

HIGHLIGHTS OF THE 2nd QUARTER 2023
MINE REHABILITATION FUND COMMITTEE MEETING
Rio Tuba Nickel Mining Corporation (RTNMC)
(MPSA No. 114-98-IV-Amended I)

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

I. ATTENDANCE:

Name	Designation / Office
MRFC Members	
Present	
Engr. Glenn Marcelo C. Noble	Chairperson and Regional Director MGB MIMAROPA Region
Ms. 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
Atty. Edmond Jones Q. Gastanes	Representing Dir. Marie Grace T. Pascua Regional Director, NCIP IV
Ms. Rhoda B. Roque	Representing Mr. Niño Rey C. Estoya Acting Executive Director, PCSDS
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. Arnilo C. Milaor	Sr. Vice-President & COO, RTNMC
Other	
Engr. Dan Goodwin S. Borja	EMB MIMAROPA
Engr. Ronelbert A. Suguitan	Resident Mine Manager, RTNMC
Engr. Remedios C. Camo	NAC-AVP, SHE
EnP. Janice M. Tupas	MEPEO – NMP, RTNMC
Engr. Marjorie N. Bacosa	MEPEO – GLQP, RTNMC
Ms. Venice Teresa N. Guian	Acting ComRel Manager, RTNMC
Mr. Roland G. Talabucon	PENRO - Palawan, DENR
Ms. Casandra Lynda L. Jalac	MGB Embedded Personnel
MMT Members	
Engr. Venus V. Jesoro	MMT Team Leader; Senior EMS, MGB MIMAROPA
For. Leonora F. Mansueto	DENR, EMB – Palawan
Secretariat	
Engr. Alvin S. Requimin	Head Secretariat; Chief, MSESDD
Engr. Hanna Lee B. Arriesgado	Supervising SRS, MSESDD
Engr. Al Janry S. Tuazon	Senior SRS, MSESDD
Ms. Lady Mendelyn J. Cataluña	MRFC Secretariat

10 **II. PRELIMINARIES**

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12 Engr. Glenn Marcelo C. Noble, Chairperson and MGB MIMAROPA Regional
13 Director, called the meeting to order at 9:34 a.m. upon confirmation of a quorum
14 (10 out of 10) by the secretariat.
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16 **III. REVIEW AND APPROVAL OF THE PROVISIONAL AGENDA**

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18 The Chairperson requested the committee members to peruse the Provisional
19 Agenda for the 1st Quarter 2023 MRFC Meeting, for any comments and/or
20 additional issues/concerns/topics for inclusion in the agenda.
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22 The following topics/concerns were requested to be included in the "Other
23 Matters" for discussion:
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- 25 1. Rules regarding habitual absenteeism of MRFC members
- 26 2. Presentation on Tugboat incident
- 27 3. Land use plan of Bataraza
- 28 4. Access Road concerns
- 29 5. Updates on Sanitary Landfill
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31 With no additional matter for discussion apart from the listed above, the body
32 approved and adopted the provisional agenda for the 1st Quarter 2023 MRFC
33 Meeting through the motion of Mr. Inocencio C. Magallanes (Haribon Palawan),
34 seconded by Ms. Rhoda B. Roque (PCSD).
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36 **IV. REVIEW AND APPROVAL OF THE DRAFT MINUTES OF THE 1ST QUARTER 2023 MRFC**
37 **MEETING HELD ON 15 MARCH 2023**

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39 The following are the comments/corrections made on the draft minutes of the 1st
40 Quarter 2023 MRFC Meeting:
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- 42 • Line 135: Platinum Group Metals Corporation was added among the list of
43 mining and mineral processing companies to be visited.
- 44 • Line 14: Ms. Marilyn R. Limpiada (DENR) requested to correct Ms. Bibiana
45 Lyn T. Aguha's first name which was initially spelt "Bibianalyn lyn."
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47 Considering the above-mentioned corrections, the draft minutes for the 1st
48 Quarter 2023 MRFC meeting was conditionally approved subject for revision
49 upon the motion of Mr. Magallanes, duly seconded by Fr. Jasper A. Tabangay
50 (AVPP).
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52 **V. MATRIX OF ISSUES AND CONCERNS AND MATTERS ARISING FROM THE 1ST QUARTER**
53 **MRFC MINUTES OF THE MEETING**

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55 **A. Relocation Plan of Informal Settlers**

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57 • The Chairperson requested to include lines 97 to 100 on the matrix. He
58 relayed the update that was stated during the MRFC meeting for Coral
59 Bay Nickel Corporation (CBNC) – ongoing construction of a seawall (a
60 DPWH project) while 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. Consolidation of RTNMC's Environmental Compliance Certificate (ECC)

- Atty. Noel E. Aquino (PG-ENRO Palawan) asked why the company intends to consolidate the ECCs of the MPSA and the expansion area. EnP. Janice M. Tupas (RTNMC) said that the company has two (2) ECCs but one (1) MPSA since the MPSA was amended by including the expansion area. She added that the two (2) ECCs happen to have some common conditionalities.
- Engr. Pablito M. Estorque, Jr. (EMB MIMAROPA), requested the company to hold a technical conference together with EMB MIMAROPA to raise the concerns on the matter. An update shall be given on the next MRFC meeting.

C. Letter to ELAC regarding the investigation on RTNMC's compliance with the ECC Conditions and Contreras' Complaint

- Engr. Alvin S. Requimin (MGB MIMAROPA) gave a brief background on the matter, he read the communication letters received by MGB MIMAROPA.
- Atty. Aquino observed that since 2020, there has been no resolution. He requested the company for the latest update on the matter. The Chairperson viewed the issue as a matter of compensation to Mr. Contreras.
- EnP. Tupas said that Mr. Contreras was not willing to cultivate the area since 1989. Atty. Aquino suggested requesting the PNRI, as previously agreed upon by the MRFC, to conduct a soil study; if results show that the area is contaminated with laterite, he recommended that the matter be settled, and the company shall pay the compensation. If the company refuses to pay, then it will be up to Mr. Contreras to take the matter to court.
- The Chairperson instructed the secretariat to write to the PNRI to get a proposal regarding the soil study for review and approval of the MRFC next meeting.

D. Land Dispute Update (Nieves Cruz)

- Engr. Requimin said that the Regional Executive Director (DENR MIMAROPA) suggested to coordinate with CENRO – Brooke's Pt. regarding the issue.
- Atty. Aquino concurred with the recommendation to get the report of CENRO – Brooke's Pt., present it on the next MMT monitoring then endorse it on the next MRFC meeting for the committee to adopt. If the

parties are not satisfied with the report, that is when it should be taken to court, as it is a matter of conflicting claims of ownership.

E. Clarification on SEP Clearance

- A discussion ensued on the issuance of SEP Clearance for the MPSA and the amended MPSA. The Chairperson left the matter to the stakeholders and requested for updates on the next MRFC meeting.

VI. TECHNICAL REPORTS

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

For. Leonora F. Mansueto (EMB MIMAROPA) presented the highlights of the 2nd Quarter 2023 Water, Air and Noise Monitoring and Sampling for RTNMC's Nickel Mining Project and Gotok Limestone Quarry Project.

Nickel Mining Project

- Fr. Jasper A. Tabangay (AVPP) asked for the time of the conduct of noise sampling. As with the other companies (CBNC and GPI), noise sampling was done at fixed times. He also requested to include a vicinity map on the presentation.

Gotok Limestone Quarry Project

- On water sampling, Engr. Requimin inquired on the high TSS on the findings and results of the sampling. Engr. Marjorie N. Bacosa (RTNMC) responded that the water sampled from Station 17 was shallow and becomes flooded on rainy seasons.
- Fr. Tabangay suggested to include the description of the weather, e.g. if it was raining, and rainfall rate, in the remarks. For. Mansueto responded that the details sought by Fr. Tabangay were included in the field data but was not included in the report. Engr. Requimin requested to include and present the field data, to which For. Mansueto agreed to include on future presentations.

2. Presentation of Highlights of the 1Q2023 MMT Validation

Engr. Venus V. Jesoro (MGB MIMAROPA) presented the findings and recommendations for RTNMC Gotok Limestone Quarry Project and Nickel Mining Project during the 1st Quarter 2023 MMT monitoring.

Gotok Limestone Quarry Project

- On the resolution to turn the transport terminal over to the MENRO for their utilization, RTNMC has agreed to require Brgy. Rio Tuba to turnover the facility.

- On the matter that arose during the MMT monitoring, to review the number of days and the possibility of reducing it from seven (7) to six (6) days. Atty. Aquino expressed his disagreement on the matter, stating that four (4) permit areas are being monitored in those seven (7) days. The Chairperson agreed with Atty. Aquino.
- On research, For. Marilyn R. Limpiada (DENR MIMAROPA) asked if they could request the company to fund a research project under their AEPEP. A discussion ensued on the possibility of this, the Chairperson asked For. Limpiada to communicate with the company regarding the matter and submit a proposal.
- The Chairperson asked if the company could accomplish the rest of the targets at the end of the year to which the company responded in the affirmative.

Nickel Mining Project

- Atty. Aquino said that the MMT observed that the coffee plantation was not well-maintained. The company reasoned that this was because of the incomplete hiring of helpers. EnP. Tupas added that the company had a deficiency in hiring in January and February but was able to hire people in March; the expenditure only covered half of the target. She also said that the applicants were IPs, hence, the acquisition of requirements is a challenge. The Chairperson expressed his concern on the company's timeline of hiring. On the same note, he instructed the company to fix their hiring schedule, same applies to the acquisition/procurement of materials and supplies.

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.

EnP. Tupas presented the company's compliance with the 1Q2023 MMT findings and recommendations, and other accomplishments for Nickel Mining Project.

- Atty. Aquino acknowledged and thanked RTNMC for their support and participation on the Pista ng Kalikasan organized by the PG-ENRO.
- Engr. Estorque requested the company to prepare a report on the active water sampling station and current development of mining areas for the record of EMB. EnP. Tupas noted the request.

Engr. Bacosa presented the company's compliance with the 1Q2023 MMT findings and recommendations, and other accomplishments for Gotok Limestone Quarry Project.

- On noise sampling, the Chairperson suggested to adopt a fixed time and date for the conduct of the said activity.

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

214 *Included in the company's presentation.*

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217 **VII. OTHER MATTERS**

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219 **1. Rules regarding habitual absenteeism of MRFC members**

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221 Engr. Estorque raised the concern for the information of the body. The
222 Chairperson responded that the MRFC is composed of fixed members – the
223 LGU, DENR, EMB, MGB, and NCIP; and the non-fixed members – the NGO.
224 He proposed several provisions regarding habitual absenteeism on the
225 Manual of Operations such as that habitual absenteeism from the fixed
226 members of the committee should be discussed by the heads of the
227 government agencies, whilst membership of non-fixed members should be
228 reviewed every three (3) years.

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230 **2. Presentation on Tugboat incident**

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232 Mr. Magallanes presented the updates on the tugboat incident for the
233 information of the body.

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 - On behalf of the body, the Chairperson said that the MRFC finds the
236 activities presented rational. He instructed the stakeholders to endorse
237 the matter to the provincial and municipal governments to decide on
238 the administrative fees that will be charged as they have differing
239 assessed value of the damages.
- 240
241
 - Atty. Aquino added that the provincial government will conduct a
242 formal dialogue with the local government of Bataraza and PCSD to
243 decide on the amount of the administrative fees.

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245 **3. Land use plan of Bataraza and access Road concerns**

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247 Mr. Magallanes raised the concern and gave a brief background on the
248 matter. The Chairperson requested the company to assist in updating the
249 land use plan and inclusion of the access road concerns for Barangay Rio
250 Tuba.

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252 **4. Updates on Sanitary Landfill**

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254 The matter has been discussed during the presentation of EnP. Tupas.

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256
257 **VIII. ADJOURNMENT**

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259 All matters properly discussed and there being no other issue/concern for
260 deliberation, the meeting was adjourned at 4:45 p.m. on the motion of Mr.
261 Magallanes, seconded by Atty. Aquino.

264 Attesting to the correctness of the foregoing:

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268 **LADY MENDELYN J. CATALUÑA**

269 Secretariat

270 MRFC/MGB MIMAROPA

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273 Approved by:

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276 **FELIZARDO A. GACAD, JR.**

277 Regional Director, and

278 Chairperson, MRFC for RTNMC

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