



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	
APR 20 2023	
<input type="checkbox"/> INCOMING	<input type="checkbox"/> OUTGOING
BY: _____	DATE NO. _____
TIME: _____	

**SUBJECT: Request for Resolution of Notice of Violation (NOV)
Dated 01 February 2023 (Alleged Violation of Article 51
of the Water Code of the Philippines or P.D. 1067
In Relation to MLA No. 045913-3)**


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:

Engr. IRWIN ANZALDO

Chief of Environment Management Services – Romblon
PENRO Compound, Formelleza St., Brgy. Tabing-dagat
Odiongan, Romblon 5505

Hon. NANETTE TANSINGCO

Municipal Mayor
San Fernando, Romblon 5505

LORMELYN E. CLAUDIO, CESO IV

Regional Executive Director
DENR-MIMAROPA Region
DENR By the Bay Building, 1515 Roxas Blvd., Ermita, Manila 1000

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Diliman, Quezon City 1101

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ALTAI PHILIPPINES MINING CORPORATION

07 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	
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BY: _____	DATE: _____
TIME: _____	

SUBJECT: Notice of Violation (NOV) dated February 1, 2023

Dear PENR Officer Blaza:

We acknowledge receipt of your subject letter which we received on February 7, 2023. In the aforesaid letter, **ALTAI PHILIPPINES MINING CORPORATION (APMC)** is ordered to stop from further developing the area while reminding our contractor and our personnel in-charge of the construction to do the same and further, to avoid unnecessary activities that would worsen the situation in the area, with final reminder to be prudent and abide by the existing Environmental Laws and Rules and Regulations.

We note that the issuance of the NOV was prompted by the result of the investigation conducted by your Office on January 25, 2023 in Sitio Bato, Barangay Espana, San Fernando, Romblon, where an on-going construction of docking port was then in development. As such, this development could be a violation as regards APMC's Miscellaneous Lease Application (MLA) No. 045913-3.

In reply to your subject NOV, may we respectfully direct your attention to the following timeline pertaining to our Miscellaneous Lease Application (MLA):

(1) On September 12, 2022, we filed our MLA which is denominated as MLA No. 045913-3, at DENR-PENRO MIMAROPA Region (Romblon) with all the documentary requirements duly submitted to your good Office. A copy of our MLA is hereto attached as Annex "1" for your easy reference. We filed this precisely in compliance with Article 51 of the Water Code or P.D. 1607.

(2) Sometime in October, 2022 and thereabout following the initial evaluation of our MLA, we were required to amend all submitted supporting documents and to submit lacking requirements such as evidence of competent identity, Articles of Incorporation, copy of title of adjacent lot and feasibility study. Accordingly, we resubmitted the amended supporting documents and submitted the said lacking documents in the same month. The records of your Office will bear these out.

(3) We came to know that staff work anent our MLA which included an ocular inspection in the vicinity of the area applied for has been completed with at least two (2) significant findings, to wit:

3.1 Letters addressed to different offices and agencies such as DPWH, PPA, Office of the Municipal Engineer, and Office of Municipal Planning Officer have already been sent out and

there were **no opposition** signified by any of the agencies and offices as of the month of October 2022.

3.2 APMC has **satisfied all the requirements** needed for the approval of its MLA.

(4) It has come to our knowledge as well that our MLA has been endorsed to the Regional Executive Director as of December 2022. Given the above findings and there appears to be no other compliance issue, we anticipate the immediate release of our MLA. But this has not happened for reasons beyond our control.

As part of our exploration activity, we have to ship bulk metallurgical ore sample for testing abroad and for this purpose, we will need to use our port. Having in mind that under Paragraph 9 of the MLA we have to comply with prevailing laws anent the use of our port pending the approval and issuance of our MLA, we applied on January 24, 2023 at the Philippine Ports Authority (PPA) for an Application to Develop and Construct (PDC) a Non-Commercial Port (the "APMC-Bato Causeway").

Likewise, were requested for consideration Temporary Use of APMC-Bato Port at Sitio Bato, Barangay Espana, San Fernando, Sibuyan Island, Romblon, pursuant to Section 19 in relation to Sections 17 (a) and 18, of PPA Administrative Order No. 5-2022 dated June 29, 2022 or the Revised Policy on the Development, Construction, Operations and Maintenance of Private Ports (the "2022 Revised Policy of Private Ports"). We believed in good faith that these can serve as alternative permitting cover for our intended shipment as the MLA remains unissued despite our compliance of requirements.

In response to our above-mentioned application, the PPA issued to us a letter dated January 25, 2023 allowing us to temporarily use our causeway for the loading of export cargo/laterite nickel ore on the vessel.

We have attached herewith for your easy reference the copies of our above-mentioned application for PDC and a copy of the letter dated January 25, 2022 as Annexes "2" and "3".


The foregoing will show the efforts that we have been exerting to comply with all applicable laws pertaining to the construction and use of our causeway. We were constrained to secure the necessary permit from the PPA pending the release of our MLA, which is being delayed for reasons that only the regulating body, your good Office, can answer.

Considering that your directive pertains to stoppage of further developing the area applied for, please be informed that as of February 6, 2023, APMC has voluntarily stopped all exploration and related activities in consideration of issues being raised about our operations from various sectors, including your Office that gained undue media attention. We shall continue to cooperate with regulators in order to settle these issues and to ensure compliance with environmental laws, rules and regulations in order to protect the interest of all stakeholders.

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



Truly yours,


ATTY. MARY JANE F. BALAGTAS
Legal Counsel

Copy Furnished:

The Regional Executive Director
DENR-MIMAROPA Region

Hon. Nanette Tansingco
Municipal Mayor
San Fernando, Romblon

UNITED STATES EXPRESS, INC.
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 CITY: PASIG CITY, METRO MANILA
 CONTACT NO. (63) : 55724000 / 55724001
 FAX: (63) : 55724002
 E-MAIL: info@altamining.com

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 Origin: DENVER, CO
 Destination: PASIG CITY, PHILIPPINES
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 Dimensions: 10.00 CM x 10.00 CM x 10.00 CM
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