

**HIGHLIGHTS OF THE 2<sup>nd</sup> QUARTER 2023**  
**MINE REHABILITATION FUND COMMITTEE MEETING**  
**Berong Nickel Corporation (BNC)**  
**(MPSA No. 235-2007-IVB)**

Meeting Room B, Hue Hotels and Resorts, Puerto Princesa City, Palawan  
06 July 2023 | 9:00 am

**I. ATTENDANCE:**

Name	Designation / Office
<b>MRFC Members</b>	
<b>Present</b>	
Engr. Glenn Marcelo C. Noble	Chairperson and Regional Director MGB MIMAROPA Region
For. Marilyn R. Limpiada	Representing Dir. Lormelyn E. Claudio, CESO IV Co-Chairperson and Regional Exec. Director DENR MIMAROPA Region
Engr. Dan Goodwin S. Borja	Representing Mr. Joe Amil M. Salino Regional Director, EMB MIMAROPA Region
Atty. Jansen I. Jontila	Representing Dir. Marie Grace T. Pascua Regional Director, NCIP MIMAROPA
Ms. Rhoda B. Roque	Representing Mr. Niño Rey C. Estoya Acting Executive Director, PCSD
Atty. Noel E. Aquino	Representing Hon. Victorino Dennis M. Socrates Provincial Governor, LGU – Palawan
Fr. Jasper A. Tabangay	Social Action Director, Apostolic Vicariate of Puerto Princesa (AVPP)
Mr. Aniceto Ayala	Representing Hon. Joselito O. Ayala Mayor, LGU – Quezon, Palawan
Ms. Loreto L. Cagatulla	Program Manager, Palawan NGO Network, Inc. (PNNI)
Engr. Deo V. Gatchalian	Compliance and Permitting AVP, Berong Nickel Corp. (BNC)
<b>Other</b>	
Mr. Roland G. Talabucon	PENRO - Palawan, DENR
Ms. Emma Pesito	Compliance Officer, BNC
Mr. Jay Pee R. Dela Cruz	MEPEO, BNC
Mr. Marc Raymund L. Zamora	BNC
Atty. Ma. Cristina L. Moratalla	Legal, DMCI
Atty. Gabriel Luis L. Lacson	Legal, DMCI
Ms. Casandra Lynda L. Jalac	MGB Embedded
<b>MMT Members</b>	
Engr. Hanna Lee B. Arriesgado	MMT Team Leader; Supervising SRS, MGB MIMAROPA
For. Zosima D. Jampit	MMT Sampling Group; Sr. Environmental Management Specialist, EMB MIMAROPA
<b>Secretariat</b>	
Engr. Alvin S. Requimin	Head Secretariat; Chief, MSESDD
Engr. Venus V. Jesoro	Senior EMS, MSESDD

## II. PRELIMINARIES

Engr. Glenn Marcelo C. Noble, Chairperson and MGB MIMAROPA Regional Director, called the meeting to order at 9:45 a.m. upon confirmation of a quorum (10 out of 10) by the secretariat.

## III. REVIEW AND APPROVAL OF THE PROVISIONAL AGENDA

The Chairperson requested the committee members to peruse the Provisional Agenda for the 2<sup>nd</sup> Quarter 2023 MRFC meeting, for any comments and/or additional issues/concerns/topics for inclusion in the agenda.

- Engr. Deo V. Gatchalian (DMCI) requested for an Overview of DAO 2023-06;
- The Chairperson asked the company for an update on Year-2 FMR/DP; and
- Atty. Noel E. Aquino (PG-ENRO Palawan) wished to present the letter from the IPs of Quezon, Palawan.

With the above-listed items for discussion, the body moved for the adoption of the provisional agenda upon the motion of Atty. Aquino.

## IV. REVIEW AND APPROVAL OF THE DRAFT MINUTES OF THE 1<sup>ST</sup> QUARTER 2023 MRFC MEETING HELD ON 15 MARCH 2023

The Chairperson requested the committee for comments on the draft minutes of the 1<sup>st</sup> Quarter 2023 MRFC meeting for BNC.

With a few minor corrections/clarifications, the minutes for the 1<sup>st</sup> Quarter 2023 MRFC meeting for BNC was approved without prejudice to possible amendments in reference to the recording of the minutes, with the motion of Fr. Jasper A. Tabangay (AVPP), seconded by Engr. Dan Goodwin S. Borja (EMB MIMAROPA).

## V. MATRIX OF ISSUES AND CONCERNS AND MATTERS ARISING FROM THE 1<sup>ST</sup> QUARTER MRFC MINUTES OF THE MEETING

### A. Update on the Expansion of BNC – Dangla Range and Longpoint

- On the letter sent to PCSD regarding the matter in 2021, Ms. Loreto L. Cagatulla (PNNI) reminded PCSD on the request and hoped that it is being processed. She also raised a concern on the ATV and requested a copy of the Certification Precondition. The Chairperson sought the said requirements from BNC.

### B. Clarification on DAO 2023-06

- Engr. Gatchalian sought clarification on the apparent inconsistency of the said DAO with the provisions of Republic Act No. 7942, otherwise

known as the Philippine Mining Act of 1995, particularly on the ECC requirement during exploration stage.

- Atty. Aquino opined that DAO 2023-06 is not inconsistent with RA No. 7942 as companies in the exploration stage are still exempted from securing an ECC under the said DAO. He stated that the additional conditions which might necessitate mining companies in the exploration stage to secure an ECC are safety nets which are well within the authority of the DENR to add.
- The Chairperson could not help but agree with the statement of Atty. Aquino. He said that he had suggested to companies to write a letter to the DENR to raise their concerns regarding the matter.

## **VI. TECHNICAL REPORTS**

### **1. Presentation of highlights of the 2<sup>nd</sup> Quarter 2023 Water, Air and Noise Monitoring and Sampling**

For. Zosima D. Jampit (EMB MIMAROPA) presented the highlights of the 2<sup>nd</sup> Quarter 2023 Water, Air and Noise Monitoring and Sampling.

- The Chairperson observed that the level of nickel on the monitoring well was high. The laboratory results (of the samples) were received a week after the MMT, hence the sampling team were not aware until then that the levels were high. Given that the water from the well is used in the households, Engr. Borja suggested informing the local government of the situation. Atty. Aquino suggested temporarily closing the water facilities to discontinue their usage until results come back positive.
- Finally, the Chairperson requested EMB MIMAROPA to conduct verification monitoring, as well as BNC through a third-party.

### **2. Presentation of Highlights of the 1Q2023 MMT Validation**

Engr. Al Janry S. Tuazon (MGB MIMAROPA) presented the findings and recommendations for BNC during the 1<sup>st</sup> Quarter 2023 MMT monitoring.

### **3. Presentation of compliance with the 1Q2023 MMT's field findings and recommendations and presentation of physical and financial accomplishments, including updating and established Funds.**

Mr. Jay Pee R. Dela Cruz (BNC) presented the company's compliance with the 1Q2023 MMT findings and recommendations, and other accomplishments.

- At the end of the presentation, Ms. Rhoda B. Roque (PCSD) inquired if the company conducts a Social Impact Assessment (SIA). She asked if the impact barangays and communities of the mining operations are prepared once the operations come to a halt.

- Engr. Marc Raymund L. Zamora (BNC) responded that the company conducts social impact assessment. He stated some of their major projects under SDMP like the *panatag* and the seaweed projects are self-sustaining.
- Ms. Roque also asked if the company commissioned a third-party to conduct the social impact assessment.
- Mr. Dela Cruz answered in the affirmative and said that it is part of the FMR/DP, conducted prior to the cease of operations. Another SIA will be conducted at the end of year-6 or before the rehabilitation is accomplished.
- On the same note, Atty. Jansen I. Jontilla (NCIP) asked if the IPs are included in the study, in the aspect of royalty. The Chairperson asked the company to look into the impact of the post-operation to the IPs and to their royalties and to coordinate with NCIP MIMAROPA on the matter.
- Engr. Gatchalian recalled the suggestion of Atty. Aquino on Agro-Forestry to avoid the “old ways” of the IPs.

#### **4. Presentation of recent drone shots/videos of rehabilitation areas**

*Included in Item VI.3 during the company's presentation.*

### **VII. OTHER MATTERS**

#### **1. Clarification on DAO 2023-06**

The matter has been discussed during the discussion for the Matrix of Issues and Concerns. (See item V.B.)

#### **2. Update on Year-2 FMR/DP**

The Chairperson asked the company to provide a copy of the Year-2 FMR/DP to the body for comments. After which, the proposal will be endorsed to the CLRF-SC along with the comments.

For. Marilyn R. Limpiada (DENR MIMAROPA) said that maintenance and protection was not included in Year-2. She suggested to include the said activity as it was included in the Year-1.

A resolution was made to endorse the proposal to the CLRF-SC along with the comments of the MRFC. Deadline of submission of the Draft Proposal by BNC was set on July 15, 2023. Submission of MRFC comments was due on 22 July 2023, to be endorsed to the CLRF-SC on 30 July 2023.

#### **3. Letter from Concerned Individuals of Quezon, Palawan**

The Chairperson perused the letter as provided by Atty. Aquino. The matter was raised for the information of the body. Engr. Zamora presented their response letter regarding the matter and stated that they are awaiting the schedule of the company's appearance before the provincial council to shed light on the allegations.

#### **VIII. ADJOURNMENT**

All matters properly discussed and there being no other issue/concern for deliberation, the meeting was adjourned at 1:02 p.m. on the motion of Atty. Aquino, seconded by Ms. Roque.

Attesting to the correctness of the foregoing:

**LADY MENDELYN J. CATALUÑA**

Secretariat  
MRFC/MGB MIMAROPA

Approved by:

**FELIZARDO A. GACAD, JR.**

Regional Director, and  
Chairperson, MRFC for BNC