however, was not mentioned in the EPRMP as an existing or proposed facility of the project.

The Investigation Report dated 22 December 2022 does not include findings on the alleged golf course raised by the complainant. With this, you are hereby instructed to investigate this matter and submit to this Office a site validation report with a recommendation on the complaint raised. Further, you are hereby directed to provide this Office with the signed Memorandum to MGB and DENR MIMAROPA Region in relation to the complaint against the above proponent, and the resolution on the case of the aforementioned Regional Offices, together with a report with recommendations on the status of the tenurial instrument used in the application of ECC.

For information and appropriate action.

Digitally signed by Gonzales
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