

HIGHLIGHTS OF THE 1st QUARTER 2023
MINE REHABILITATION FUND COMMITTEE MEETING
Rio Tuba Nickel Mining Corporation
(MPSA No. 114-98-IV-Amended I)

MGB MIMAROPA Conference Room, Ermita, Manila

16 March 2023 | 1:00 pm

ATTENDANCE:

MRFC Members:

1. Engr. Glenn Marcelo C. Noble	Chairperson and Regional Director MGB MIMAROPA Region
2. Ms. Bibiana Lyn T. Aguha	Representing Dir. Lormelyn E. Claudio, CESO IV Co-Chairperson and Regional Exec. Director DENR MIMAROPA Region
3. Engr. Mark Angelo S. Rogel	Representing Mr. Joe Amil M. Salino Regional Director, EMB MIMAROPA Region
4. Ms. Rhoda B. Roque	Representing Atty. Teodoro Jose S. Matta Executive Director, PCSDS
5. Atty. Noel E. Aquino	Representing Hon. Victorino Dennis M. Socrates Provincial Governor, LGU – Palawan
6. For. Reynaldo C. Rivera	Representing Hon. Abraham M. Ibba Mayor, Municipality of Bataraza
7. Mr. Inocencio C. Magallanes	NGO – Haribon Palawan
8. Fr. Jasper A. Tabanggay	Apostolic Vicariate of Puerto Princesa City
9. Engr. Ronelbert A. Suguitan	Resident Mine Manager, Rio Tuba Nickel Mining Corporation (RTNMC)

Not Present

1. Ms. Marie Grace T. Pascua, PhD	Regional Director, NCIP MIMAROPA
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Guests and Participants:

1. EnP Janice M. Tupas	MEPE Officer, RTNMC (For Nickel Project)
2. Engr. Marjorie N. Bacosa	MEPE Officer, RTNMC (For Limestone Project)

MMT Members:

1. Engr. Al Janry S. Tuazon	Sr. Sci. Research Specialist, MGB MIMAROPA
2. Engr. Hanna Lee B. Arriesgado	Supv. Sci. Res. Specialist, MGB MIMAROPA
3. Ms. Swin R. Tanduyan	EMS I, EMB MIMAROPA

Secretariat (MGB MIMAROPA):

1. Engr. Alvin S. Requimin	Division Chief, MSESDD, MGB MIMAROPA
2. Engr. Venus V. Jesoro	Sr. Environmental Mgt. Specialist, MGB MIMAROPA

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52 **I. PRELIMINARIES**

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54 Engr. Glenn Marcelo C. Noble, Chairperson and MGB MIMAROPA Regional
55 Director, called the meeting to order at 2:50 p.m. upon confirmation of a quorum
56 (9 out of 10) by the secretariat.
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59 **II. MEETING PROPER**

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61 **A. Review and Approval of the Provisional Agenda**

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63 The Chairperson requested the committee members to peruse the Provisional
64 Agenda for the 1st Quarter 2023 MRFC meeting, for any comments and/or
65 additional issues/concerns/topics for inclusion in the agenda.
66

67 The following topics/concerns were requested to be included in the "Other
68 Matters" for discussion:
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- 70 • Letter of the Environmental Legal Assistance Center regarding the
- 71 investigation on RTNMC's Compliance with ECC conditions and
- 72 Contreras' complaint
- 73 • Land Dispute Update (Nieves Cruz)
- 74 • Tugboat incident update by Mr. Magallanes.
- 75 • Clarification on SEP Clearance
- 76 • Mine Cross Visit to Surigao del Norte
- 77

78 Without objections to the additional matter, the body approved and adopted
79 the provisional agenda for the 1st Quarter 2023 MRFC Meeting thru the motion
80 of Atty. Noel E. Aquino (LGU Palawan), seconded by Mr. Inocencio C.
81 Magallanes (Haribon Palwan).
82

83 **B. Review and approval of the Draft Minutes of the 4th Quarter 2022 MRFC meeting**
84 **held on 12 December 2022**

85
86 The Chairperson requested the committee for comments on the draft minutes
87 of the 4th Quarter 2022 MRFC meeting for RTNMC.
88

89 The minutes for the 4th Quarter MRFC meeting for RTNMC was conditionally
90 approved, subject for comments/corrections until 12 PM the following day.
91

92 **C. Matters Arising from the Minutes of the 4th Quarter MRFC Meeting**

93
94 **1. Relocation of Informal Settlers in the Coastal Sitios of Marabajay and**
95 **Tagdalungon**

96
97 For update, MENRO Reynaldo C. Rivera (MLGU Bataraza) stated that he
98 will be requesting for a copy of the site development plan of the relocation
99 site from the Municipal Planning and Development Office. Further, he
100 stated that a meeting was conducted regarding a project for constructing

a sea wall and was already approved with a fund of approximately PHP200 Million, which will come from the DPWH.

2. Consolidation of RTNMC's Environmental Compliance Certificates (ECC)

According to Engr. Mark Angelo S. Rogel (EMB MIMAROPA), they are yet to receive a response from the EMB CO regarding this matter. The Chairperson requested EMB MIMAROPA to coordinate accordingly with the EMB CO regarding this matter.

3. Presentation of Highlights of the 3rd Quarter 2022 MMT Validation

On Mr. Magallanes's Proposal to Revisit RTNMC's ECC

Engr. Rogel stated that per latest monitoring, the company complied with all the conditions, however, he added that this is without prejudice to the result of the EMB CO inspection since the company's ECC was issued by the latter.

Mr. Magallanes said that the problem is the congestion of the Macadam Road as it is being used as the main thoroughfare by the public. Atty. Aquino added that the transport terminal should be functional in order for the community to utilize the road.

Engr. Alvin S. Requimin (MGB MIMAROPA) stated that the company may write to the Provincial LGU or to the DPWH regarding the issue, citing safety concerns as Macadam Road is a mine haul road. He added that if Rakub Road is a barangay road, the barangay can make a resolution and then endorse it to the Sangguniang Bayan, which will then endorse it to the concerned Congressman for possible funding.

The Chairperson stated that for the meantime, the MRFC should not spend more time on the issue as the solution to the problem is not within the control of the MRFC.

On the Tugboat Incident

Mr. Magallanes gave an update on the conducted investigation regarding the incident. The problem, he pointed out, is that the province and municipality have different assessments as to the amount that the company will pay. Atty. Aquino stated that he will seek a meeting with the LGUs to possibly come up with a joint resolution.

4. SEP Clearance of RTNMC for its Expansion

The Chairperson inquired if the matter will be presented during the company presentation. EnP. Janice M. Tupas (RTNMC) replied that they have not prepared a presentation, but on 27 February they had a communication with the PDO of PCSDS and was informed that they will call for a technical conference with RTNMC.

Ms. Rhoda B. Roque (PCSDS) stated that RTNMC is being required to show proof that they have a SEP Clearance for their expansion. She added that PCSDS has written a letter to RTNMC informing them that they need to secure a SEP clearance for their expansion and that the SEP Clearance issued in 2015 only covers the conversion from AMA to MPSA.

D. Technical Reports

1. Presentation of Highlights of the 4Q2022 MMT Validation

Engr. Al Janry S. Tuazon presented the findings and recommendations for Rio Tuba Nickel Mining Corporation project during the 1st Quarter 2023 MMT monitoring.

- Engr. Requimin requested to look back on the graph of Volume of Silt Removed and noticed that the highest point of the graph is on the 2nd Quarter of 2021. The Chairperson asked the company to explain the results of the graph; more specifically, why there is a high volume of silt removed in 2021. EnP. Tupas explained that the company conducted a major desilting and redesigning of the siltation ponds. In explanation to the huge difference of numbers in 2020 and 2021, the company reiterated that in 2021, they installed more desilting pads which gives them access to the center of the ponds, and with that, more silts are retrieved.

Engr. Al Janry S. Tuazon (MGB MIMAROPA) proceeded to present the findings and recommendations for Rio Tuba Nickel Mining Corporation – Gotok Limestone Quarry project on their 4th Quarter AEPEP.

- The Chairperson asked why the company generated a high amount of hazwaste compared to the set target. Engr. Tuazon said that this is due to the additional wastes collected due to the pull-out of contractors from their respective areas, which was also the case for solid wastes generated.

2. Presentation of highlights of the 1st Quarter 2023 Water, Air and Noise Monitoring and Sampling

Ms. Swin R. Tanduyan (EMB MIMAROPA) presented the highlights of the 1st Quarter 2023 Water, Air and Noise Monitoring and Sampling for the Rio Tuba Nickel Mining Corporation Project. Results were within the DENR standards.

- The Chairperson pointed out that the presentation of the results of parameters below detection limit has to be fixed/improved and directed the MMT to do so for the next MRFC meeting.

After which, Ms. Tanduyan presented the highlights of the 1st Quarter 2023 Water, Air and Noise Monitoring and Sampling for the Gotok Limestone Quarry Project. Results were within the DENR standards.

203
204 **3. Presentation of compliance with the 4Q2022 MMT's field findings and**
205 **recommendations and presentation of physical and financial**
206 **accomplishments, including updating and established Funds.**
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208 EnP. Tupas presented the company's 2022 AEPEP Accomplishments for the
209 Nickel Mining Project.
210

- 211 • The Chairperson strongly recommended that the company conduct the
- 212 noise monitoring at fixed times for each station.
- 213 • The Chairperson relayed the DENR's request for donations of double
- 214 cartridge masks for the workers of the Mindoro Oil Spill clean-up.
215

216 Engr. Marjorie N. Bacosa (RTNMC) presented the company's 2022 AEPEP
217 Accomplishments for the Gotok Limestone Quarry Project.
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219 **E. Presentation of recent drone shots/videos of rehabilitation areas**
220

221 Presented during the company's presentation.
222

223 **F. Other Matters**
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225 **1. Letter of ELAC regarding the investigation on RTNMC's Compliance with the**
226 **ECC conditions and Contreras' Complaint**
227

228 Engr. Requimin gave a brief background regarding the matter. The
229 Chairperson asked the company if they are aware of this, to which the
230 company replied in the affirmative. The Chairperson instructed the MSESDD
231 to prepare a complete staff work regarding the complaint, including
232 discussions during the previous MFRC meetings.
233

234 **2. Land Dispute Update (Nieves Cruz)**
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236 Engr. Rogel asked the company if they already had a discussion with the
237 CENRO regarding the issue. Engr. Suguitan replied in the affirmative and
238 further stated that the CENRO will submit a report to the DENR MIMAROPA
239 regarding the matter. The Chairperson instructed the secretariat to write to
240 RED as to what has been the latest development on the investigation on the
241 land dispute of certain Ms. Nieves Cruz within the MPSA of Rio Tuba which
242 was endorsed to the CENRO for discussion with RTNMC.
243

244 **3. Tugboat Incident**
245

246 *Please refer to Lines 136 to 140.*
247

248 **4. Clarification on the SEP Clearance**
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250 In view of the letter of PCSDS regarding issues concerning the SEP Clearance
251 issued to them under expansion, RTNMC is requested to give its position
252 paper on the matter for information reference and further action by the
253 MRFC.

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255 **5. Mine Cross-visit in Surigao del Norte**
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257 As agreed, a cross-visit in Surigao Del Norte will be conducted which is
258 tentatively scheduled on 16 – 20 May 2023. It will be a 5-day trip that will
259 include a visit to MGB Regional Office No. 13, Taganito HPAL, Taganito
260 Mining Corporation, Platinum Group Metals Corporation, and a courtesy
261 call to Mayor Georgia D. Gokiangkee. The secretariat will draft the
262 necessary letters regarding the activity.
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265 **III. ADJOURNMENT**
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267 All matters properly discussed and there being no other issue/concern for
268 deliberation, the meeting was adjourned at 6:40 pm on the motion of Mr.
269 Magallanes.
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271
272 Attesting to the correctness of the foregoing:
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274
275 **LADY MENDELYN J. CATALUÑA/AL JANRY S. TUAZON**

276 Secretariat

277 MRFC/MGB MIMAROPA
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279
280 Approved by:
281

282
283 **GLENN MARCELO C. NOBLE**

284 Regional Director, and

285 Chairperson, MRFC for RTNMC