



## **DISPOSITION FORM**

**Doc. Date** : March 22, 2022  
**IIS No.** : R8-2022-009023

**Company Name : EMIR MINERAL RESOURCES CORP. (NICKEL-CHROMITE AND ASSOCIATED MINERALS MINING PROJECT)**



**Subject / Title:** Environmentally Critical Projects (ECP) Compliance Monitoring 1st Quarter of 2022 - EMIR MINERAL RESOURCES CORP. Brgy. CASUGURAN Homonhon Island Guiuan Eastern Samar

**TO: All Officials/Personnel Concerned:**

Please accomplish and route this properly with the corresponding attached communication/documents. The Official or employee in-charge to whom this document is routed shall act promptly and expeditiously without discrimination as prescribed in the SECSIME or within fifteen (15) working days from receipt thereof, failure to do is punishable by LAW under RA 6713 and negligence to Memorandum Circular No. 44 issued by the Office of the President of the Philippines "Directing all Government Agencies and Instrumentalities, including government-owned or controlled corporations to respond to all public requests and concerns within 15 days (15 from the receipt thereof)

For strict compliance.

**Use code for comment/instruction and desired action:**

A - For information / guidance / reference  
E - Pls. appropriate action  
I - For initial/signature

B - For comments / recommendations  
F - Pls. immediate investigation  
J - For study/evaluation

C - Pls. take up with me

G - Pls. Attach supporting papers  
K - Pls. release/file

D - Pls. draft answer memo  
H - Pls. for approval  
L - Update stat of case

### ***Important Reminder !***

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Republic of the Philippines  
Department of Environment and Natural Resources  
**ENVIRONMENTAL MANAGEMENT BUREAU**  
Regional Office No. 8

**INTEGRATED COMPLIANCE INSPECTION REPORT**

February 25, 2022

**1. GENERAL INFORMATION**

Applicable Environmental Laws: (Pls. check box)				
<input checked="" type="checkbox"/> PD 1586 <input checked="" type="checkbox"/> RA 6969 <input checked="" type="checkbox"/> RA 8749 <input checked="" type="checkbox"/> RA 9275 <input checked="" type="checkbox"/> RA 9003				
Name of Establishment:	<b>EMIR MINERAL RESOURCES CORPORATION (Nickel-Chromite &amp; Associated Minerals Mining Project)</b>			
Address:	Brgy. Casuguran, Homonhon Island Guiuan, Eastern Samar			
Coordinates:	10.73673 N, 125.71676 E			
Nature of Business:	Nickel Ore mining			
Year Established:	Date and time of inspection:			
2016	February 25, 2022 @ 0800H			
Operating hours/day: 8 hours	Operating days/week: 6 days	Operating days/year: -		

Product Lines	Production Rate as Declared in the ECC (Unit/day)	Actual Production Rate (Unit/day)
Nickel Ore	3,000,000 WMT (annual)	58, 356 WMT (stockpile inventory to date)

Name of Managing Head	<b>Engr. Angelito V. Gomez</b>		
Name of PCO	<b>Engr. Bryan Shane T. Sibayan</b>		
PCO Accreditation No.	<b>2019-RVIII-0088</b>	Date of Effectivity:	<b>08/23/2019</b>
Phone/Fax	(02) 533-6101 0917-700-5409 0916-577-9189	Email:	<a href="mailto:lito.gomezsr@gmail.com">lito.gomezsr@gmail.com</a> <a href="mailto:bst.sibayan@gmail.com">bst.sibayan@gmail.com</a>

**2. PURPOSE OF VERIFICATION**

Verify accuracy of information submitted by the establishment pertaining to new permit applications, renewals, or modifications

	New	Renewal
PMPIN Application	<input type="checkbox"/>	<input type="checkbox"/>
Hazardous Waste ID Registration	<input type="checkbox"/>	<input type="checkbox"/>
Hazardous Waste Transporter Registration	<input type="checkbox"/>	<input type="checkbox"/>
Hazardous Waste TSD Registration	<input type="checkbox"/>	<input type="checkbox"/>
Permit to Operate Air Pollution Control Installation	<input type="checkbox"/>	<input type="checkbox"/>
Discharge Permit	<input type="checkbox"/>	<input type="checkbox"/>
Others _____		

Determine compliance status with environmental regulations, permit conditions, and other requirements

- Investigate community complaints
- Check status of commitment(s)
- Industrial EcoWatch Program
- Philippine Environmental Partnership Program (PEPP)
- Pollution Adjudication Board (PAB)
- Others \_\_\_\_\_

Others

### 3. COMPLIANCE STATUS

#### 3.1 DENR Permits/Licenses/Clearances

Environmental Law	Permits		Date of Issue	Expiry Date
PD 1586	ECC 1	ECC-CO-1302-0005	3/14/2013	
RA 6969	DENR Registry ID	M-GR-R8-26-00010 (amended)	12/6/2018	
	PCL Compliance Certificate	-		
	CCO Registry	-		
	Importation Clearance No.	-		
	Permit to Transport	-		
	Copy of COT issued by licensed TSD Facility	-		
	TSD Registration Certificate	-		
RA 8749	POA No.	PTO-OL-R08-2021-02065-R	04/04/2021	03/07/2024
RA 9275	Discharge Permit No.	DP-R08-21-04707 DP-R08-21-04712 DP-R08-21-07694	07/29/2021 07/29/2021 11/25/2021	07/29/2022 07/29/2021 11/25/2022
RA 9003	With MOA/Agreement for residuals disposed off to SLF w/ ECC	-	-	-

#### 3.2 Summary of Compliance

The table below summarizes the compliance of EMIR Mineral Resources Corporation to applicable laws and citations.

Compliance Requirements	Complied			Remarks	
	Yes	No	Partial		
<b>PD 1586: Environmental Compliance Certificate (ECC) Conditionalities</b>					
<b>I. ENVIRONMENTAL MANAGEMENT</b>					
1. Implementation of an intensive Information, Education and Communication (IEC) Program to consult and explain to all stakeholders the mitigating measures embodied in its EIS, the conditions stipulated in this Certificate for greater awareness and understanding of the Project. An annual detailed IEC Program in coordination with the Mines and Geosciences Bureau (MGB) Region VIII Office and EMB Region VIII Office shall be prepared and submitted to EMB Central Office annually at least thirty (30) days before the start of every year.	✓			IEC Program for CY 2020 was submitted to MGB 8 and EMB 8 last November 2019. IEC is as is and extended for CY 2021.  Conducting off mass gatherings for IEC activities is not yet allowed by the Government due to the Pandemic COVID-19.  Conduct IEC during scheduled Brgy. Sessions of the Brgy.	

			Council of Brgys. Casuguran and Canawayon
2. Observance of appropriate vegetative practices, engineering structures, proper land use, and sound soil management throughout the Project implementation which shall include, among others, the following:			Constructed a total of 48 siltation ponds including silt traps. Where 33 and 15 units of which are built and positioned in strategic places. Within and outside of mining area responsibility. Said ponds are properly maintained and provided with signages for identification.
a. Construction of adequate siltation ponds prior to mining operations;	✓		Benching and terracing are employed in mining areas to prevent erosion.
b. Immediate stabilization and erosion control of the affected side slopes of the roads ad nearby water bodies within the Project site, rehabilitation area, as well as those of the siltation pond;	✓		Proper stockpiling is observed and is placed within the declared Mine Yards of EMRC.
c. Proper stockpiling and disposal of waste materials generated from the mining sites;	✓		Waste materials generated are disposed properly within the identified key points within the Mine Areas.
d. Stockpiling shall be done on designated suitable areas maintained at no more than 3 meters high;	✓		Regular desilting is undertaken at all siltation ponds which generated approximately a total of 1621.50 m <sup>3</sup> for the 2nd Semester.
e. Use of the recovered top soil and overburden materials for re-soiling, rehabilitation, or as soil cover on mined-out areas, waste dumps, and other disturbed areas.	✓		The company recently received its extended Special Mines Permit which covers the period February 26, 2021 to February 26, 2022.
3. Establishment of a reforestation and carbon sink program using endemic/indigenous species to mitigate greenhouse gas (GHG) emissions of the project in line with the DENR's thrust for GHG emission reduction programs and the National Greening Program. The program shall be submitted to EMB Central Office and EMB Region VIII thirty (30) days upon receipt of this Certificate;	✓		The company recently received its extended Special Mines Permit which covers the period February 26, 2021 to February 26, 2022.  Extracted topsoil and overburden materials are piled to be used to rehabilitate mined-out areas, waste dumps and other disturbed areas.
<b>General Conditions</b>			Maintenance and replacement of out-planted tree species is regularly conducted.
4. The mining operations shall conform to the provisions of RA 6969 (Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990), RA 8749 (Philippine Clean Air Act of 1990), RA 9003 (Ecological Solid Waste Management Act of 2000), and RA 9275 Philippine Clean Water Act of 2004) and other relevant policies, rules and regulations;	✓		Haz. Waste Reg. No.GR-R8-26-00010 issued on Nov. 09, 2016;  Discharge Permit No. DP-R08-20-05299 issued on Nov. 10,2020 (renewed) valid until Nov. 10, 2021.  Discharge Permit No. DP-R08-20-02861 issued on July 16, 2020 (renewal) valid until July

			16, 2021
			Discharge Permit No. DP-R08-20-03034 issued on July 24, 2020 (new) valid until July 24, 2021.
			Permit to Operate No.: PTO-OL-R08-2021-02065-R issued on April 7, 2021 (amended) valid until March 7, 2024.
5.The proponent shall comply with the environmental management and protection requirements of the Philippine Mining Act of 1995 (R.A. 7942) and its Implementing Rules and Regulations (DAO No. 2010-21), as well as the pertinent provisions of the Harmonization of the Implementation of the Philippine Environmental Impact Statement System and the Philippine Mining Act of 1995 in relation to Mining Projects (DAO No. 2015-02) executed on March 10, 2015, such as, but not limited to the following:	✓		EMRC recently started its operation and all environmental management and protection requirements of RA 7942 and DAO No. 2010-21 as well as MOA bet. EMB and MGB area diligently complied.
a. Submission of an Environmental Protection and Enhancement Program (EPEP), with the Final Mine Rehabilitation and/or Decommissioning Plan (FMR/DP) integrated thereto, to the MGB Central Office, for approval, prior to project implementation;	✓		The company received its approved 1 Year EPEP last December 2019.
b. Submission of a Social Development and Management Program (SDMP) to the MGB Region VIII, for approval prior to project implementation. The EMB Central Office shall be furnished a copy of the approved SDMP within thirty (30) working days from its approval;	✓		1-Year EPEP was submitted to MGB 8 and was given a Certificate of Approval on December 23, 2019 with COA EPEP# 2019-VIII-07
c. Set up of a Contingent Liability and Rehabilitation Fund (CLRF) and Environmental Trust Fund (ETF);	✓		FMR/DP was submitted to MGB and is waiting for approval.
d. Establishment of a Mine Environmental Protection and Enhancement Office (MEPEO) to completely handle the environment-related aspects of the Project. The MEPEO shall also monitor the actual Project impacts vis-à-vis the predicted impacts and management measures identified in the EIS. The proponent shall furnish EMB Central Office a copy of CMR on a semiannual basis pursuant to the Revised Procedural Manual for DAO 2003-30;	✓		1 - Year SDMP was approved last November 2019.
e. Establishment of a Mine Rehabilitation Fund Committee (MRFC) and Multi-Partite Monitoring Team (MMT); and,	✓		Updated Veterans Bank Acct. No. 0025-008548-101 last Oct. 28, 2016 RCF amounted to Php402,768.54.
f. Designation of a Community Relations Officer (CRO).	✓		Designated MEPEO is Engr. Bryan Shane Sibayan.
			CMR for the 1 <sup>st</sup> Semester for CY 2021 was submitted online last July 20, 2021
			The operationalization of MRFC and MMT resumed December 11, 2019.
			Designated CRO is Ms. Junalyn B. Anos for Brgy. Casuguran and Mr. Reynaldo Porton Jr for Brgy. Canawayon

6. The proponent shall protect the headwaters, tributaries and natural spring/wells within the project site that are being utilized as sources of domestic water by the Community. Should the development activities affect the headwaters, tributaries and natural springs/wells, the proponent shall immediately provide alternative sources of water to the affected community.			✓	No headwaters, tributaries and natural spring/wells within the project area that are being utilized as sources of domestic water by the community.
7. The proponent shall submit groundwater profiling, revised flora and fauna report and pedology discussion within thirty (30) days from receipt of this Certificate.			✓	Groundwater profiling report was re-submitted to EMB8 on January 16, 2018.  Flora and fauna assessment report submitted to EMB CO on August 16, 2017.
11. The proponent shall ensure that its contractors and subcontractors strictly comply with the relevant conditions of this Certificate.	✓			Goldrich Construction and Trading complied relevant conditions of this certificate.

#### Compliance with Environmental Management Plan

PROJECT IMPACTS	MITIGATING MEASURES		EFFECTIVE?		RECOMMENDATION
	PLANNED	ACTUAL	Y	N	
<b>I. Operation Phase</b>					
• Solid wastes generation	Daily/weekly recording of wastes generated	Weekly recording of wastes generated and quarterly submission of inventory in SMR	✓		
• Hazardous wastes generation	Weekly recording of generated hazardous wastes	Monthly recording of hazardous wastes generated	✓		
• Surface water quality	Monthly sampling of turbidity, TSS and Oil & Grease, Heavy metals (As, Ni, Pb, Hg)	Quarterly sampling of TSS and annual sampling for Oil & grease and heavy metals in stations	✓		
• Marine species	Quarterly sampling of survey/marine species	Annual survey/sampling of marine species	✓		The survey/sampling of marine species schedule was halted due to the current pandemic Covid-19. Rescheduling will be made once pandemic is over or the existing crisis allows.
• Noise	Noise sampling at specific areas using digital sound meter when necessary	Noise sampling at specific areas	✓		Purchased portable noise level meter
• Air emissions	Quarterly ambient sampling of NOx, SOx, and PM10	Annual Ambient sampling planned to be conducted during Care and Maintenance.	✓		For compliance
• Occupational health and safety	Daily recording/database registration of work-related injuries and number of safety man-hours	Monthly recording/database registration of work-related injuries and number of safety man-hours  Provision of PPEs to workers.	✓		
• Public perception/acceptability	Consultations with local officials and residents and recording of valid complaints	Consultations with local officials and residents and recording of valid complaints	✓		

Applicable Laws and Citations	Compliance Requirements	Compliant			Remarks
		Yes	No	N/A	
<b>RA 6969 Toxic Substances and Hazardous and Nuclear Wastes Control Act</b>					
Priority Chemicals List	Valid PCL Compliance			✓	
	Annual Reporting			✓	
Chemical Control Orders	Biennial Report for those chemicals that are for issuance for CCO			✓	
	CCO Registration			✓	
Importation	Valid Small Quantity Importation Clearance			✓	
	Valid Importation Clearance			✓	
	Bill of Lading				
Hazardous Waste Generator	Registration as Hazardous Waste Generator	✓			Amendment for the DENR ID was released on Dec. 6, 2018.
	With proper Hazwaste storage facility	✓			
	Reporting of hazardous waste generated	✓			Inventory of hazardous wastes is reflected in SMR.
Hazardous Waste Storage and Labelling	Hazardous waste properly labelled	✓			
	Valid Permit to Transport			✓	
	Valid Registration of Transporters and Treaters			✓	
Waste Transporter; Waste Transport Record; Waste Treatment and Disposal Premises	Compliance with Manifest System (Waste Transport Record)			✓	
	Valid/completed certificate of treatment			✓	

Applicable Laws and Citations	Compliance Requirements	Compliant			Remarks
		Yes	No	N/A	
<b>RA 8749: Philippine Clean Air Act</b>					
Permit to Operate (Air)	With Valid POA	✓			PTO-OL-R08-2021-02065-R was issued on April 4, 2021. Permit is valid until March 7, 2024.
	All emission sources is covered by a valid POA	✓			The PTO covers the following air pollution source equipment: 2 units 60 KVA Denyo, 1 unit 100 KVA Zentech, 1 unit 125 KVA Denyo, and 1 unit 150 KVA Denyo.
	POA is displayed in a conspicuous place near the installation.	✓			
	All Permit Conditions are complied with	✓			
	Wind direction device is			✓	

	installed (if applicable)			
	Plant operational problems lasting for more than 1 hour should be reported to EMB within 24 hours		✓	
	CCTV installed (for large sources only)		✓	
	CEMS/PEMS installed (for petroleum refineries, power/cement plants or sources emitting 750 Tone/yr)		✓	
	Yearly RATA/Quarterly CGA conducted (for sources with CEMS)		✓	
Emission Testing (if applicable)	Compliance with emission standards?		✓	No source emission testing was conducted. Air pollution source facilities are not required to undergo 3 <sup>rd</sup> party source emission testing under MC 2007-003.
Ambient Testing (if applicable)	Compliance with ambient air quality standards			Ambient air sampling is scheduled to be conducted this first semester of 2022.

#### RA 9275: Philippine Clean Water Act

Discharge Permit (DP)	With valid Discharge Permit	✓		Settling ponds, domestic wastewater and oil-water separator.
	Volume of discharge consistent with DP issued?	✓		
	All permit conditions are complied with?	✓		
	With working flow metering device (if applicable)		✓	
	Certified septic siphoning hauled by accredited service provider.		✓	
Effluent Test Results (if applicable)	In compliance with effluent standards		✓	
Ambient water quality monitoring (if applicable)	With ambient water quality monitoring results.	✓		
Wastewater charge system (if applicable)	Payment of wastewater charges		✓	

Applicable Laws and Citations	Compliance Requirements	Compliant			Remarks
		Yes	No	N/A	

#### RA 9003 Ecological Solid Waste Management Act

Waste Segregation	Practice of Waste Segregation	✓		Segregation bins were provided.
Solid Waste Disposal Facilities	Installation of necessary controls for waste treatment and disposal facility	✓		MRF and Hazardous Waste Storage Area are available.

#### Pollution Control Officer Accreditation

DAO 1992-26 or Revised Guidelines on PCO Accreditation	Valid Accreditation of PCO	✓		PCO Accreditation number 2019-RVIII-0088 valid until August 23, 2022.
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## Self-Monitoring Report

DAO 2003-27	Complete and Timely submission of SMR's	✓			4th Quarter 2021 SMR was submitted on January 11, 2022 to EMB R8 through online system.
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### 3.3 Summary of Findings and Observations

#### 3.3.1. Environmental Impact Statement System

Compliant       Non-compliant       Not applicable

- Special Mines Permit (SMP No. 001-2015) was extended on February 26 2021 valid until February 26, 2022, for the development and utilization of nickel, chromite and other associated minerals within the 279.1378 hectare contract area.
- Access roads are well-maintained.
- New nursery was established in front of the administrative office building.

#### 3.3.2 Chemicals Management

Compliant       Non-compliant       Not applicable

#### 3.3.3. Hazardous Waste Management

Compliant       Non-compliant       Not applicable

Haz Waste ID No.	HW Class	HW Nature	Remaining HW based on 1st Quarter 2021 SMR		HW Generated (as of to date)	
			Qty	Unit	Qty	Unit
I101	Used Oil	Liquid	2800	Liters	0	Liters
I104	Used Filters	Solid	475.38	kilograms	0	kilogram
D406	Used Batteries	Solid	1606.50	kilograms	0	kilogram
D407	Busted Lamps	Solid	2.5	kilograms	0	kilogram
M506	WEEE	Solid	268.5	kilograms	3.75	kilograms

- Used batteries and wastes electronic and electrical equipment (WEEE) were properly stored in the company's Hazardous Wastes Storage Area (HWSA).
- HWSA is provided with oil-water separator at the back of the storage area. OWS is observed empty.
- On-going construction of motorpool area and new hazardous waste storage area was observed which will be provided with an oil-water separator and settling pond.

#### 3.3.4. Air Quality Management

Compliant       Non-compliant       Not applicable

- PTO-OL-R08-2021-02065-R was issued on April 4, 2021. Permit is valid until March 7, 2024. The Permit covers the following air pollution source equipment: 2 units 60 KVA Denyo, 1 unit 100 KVA Zentech, 1 unit 125 KVA Denyo, and 1 unit 150 KVA Denyo.
- No ambient air quality sampling was yet conducted, schedule of sampling is on the 1<sup>st</sup> semester of 2022.
- Four units of 100 KL mobile fuel storage tanks were observed at the fuel depot area near Canawayon wharf.

#### 3.3.5. Water Quality Management

Compliant       Non-compliant       Not applicable

Stations	Temperature ('C)	pH	TSS (mg/L)
			Q1
1. SP NO. 15C	27.9	6.78	ND

2. SP NO. 21	31.2	7.67	ND
3. CANAWAYON CAUSEWAY	28.2	7.87	12
4. PORT OF CASUGURAN	30.7	7.89	9
5. SAGKAHAN FALLS	30.7	8.03	ND
6. SAPA CREEK	30.2	7.42	ND
7. CAMBURAW CREEK UPSTREAM	30.6	7.63	ND
8. CAMBURAW CREEK DOWNSTRAM	30.4	7.53	ND
DENR Standards (DAO 2016-08)			
Class C (Freshwater)	25-31	6.0-9.0	80
Class SC (Coastal)	25-31	6.0-8.5	80

- Siltation ponds were properly maintained. Geotextile cloth was installed within the siltation ponds/collector sumps collectors.
- All Discharge Permits are valid.
- Water samples were collected at ambient stations.
- Collected samples will be submitted to TSS samples will be submitted to EMB8 Laboratory for analyses.
- One land craft transport (LCT) vessels were observed docked at Canawayon wharf.

### 3.3.6. Solid Waste Management

Compliant       Non-compliant       Not applicable

- Segregated trash bins were provided within the plant's premises.
- Non-hazardous wastes were stored in the Materials Recovery Facility (MRF).
- Biodegradable wastes are disposed in compost pits. Compost pit was observed properly maintained.

### 3.3.7. Commitment/s from previous Technical Conference

Compliant       Non-compliant       Not applicable

## 4. RECOMMENDATIONS

- For confirmatory sampling/ further monitoring
- For issuance of Temporary/Renewal of Permit to Operate (POA) and/or Renewal of Discharge Permit
- For accreditation of Pollution Control Officer (PCO)/Seminar requirement of Managing Head
- For submission of Compliance Monitoring Report (CMR) online
- For issuance of Notice of Meeting (NOM)/Technical Conference (TC)
- For issuance of Notice of Violation (NOV) for the following:
- For issuance of suspension of ECC/ 5 day CDO
- For endorsement to Pollution Adjudication Board (PAB)
- Other recommendations:  
✓ Conduct ambient air sampling monitoring as scheduled.

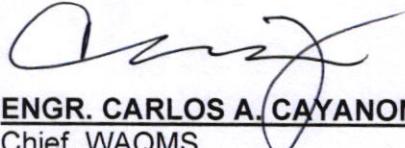
Findings and recommendations attested by: PCO/Manager ENGR. ANGELITO V. GOMEZ

Signature over Printed Name

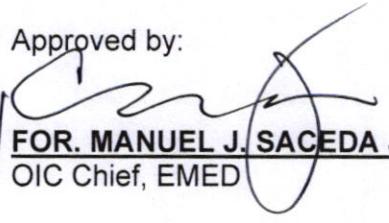
PCO/Manager/Person contacted on site refused to sign.

Submitted by:

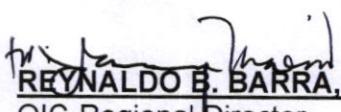
JOSEPH R. AURE  
Source Emission Monitoring Specialist

  
ENGR. CARLOS A. CAYANONG  
Chief, WAQMS  
Team Leader

Approved by:

  
FOR. MANUEL J. SACEDA JR.  
OIC Chief, EMED

Noted by:

  
REYNALDO B. BARRA, PME  
OIC-Regional Director