



ALTAI PHILIPPINES MINING CORPORATION

14 April 2023

MR. ARNOLDO A. BLAZA, JR.

OIC, Provincial Environment and Natural Resources Officer (PENRO)
DENR – MIMAROPA Region
PENRO Romblon, Formelleza St., Brgy. Tabing-Dagat
Odiongan, Romblon 5505

DENR MIMAROPA RECORDS SECTION RECEIVED	
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<input type="checkbox"/> INCOMING	<input type="checkbox"/> OUTGOING _____
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TIME: _____	

SUBJECT: Request for Resolution of Notice of Violation (NOV)
Dated 03 February 2023 (Alleged Violation of Section 77, P.D. 705)

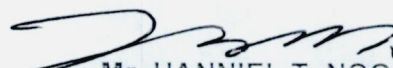
Dear PENR Officer Blaza:

We write your good office concerning the subject Notice of Violation (NOV) to which we have timely submitted a Reply that was duly received for you by DENR-MIMAROPA on 13 February 2023 and served to your office through private courier (LBC) on 14 February 2023. However, we have not received any Resolution up until this time despite the lapse of sixty (60) days from receipt thereof by your office. We have attached a copy of our Reply (**Annex "A"**) for your easy reference.

We wish to emphasize that Alti Philippines Mining Corporation (APMC) intends to resume its exploration and related activities that will lead towards commercial operation in due time. APMC remains undaunted in pursuing its investment in the mining industry that will usher in social and economic benefits to all stakeholders, particularly the host and nearby communities in Barangays España and Taclobo, San Fernando, Romblon, in accord with the terms and conditions under MPSA No. 304-2009-IVB dated 23 December 2009. In this light, we respectfully implore your good office to immediately resolve the subject NOV.

We trust that this request will merit your prompt action.

Truly yours,


Mr. HANNIEL T. NGO
President – APMC

Copy Furnished:

Ms. LORMELYN E. CLAUDIO, CESO IV

Regional Executive Director

DENR-MIMAROPA Region

DENR By the Bay Building, 1515 Roxas Blvd., Ermita, Manila 1000

Ms. MARIA ANTONIA YULO-LOYZAGA

Office of the Secretary

Department of Environment and Natural Resources (DENR)

DENR Compound, Visayas Avenue, Diliman, 1101 Quezon City

Atty. JUAN MIGUEL T. CUNA

Undersecretary for Field Operations and Environment

Department of Environment and Natural Resources (DENR)

DENR Compound, Visayas Avenue, Diliman, 1101 Quezon City

Dr. CARLOS PRIMO C. DAVID

Undersecretary for Integrated Environmental Science

Department of Environment and Natural Resources (DENR)

DENR Compound, Visayas Avenue, Diliman, 1101 Quezon City

ANNEX "A"



ALTAI PHILIPPINES MINING CORPORATION

10 February 2023

MR. ARNOLDO A. BLAZA, JR.

OIC, Provincial Environment and Natural Resources Officer (PENRO)

Department of Environment and Natural Resources – MIMAROPA Region

PENRO Romblon, Formelleza St., Brgy. Tabing-Dagat

Odiongan, Romblon 5505

DENR MIMAROPA
RECORDS SECTION
RECEIVED

FEB 14 2023

☐ INCOMING ☐ OUTGOING
BY: DATE:
TIME:

SUBJECT: Notice of Violation (NOV) dated February 3, 2023
(Alleged Violation of Section 77, P.D. 705)

Dear PENR Officer Blaza:

We acknowledge receipt of your subject NOV on February 4, 2023 directing ALTAI PHILIPPINES MINING CORPORATION ("APMC") to stop cutting/clearing activities and submit to the Office of the DENR PENRO Romblon the copy of Special Tree Cutting Permit within fifteen (15) days to avoid violations pursuant to Section 77 of Presidential Decree (PD) 705, as amended.

We note that in the subject NOV, it was mentioned that a monitoring was conducted by your Office on January 16, 2023 and the results thereof revealed that allegedly "a number of trees are damaged and cleared, at the exploration site xxxx."

We clarified from our site personnel about your supposed results. With due respect however, based on the information that we gathered, it appears that the PENRO personnel who inspected the exploration site went there without any prior written notice. According to our site personnel, they passed by our site office without any written notice or request to enter the exploration site for inspection purposes. They first proceeded to our causeway and then at the mine area. They were advised that it was muddy but they insisted to go. While at the exploration/mine area, they verbally informed our site personnel that they were conducting the inspection on the basis of allegations from "sources", "reports", and Facebook posts that trees were cut using chainsaw and that there were missing trees. Unfortunately, they did not show to our site personnel any map of tree inventory which, to our knowledge was already completed by your Office. The map of tree inventory is necessary so that it can be clear what particular trees and which area in the exploration site were being referring to. Up until this time, it is very unfortunate that we have not received any official report about the supposed results mentioned in the NOV.

It is respectfully submitted that APMC's right to due process was seriously violated based on the manner and method of inspection made by the PENRO personnel and the subsequent NOV that was issued to APMC. At the very least, APMC is entitled to see the official Ground Report as to the number of trees allegedly damaged and cleared, at the exploration site.

APMC is aware of such inventory and during exploration, it would not dare to cut any inventoried tree because its application and/or request for Tree Cutting Permit is pending. Even assuming on the sole argument that trees were cut at the mine area, our site personnel was not provided with relevant data such as the tree species cut, the actual number of the trees cut, any document like photograph of the "chainsaw" that was said to have been used,

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TEL No.: 7958-3533; EMAIL ADDRESS: altaicorpo@gmail.com

the identities of individuals who cut the trees, and any report from authorities as to the whereabouts of the supposedly cut trees.

We are alarmed that PENRO personnel propounded the foregoing queries without showing the foregoing important data.

It is a well-known fact that there are anti-mining residents in Barangay Espana who go out of their way in spreading rumors and lies about APMC's operations in Sibuyan Island for years. It is common knowledge as of this writing that mainstream and social media have been flooded with all sorts of innuendos of illegal activities on APMC's part coming from anti-mining residents and their supporters who are anti-mining environmental activists. These realities on the ground are factors to be considered and thus we humbly implore your Office to be extremely circumspect in acting on such allegations from "sources", "reports", and Facebook posts which, in all likelihood were generated by parties opposed to our proposed mining project. But regardless of any prevailing circumstances, regulatory protocol requires a prior written notice to the subject establishment stating the basis of visit or inspection. It is sad to note that your Office failed to follow this elementary procedure.

We would like to clarify that anent the submission of Special Tree Cutting Permit, the records of your Office will bear out that we have submitted our request for Tree Cutting Permit through a letter dated November 22, 2022 but the same remains unacted upon and we have not received any formal communication from your office about its status. A copy of said request with covering email transmittal that was duly received by your Office is attached as Annex "1", "1-A", to "1-B" for your easy reference.

Moreover, prior to the application for a Tree Cutting Permit, APMC requested for the conduct of Tree Inventory over the 20-hectare Exploration Area and Proposed Access Road as early as 11 April 2022. Needless to say, a Tree Inventory is necessary before one may apply for a Tree-Cutting Permit. APMC's request for Tree Inventory was acted upon only in October 2022 and the Report was transmitted to APMC only on 11 November 2022, seven (7) months after its request. Herein below is a summary of the events that took place anent APMC's request for Tree Inventory and Tree Cutting Permit, to wit:

1. On 11 April 2022, APMC requested for a Tree Inventory over the 20-hectare Exploration Area and Proposed Access Roads;
2. On 15 August 2022, APMC requested for an Inspection and Tree Inventory of the 20-hectare land, Binayaan Exploration Area and the proposed one-hectare Nursery Area;
3. On 07 September 2022, DENR MIMAROPA issued an Invitation for a Technical Conference;
4. On 11 November 2022, DENR PENRO issued its Inspection Report on the Inspection and Tree Inventory requested by APMC over the 20-hectare area. In the Memorandum dated 26 October 2022, the following recommendations are noted:

"Considering the above findings and observations, the undersigned found that the applicant complied with the requirements of existing laws, rules and regulations of the DENR. It is therefore recommended for the issuance of Cutting Permit in favor of ALTAI Philippines Mining Corporation in Sitio Binayaan, Brgy. Espana, San Fernando, Romblon." (Emphasis supplied)

Attached hereto are the copies of the above-enumerated APMC's request letters for a Tree Inventory dated April 11, 2022, August 15, 2022, September 7, 2022 and DENR Memorandum dated 26 October 2022 as Annexes "2", "3", "4", "5" and "6", respectively.

As regards the recent exploration activity in the mine site, the same was limited along the sides of the old exploration access. The clearing that was done if any was limited to shrubs that were less than 150 mm in diameter and tall grass and never involved the cutting of fully grown and duly inventoried trees.


We are committed to compliance with environmental laws, rules and regulations. Along this line, we endeavored to comply through submission of relevant requests and supporting documents. We find it ironic that APMC is being asked to produce a Special Tree Cutting Permit when the records will bear out that our application remains pending and unacted upon.

The above considered, we implore your good Office to reconsider and set aside your subject NOV for lack of factual and legal basis.

In closing, please be informed that APMC voluntarily halted all exploration and related activities as of February 6, 2023 in order to address all regulatory and compliance issues that have been raised. Rest assured that APMC shall continue to cooperate with your office in order to ensure compliance with environmental laws, rules and regulations for the benefit of all stakeholders.


We trust that the above explanation will merit the consideration of your good Office.

Truly yours,


ATTY. MARY JANE F. BALAGTAS
Legal Counsel for APMC

Copy Furnished:

Ms. Lormelyn E. Claudio, CESO, IV
Regional Executive Director
DENR-MIMAROPA

DENR MIMAROPA RECORDS SECTION	
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ALTAI PHILIPPINES MINING CORPORATION

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ANTONIO, PASIG CITY, METRO MANILA

Contact No.(s): 8672498368 / 8672480608

Card Number: TIN: Bus. Style:

Email:

CONSIGNEE:

Del. or/ care of:

PLAZA JR. BERNOLDO

Address: C/O (PENRO)-DENR MIMAROPA REGION PENRO R

BLON FORMELLEZA ST.

TASING DAGAT, ODIONGAN, ROMBLON

Contact No.(s): 8672498368

Courier N-Pouch SS

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Delivery Date : 02/25/2023 - 02/26/2023
Area Desc. : South Luzon
Trans. Type : Delivery
Cut-off : 06:00 PM
Actual Wt (Kg.) : 0.00

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Supplier Fee : (0.00)
VAT-Exempt : 0.00
VAT Rate-Rated : 0.00
100% Pickup Fee : 0.00
Total/Select : 124.82
12% VAT : 32.18
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