

HIGHLIGHTS OF THE 2nd QUARTER 2023
MINE REHABILITATION FUND COMMITTEE MEETING
Coral Bay Nickel Corporation (CBNC)
(MPP No. 006-2004-IVB)

Meeting Room A, Hue Hotels and Resorts, Puerto Princesa City, Palawan
03 July 2023 | 1:00 pm

I. ATTENDANCE:

Name	Designation / Office
MRFC Members	
Present	
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. Pablito M. Estorque Jr.	Representing Dir. Joe Amil M. Salino Regional Director, EMB MIMAROPA Region
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
For. Reynaldo C. Rivera	Representing Hon. Abraham M. Ibba Mayor, LGU – Bataraza, Palawan
Mr. Inocencio C. Magallanes	NGO – Haribon Palawan
Fr. Jasper A. Tabangay	Social Action Director, Apostolic Vicariate of Puerto Princesa City (AVPP)
Engr. Benjamin Armand A. Tansingco	Vice-President – Environmental Management, SMMPH, CBNC
Not Present	
Dir. Marie Grace T. Pascua	Regional Director, NCIP IV
Other	
Mr. Ernesto A. Llacuna	Community Relations Manager, CBNC
Mr. Jeb B. Badlon	Section Head, MEPEO, CBNC
Engr. Antonio O. Sanone	MEPEO Head, CBNC
Mr. Lawrence Amores	Community Relations, CBNC
Ms. Hamera U. Gabinete	Community Relations, CBNC
Mr. Aroer Claveria	Community Relations, CBNC
Engr. Briccio T. Abela	CBNC
Mr. Roland G. Talabucon	PENRO, DENR
Ms. Casandra Lynda L. Jalac	MGB Embedded Personnel
MMT Members	
Engr. Hanna Lee B. Arriesgado	MMT Team Leader; Supervising SRS, MGB MIMAROPA
Engr. Mark Angelo S. Rogel	MMT Sampling Group; Deputy PEMO – 1 st District of Palawan, EMB MIMAROPA
Secretariat	
Engr. Alvin S. Requimin	Head Secretariat; Chief, MSESDD

Engr. Venus V. Jesoro	Senior EMS, MSESDD
Ms. Lady Mendelyn J. Cataluña	MRFC Secretariat

II. PRELIMINARIES

Engr. Glenn Marcelo C. Noble, Chairperson and MGB MIMAROPA Regional Director, called the meeting to order at 1:24 p.m. upon confirmation of a quorum (9 out of 10) by the secretariat.

III. REVIEW AND APPROVAL OF THE PROVISIONAL AGENDA

Per Engr. Pablito M. Estorque, Jr.'s (EMB MIMAROPA) request, discussion regarding safety in case of gas leaks, and structural integrity of mine tailings was included in "Other Matters." With no other additional item to be included, the provisional agenda was approved upon the motion of Mr. Inocencio C. Magallanes (Haribon Palawan), seconded by Ms. Rhoda B. Roque (PCSD).

IV. REVIEW AND APPROVAL OF THE DRAFT MINUTES OF THE 1ST QUARTER 2023 MRFC MEETING HELD ON 15 MARCH 2023

The following are the comments/corrections made on the draft minutes of the 1st Quarter 2023 MRFC Meeting:

- Line 14: For. Marilyn R. Limpiada (DENR) requested to correct Ms. Bibiana Lyn T. Aguha's first name which was initially spelt as Bibianalyn lyn; and
- Line 135: Platinum Group Metals Corporation was added among the list of mining and mineral processing companies to be visited.

Considering the above-mentioned corrections, the draft minutes for the 1st Quarter 2023 MRFC meeting was approved upon the motion of Mr. Magallanes, duly seconded by Fr. Jasper A. Tabangay (AVPP).

V. MATRIX OF ISSUES AND CONCERNS AND MATTERS ARISING FROM THE 1ST QUARTER MRFC MINUTES OF THE MEETING

A. Relocation of Informal Settlers in the Coastal Sities of Marabajay and Tagdalungon

- According to For. Reynaldo C. Rivera (MENRO Bataraza), the construction of sea wall (DPWH-funded project) is ongoing. As for the relocation of informal settlers, Mayor Abraham M. Ibba has coordinated with the Department of Human Settlement and Urban Development for the construction of 12,000 residential units project in Bataraza.

B. Improvement of Sitio Bohoy access road as requested by a claimant.

- When asked regarding the status of the property in question, For. Rivera said that the property cannot be located, nor its status can be determined according to the municipal assessor. Furthermore, there was also no record of the claimant.

- Atty. Noel E. Aquino (PG-ENRO Palwan) provided the context on the issue raised. He said that previously, there was an attempt to close the road as a certain individual is claiming that it is part of his/her property.
- Following Atty. Aquino's statements, Mr. Jeb B. Badlon (CBNC) said that there was a request to maintain the Sitio Bohoy access road during the MMT. The road was constructed by RTNMC to serve as access road for the IPs, so the IPs will not pass by the mine site going to their community (safety purpose). CBNC wrote a letter to RTNMC regarding the request.
- Noting that the issue is more of RTNMC's concern, Atty. Aquino requested for the matter to be discussed during the MRFC meeting for RTNMC, and the Chairperson concurred.

C. Utilization of ASDMP Funds

- Regarding the Level 2 Water System Project that lacks a Certification Precondition to proceed, the Chairperson said that he discussed the matter with Dir. Marie Grace T. Pascua (NCIP MIMAROPA) but have not received an update from NCIP MIMAROPA.
- According to Mr. Ernesto A. Llacuna (CBNC), the NCIP Provincial Office informed the company that the corresponding documents have been endorsed to NCIP Regional Office on 22 June 2023.
- The Chairperson instructed the secretariat to prepare a letter addressed to NCIP MIMAROPA and requested CBNC for a copy of the documents.
- On the abandoned/legacy mine, the Chairperson instructed the personnel of MGB MIMAROPA to take note of the necessary actions to be taken in compliance to Lines 224 to 231 of the Minutes of the 1st Quarter 2023 MRFC Meeting.

D. Updates on National Unified IEC

- The Chairperson instructed the company to provide MGB MIMAROPA a copy of their letter requesting for the liquidation of the PHP60 million budget provided by CBNC for the National Unified IEC, which will be forwarded to MGB Central Office.

VI. TECHNICAL REPORTS

1. Presentation of Highlights of the 1Q2023 MMT Validation

Engr. Hanna Lee B. Arriesgado (MGB MIMAROPA) presented the findings and recommendations for CBNC during the 1st Quarter 2023 MMT monitoring.

- Engr. Arriesgado requested Mr. Magallanes and Atty. Aquino to impart to the body the overview of the discussion of the MMT regarding the transport terminal and the slaughterhouse.
- On the Transport Terminal, Atty. Aquino shared that the area was visited during the MMT monitoring. He finds the sight disheartening as the company spent PHP2.5 million on its construction, however the terminal was not properly maintained nor used for its intended purpose.
- The MMT proposed to turn the project over to the municipal government, care of the MENRO, to be used as a satellite office of the MENRO in Brgy. Rio Tuba, as well as to build a nursery.
- The Chairperson asked how the transport terminal came into concept. Mr. Llacuna responded that the project was done in anticipation of the rerouting of traffic from Macadam highway to Racub Road hence the barangay was encouraged to construct a terminal site.
- Atty. Aquino added that there has been a change in leadership of the barangay on the time of construction ergo, the plans on the terminal were discontinued/changed. Mr. Lawrence Amores (CBNC) informed the body, that water and electricity were set to be installed but were not given priority by the succeeding barangay leader.
- Upon hearing the project's background, the Chairperson agreed with the MMT's proposal on its temporary turn over to the municipal government/MENRO but advised likewise consider the possibility of retaining its original purpose.
- Considering that the facility has been formally turned over to the barangay, Atty. Aquino made a formal motion to request the Regional Director of MGB MIMAROPA to write to the punong barangay of Brgy. Rio Tuba to temporarily turn the transport terminal building over to the municipal government, care of the MENRO, for further use and maintenance; duly seconded by Mr. Rivera.
- On the slaughterhouse, Mr. Magallanes imparted that this is a concern of public health. Just like the terminal, this facility is non-functional due to the same reason. Given this, Atty. Aquino requested the Regional Director to write to the punong barangay on their plans on the slaughterhouse.
- Regarding the suggestion of reducing the MMT monitoring days, Mr. Badlon said that they too find the MMT monitoring days too long, but the company has no issue with the current number of monitoring days.
- Noting that the data on financial expenditures reported were based on the report submitted by the company. The Chairperson said that presenting the data from the company would seem like it's the company's presentation and not the MMT's. Hence, he requested the

MMT to validate how the company's financial accomplishment are accounted.

- Engr. Estorque, Jr. informed the body on DENR-Undersecretary Jonas R. Leone's statement regarding Extended Producer Responsibility. He requested the company to ask their suppliers to register.
- On carbon-sink program under mangrove forest protection and enhancement, For. Limpiada inquired for the unit of measure of the established program. Engr. Arriesgado said that the number indicated on the presentation is the number of established programs.
- As a brief background, Mr. Badlon stated that the implementation of a carbon-sink program is one of the ECC conditionalities. Based on the study conducted by a third-party consultant commissioned by the company, CBNC must establish a 350-ha. plantation to achieve carbon neutrality by 2057. Through continuous coordination with CENRO Brooke's Pt. and PENRO Palawan, CBNC adopted a 400-ha. mangrove forest adjacent to Rio Tuba River and Ocayan River by virtue of a MOA.
- For. Limpiada requested to include "Carbon Stocks" in tons as unit of measure in future presentations. Engr. Arriesgado reiterated that the unit of work measure changed overtime, she added that PCSD once suggested to adjust the unit of work measure according to what can be monitored. On that note, For. Limpiada suggested to monitor and record the unit of measure in hectares.
- The Chairperson instructed the MMT to dedicate a row for other information that is beyond the monitoring control of the team.
- For. Limpiada added that the project seemed like an adopt-a-mangrove program. She advised the company not to adopt a mangrove that are still under maintenance by the CENRO, but instead adopt NGP graduated sites.

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

Engr. Mark Angelo S. Rogel (EMB MIMAROPA) presented the highlights of the 2nd Quarter 2023 Water, Air and Noise Monitoring and Sampling.

- At the end of his first presentation, Engr. Rogel asked the company about a pressing matter regarding its TSF 2. According to him, the TSF 2 is almost full. During heavy rains, the water overflows to the siltation ponds of RTNMC through the spillway. Should there be an instance where the wastewater discharge of RTNMC will be beyond the prescribed water quality guidelines, he asked who will be liable.

- Noting the situation, the Chairperson inquired if the companies have an agreement on the matter. Engr. Briccio T. Abela (CBNC) said that there is no formal agreement between the companies.
- When the Chairperson asked who will be liable (should there be an exceedance in the water quality parameters), Atty. Aquino responded that it will be RTNMC since RTNMC owns the facility. He added that if the exceedance is caused by CBNC's TSF effluent, then there should be formal agreement/arrangement between the companies.
- The Chairperson agreed with Atty. Aquino's statement that RTNMC will be penalized should there be an exceedance as RTNMC owns the environmental facility. If RTNMC will charge CBNC, then it will be between the two (2) companies. To end the discussion, the Chairperson said that the matter will be raised during the MRFC meeting for RTNMC.
- Engr. Rogel emphasized the importance of the community's participation in the MMT since most of the BLGU representatives did not join the environment group. Atty. Aquino agreed with Engr. Rogel's sentiments as said representatives joined the NGP group.
- The Chairperson commented that the BLGU representatives may join either group and asked the MMT Leader to manage the grouping.

3. Presentation of compliance with the 1Q2023 and 2Q2023 MMT's field findings and recommendations and presentation of physical and financial accomplishments, including updating and established Funds.

Mr. Badlon presented the company's compliance with the 1Q2023 MMT findings and recommendations, and other accomplishments.

- A discussion ensued regarding the capacity of TSF No. 2. Per report of the company the level of tailings varies depending on the location (within the TSF). Noting that there are certain areas within the TSF where the level of tailings is beyond 79.50 masl (i.e. 79.55 masl), the Chairperson directed the company to stop discharging tailings at TSF No. 2. CBNC acceded to the Chairperson's instruction.
- When Mr. Magallanes asked what will be the decision of the MRFC should there be an incident, the Chairperson responded that a CDO shall be issued re: operations of TSF No. 2.
- Atty. Aquino remarked that since the committee is monitoring the structure (through the MMT), the body may be held liable should there be an incident involving TSF No.2 (as it is an environmental structure).
- The Chairperson agreed with Atty. Aquino's comments and instructed CBNC to operate within the design capacity of TSF No.2.

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

Included in the company's presentation.

VII. OTHER MATTERS

1. Safety in Case of Gas Leaks, and Structural Integrity of Mine Tailings

Engr. Estorque asked what is stated in the law should there be gas leaks or incident involving the tailings facility.

The Chairperson read Section 67 of the Mining Act, which states that *"In case of imminent danger to life or property, the mines regional director may summarily suspend the mining or quarrying operations until the danger is removed, or appropriate measures are taken by the contractor or permittee."*

VIII. ADJOURNMENT

All matters properly discussed and there being no other issue/concern for deliberation, the meeting was adjourned at 05:20 p.m. on the motion of Mr. Magallanes, seconded by Engr. Estorque.

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 CBNC