

HIGHLIGHTS OF THE 3rd QUARTER 2022
MINE REHABILITATION FUND COMMITTEE MEETING
Rio Tuba Nickel Mining Corporation
(MPSA No. 114 – 98 – IV – Amended I and MPSA No. 213 – 2005 – IVB)
Bayview Park Hotel Manila
03 October 2022 | 9:00 a.m.

ATTENDANCE:

MRFC Members:

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| 1. Engr. Glenn Marcelo C. Noble | Chairperson and Regional Director
MGB MIMAROPA Region |
| 2. Ms. Lormelyn E. Claudio, CESO IV
(via Zoom) | 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 (via Zoom) | Representing Ms. Marie Grace T. Pascua, PhD
Regional Director, NCIP MIMAROPA Region |
| 7. Ms. Levita A. Lagrada | 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. Ronelbert A. Suguitan | OIC – Resident Mine Manager, RTNMC |

Guest and Other Participants:

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| 1. EnP. Janice M. Tupas | MEPEO, RTNMC |
| 2. Ms. Analyn M. Hasim | Environmental Compliance Officer, RTNMC |
| 3. Ms. Ma. Christinne Eloisa Q. Blanco | Pollution Control Officer, RTNMC |

MMT Members:

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| 1. Engr. Al Janry S. Tuazon | Sr. Science Research Specialist, MGB MIMAROPA |
| 2. Ms. Leonora B. Mansueto | Sr. Envi. Mngt. Specialist, EMB MIMAROPA |
| 3. Ms. Swin R. Tanduyan | Project Monitoring & Evaluation Officer,
EMB MIMAROPA |

Secretariat (MGB MIMAROPA):

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| 1. Engr. Alvin S. Requimin | Division Chief, MSESDD, MGB MIMAROPA |
| 2. Engr. Hanna Lee B. Arriesgado | Sr. Science Research Specialist, MGB MIMAROPA |
| 3. Engr. Venus V. Jesoro | Sr. Envi. Mngt. Specialist, MGB MIMAROPA |

I. Preliminaries

Engr. Glenn Marcelo C. Noble, Chairperson and MGB MIMAROPA Regional Director, called the meeting to order at 10:04 a.m. upon confirmation of a quorum (7 out of 10) by the Secretariat.

II. Meeting Proper

A. Provisional Agenda

Additional matters raised by the following members for discussion were as follows:

- Participation of MRFC and MMT members to the 68th Annual National Mine Safety and Environment Conference (ANMSEC) in Baguio City as requested by Atty. Noel E. Aquino (PG – ENRO);
- Updates on the proposed expansion of RTNMC raised by For. Reynaldo C. Rivera (MENRO – Bataraza); and
- Updates on Palawan Rehabilitation Commission per Mr. Inocencio C. Magallanes (HARIBON – Palawan).

Upon motion of Mr. Magallanes, duly seconded by For. Rivera, the Provisional Agenda was approved with the inclusion of the aforementioned additional items for discussion in the "Other Matters."

B. Draft Minutes of the 2nd Quarter 2022 MRFC Meeting

With minor corrections, the draft minutes of the 2nd Quarter 2022 MRFC meeting was approved on the motion of Mr. Magallanes, duly seconded by For. Rivera.

C. Matters Arising from the Minutes of the 2nd Quarter 2022 MRFC Meeting

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

- The Chairperson asked For. Rivera for an update for which the latter responded that he is not aware of the letter addressed to Barataza Municipal Mayor Abraham M. Ibba.
- The Chairperson directed the Secretariat to furnish the MRFC member a copy of MGB MIMAROPA's future communications to the office/agency he/she represents.

2. MMT Insurance

- The Chairperson inquired if there would be legal impediments in connection with the insurance to be provided to the MMT members. Atty. Aquino responded that there is a need to determine the Government Service Insurance System's benefit coverage for the case of the MMT members who are government employees. He then reminded the body that last year, the MRFC requested for assistance from Engr. Arnilo C. Milaor (Nickel Asia Corporation) as the latter disclosed that the provision of insurance to the MMTs was done in Region XIII (CARAGA).

- The Chairperson emphasized that the insurance is for the monitoring team's safety and instructed the Secretariat to look into insurances with a policy condition of providing protection only during the time of the monitoring.
- Ms. Janice M. Tupas (RTNMC) requested the body to consider the group insurance provided by the Philippine Red Cross at PHP 2,000.00 per member.
- The Chairperson directed the Secretariat to provide the company the list of the MMT members eligible for the aforementioned insurance.

3. Clarification on Consolidation of RTNMC's Environmental Compliance Certificates (ECC)

- Per Ms. Tupas, company's communication on the consolidation of RTNMC's issued ECCs, under Reference Nos. ECC-CO-1312-0043 for the original MPSA and ECC-CO-1906-0015 for the amended MPSA, to the Environmental Management Bureau is targeted to be sent within the day. An update on the status of the ECC consolidation will be provided in the next MRFC meeting.

D. Technical Reports

1. Presentation of Highlights of the 2nd Quarter 2022 MMT validation

Engr. Al Janry S. Tuazon (MGB MIMAROPA) reported the 2nd Quarter 2022 MMT monitoring observations and recommendations. Comments and recommendations of the MRFC members are as follows:

- Atty. Aquino commented that the company needs to step up as he observed that RTNMC is behind when it comes to bamboo plantation maintenance.
- As for the drainage canals within Stockyard B, the Chairperson directed the company to ensure proper establishment and maintenance of the drainage channels.

2. Presentation of Highlights of the 3rd Quarter 2022 Air and Water Monitoring and Sampling

Ms. Leonora B. Mansueto (EMB MIMAROPA) presented the content of the Compliance Monitoring and Validation Report and the results of the air and water sampling activities for the 3rd Quarter:

- The Chairperson instructed the MMT sampling team to reflect also whether the *in-situ* measurements (e.g., pH, salinity, etc.) during water sampling passed the DENR standards.

- The Chairperson queried on the time the dissolved oxygen (DO) readings were taken. He specifically asked whether the readings were done within the prescribed time (9:00 a.m. – 4:00 p.m.). Ms. Mansueto answered that DO readings were taken at 7:27 a.m. and explained that the sampling team relies on the flight schedule for the transport of the water samples thus, *in-situ* readings were taken earlier. The Chairperson remarked that the sampling protocol was essentially not followed.
- Regarding the pH reading at Station 1 (Upper Tagpisa) being beyond the standard, the Chairperson asked for the potential cause of the high pH reading and for the sampling team's corresponding recommendation. Having no response from Ms. Mansueto, the Chairperson explained that for instances when exceedances were noted, the company or the regulatory body should conduct the necessary assessment to determine the cause/s of the exceedances and apply the appropriate mitigating measure. He added that baseline values for the specific sampling stations should also be reviewed.
- Atty. Aquino suggested that sampling values beyond the prescribed standards should be highlighted in red.
- The Chairperson asked the company to look into the recorded exceedances and directed the MMT to be observant during the monitoring.
- Atty. Aquino commented that such irregularities should have been discussed in the MMT exit meeting.
- The Chairperson directed Ms. Mansueto to present the highlights and nonconformities that need the attention/decision of the body, flag the recorded exceedance and/or noncompliance, include appropriate remarks, and follow the sampling protocols.

3. Presentation of Compliance with the 2nd 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 2nd Quarter 2022 MMT field findings and recommendations were presented by Ms. Tupas and Ms. Ma. Christinne Eloisa Q. Blanco (RTNMC) for the Gotok Limestone Quarry Project and Nickel Mining Project, respectively.

RTNMC Nickel Project

- Ms. Tupas underscored the survival rates for the Nickel Mining Project's Mining Forest Program implementation of 93.35% and 87.46% for the areas within and outside the MPSA, respectively.

- RED Lormelyn E. Claudio (DENR MIMAROPA) commented that the presented survival rates were remarkable and requested RTNMC to document and share the company's best practices with DENR MIMAROPA. She further asked what tree species were planted by RTNMC. Ms. Tupas responded that endemic species were used in the rehabilitation such as Agoho and Mangkono.
- Commending the company's reforestation efforts beyond the municipality of Bataraza, RED Claudio emphasized the importance of establishing a Memorandum of Agreement with the concerned LGUs and CENROs. She shared that problems may arise with nonidentification of protected and production forest areas in a locale and urged the company to also focus on the establishment of production forests for the community's benefit.
- The Chairperson agreed with RED Claudio and asked RTNMC to thoroughly consider her suggestions.
- The Chairperson asked where does the water from the pit bottom at MP – P17 drained into. Ms. Tupas explained that pit bottoms not yet scheduled for rehabilitation are retained and temporarily used as water reservoir.
- RED Claudio inquired whether the in – house air and noise sampling results were within the DENR standards. Ms. Tupas answered in the affirmative.
- RED Claudio remarked that perhaps the company will completely conduct street sweeping with the use of the mechanical vacuum truck to avoid exposing the street sweepers to hazards. Ms. Tupas replied that this will not be the case as street sweeping serves as livelihood to the IPs and underscored that employed street sweepers are equipped with PPEs to protect them from dust exposure.
- The Chairperson suggested for the company to gather insights on mining from their visitors after each site visit.
- Ms. Levita A. Lagrada (PCSD) inquired on the company's crocodile conservation and management efforts and asked if RTNMC is willing to partner with PCSD on the matter. Ms. Tupas shared that RTNMC had previously sponsored a scientific workshop on *Crocodylus porosus* and continuously supports the IEC campaign on crocodile awareness in Bataraza. She expressed the company's willingness for the requested partnership.
- Atty. Aquino queried on the possibility of barricading the crocodile's natural habitat. Ms. Lagrada explained that it is impossible to cage crocodiles and what can be done is to establish a critical habitat for them. She further discussed that the

international listing of the *Crocodylus porosus* currently prohibits the hunting and collection of said species. Downgrading the *Crocodylus porosus*' listing would otherwise allow for its commercial extraction.

- For. Rivera informed the body that LGU – Bataraza already passed a resolution recommending to PCSD the Rio Tuba River as critical habitat for crocodiles.

RTNMC Gotok Limestone Quarry Project (GLQP)

- Ms. Tupas asked the Chairperson's advice for the non-establishment of an Environmental Trust Fund (ETF) for GLQP. The Chairperson pointed out that the Environmental Management Bureau dictates for the creation of an ETF and advised for the revision of the MOA between the company and the EMB in order to specify the amount RTNMC needs to lodge as GLQP's ETF.
- The Chairperson reminded the company to act on initiative and not to wait for the MMT's recommendations.
- The Chairperson also suggested to present GLQP's solid waste generation trend in a month-to-month production basis to easily determine an increasing or decreasing movement.
- Ms. Blanco apprised the body that no revision was made with regard to GLQP's Final Mine Rehabilitation and/or Decommissioning Plan (FMR/DP) as RTNMC is currently applying for an expansion for Gotok. The Chairperson advised the company to revise the FMR/DP once said expansion is approved.
- Ms. Lagrada asked how does RTNMC identify what endemic tree species to plant for which Ms. Blanco explained that the company utilizes the stand and stock table based on the previous tree inventory and follows the species identified under the issued SEP clearance and biodiversity assessments.
- Mr. Magallanes suggested to identify and mark the extent of the proposed expansion in the presented drone shots.

E. Presentation of Recent Drone Shots/Videos of Rehabilitation areas

A brief presentation of the drone photos taken on September 2022 was presented showing the rehabilitated areas, active mining areas, SDAs, siltation ponds as well as the ancillary facilities of RTNMC and Coral Bay Nickel Corporation (i.e., Tailing Storage facilities).

- Mr. Magallanes suggested to provide a signage along the Macadam road that it is for hauling.

- The Chairperson agreed with Mr. Magallanes and remarked that a road should be named after its actual purpose *i.e.*, haulage road and not a community road.

F. Other Matters

1. Participation of the MRFC and MMT to the 68th ANMSEC

- Participation to the 68th Annual National Mine Safety and Environment Conference (ANMSEC) is in lieu of the previously proposed cross visit in Surigao. With the MMTs' decision to pursue said cross visit in the following year, the Chairperson then suggested to start the preparation early as the target date for the activity is on May 2023.
- To finalize the list of attendees to the 68th ANMSEC, the Chairperson requested all MRFC and MMT member agencies to provide the names of the participants by next week. Likewise, he instructed the Secretariat to email all MRFC and MMT members regarding said request.
- Ms. Tupas requested for the day-to-day itinerary be identified and be provided to the company as basis for the expense estimation.

2. Updates on the Proposed Expansion of RTNMC

- For. Rivera asked for a copy of the issued permits/clearances to RTNMC in connection with the Bulanjao Expansion Project.
- Ms. Tupas informed the body that the company had already provided the local government units with the pertinent documents related to the project. Regardless, she confirmed that RTNMC will provide the requested documents *i.e.*, MPSA, ECC, SEP clearance, and Work Programs to For. Rivera.
- The Chairperson asked the company to furnish all MRFC members a copy of the aforementioned documents.
- For. Rivera explained that LGU – Bataraza is not yet knowledgeable on the extent of the proposed expansion. He emphasized that the LGU - Bataraza hoped that the proposed expansion project will not disturb the potential water resource in Bulanjao.

3. Updates on Palawan Rehabilitation Commission

- Atty. Aquino clarified that the proposed landscape restoration network aims to synchronize all rehabilitation efforts. In this light, he asked for the company's support to the said endeavor.

- Ms. Tupas suggested to consider conducting the seedling production within the subject community to avoid incurring transport expenses.

III. Adjournment

All matters properly discussed and there being no other business for deliberation, the meeting was adjourned at 4:15 p.m. on the motion of Mr. Magallanes and duly seconded by Engr. Tanguilig.

Attesting to the correctness of the foregoing:


VENUS V. JESORO
Secretariat
MGB MIMAROPA

Approved by:


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