



ENVIRONMENTAL COMPLIANCE CERTIFICATE

(Issued under Presidential decree 1586)

ECC-R4B-0902-028-6280

THIS IS TO CERTIFY THAT PROPONENT ARNEL M. TAN, is granted this Environmental Compliance Certificate (ECC), for the **ORCA PETROLEUM PROJECT**, located at **STA. RITA, PINAMALAYAN, ORIENTAL MINDORO** by the Department of Environment and Natural Resources (DENR), through the Environmental Management Bureau, Region IV-MIMAROPA.

SUBJECT ONLY to the conditions and restrictions set-out in this certificate.

PROJECT DESCRIPTION

This Certificate shall cover the operation of Orca Petroleum Project, having a total land area of **880 square meters**, covered by TCT No. T-54242, located at Sta. Rita, Pinamalayan, Oriental Mindoro. Facilities enumerated to wit: One (1) unit serving bay, two (2) units Pumping Refilling Station, two (2) units Dispensing Pump for fuelling Position, three (3) units Fuel Storage/ Underground Gas Tank, one (1) unit Wash Bay, one (1) unit Convenience Store, one (1) Parking Area, one (1) unit Office Building, one (1) unit Public Toilet, one (1) unit genset, 25 kva (standby Power Utility), one (1) unit Proposed Dispensing Pump and three (3) units Underground Tank.

This Certification is issued in compliance to the requirements of Presidential Decree No. 1586, in accordance to Department Administrative Order No. 2003-30. The Bureau, however, is not precluded from reevaluating, adding, removing, and correcting any deficiencies or errors that may be found after issuance of this certificate.

Issued at Manila, Philippines this FEB 20 2009.

Approved by:

REYNALDO R. VILLAFUERTE
Regional Director

Recommending Approval:


BUENA FE A. RIOFLORIDO
Chief, EIA Division

ECC-R4B-0902-028-6280
Orca Petroleum Project

CC: The RED DENR Region IV-B
The PENRO – Oriental Mindoro
The CENRO – Calapan

SWORN STATEMENT OF OWNER

Under the provisions of Presidential Decree 1586, I HEREBY CERTIFY that the information provided to the Department of Environment and Natural Resources – Environmental Management Bureau pertaining to this project are true and correct to the best of my personal knowledge and based on the records in my possession.


ARNEL M. TAN

Proponent

TIN 910-414-J75


Subscribed and sworn to before me this 20th day of February, 2009, the above-named affiant taking oath presenting Residence Certificate No. 12268708 issued on January 16 2009 at Pinamalayan, Or. Mindoro

DOC. NO. 226 :

PAGE NO. 47 :

BOOK NO. IV :

SERIES OF 2009 :


ATTY. CESAR A. ENRIQUEZ

NOTARY PUBLIC

SINTE DECEMBER 31 2009
Signature of Administering Officer

PTR # 212-004-01-10-08


IBP # 727208-1-8-08

ROLL # 16913

FCC-R413-0902-028-6281

Orca Petroleum Project

CC: The RED DENR Region IV-B
The PENRO – Oriental Mindoro
The CENRO – Calapan


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PC Division 521-8904, EIA Division Telefax No. 400-5960
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I. CONDITIONS

ENVIRONMENTAL MANAGEMENT

All commitments, mitigating measures and monitoring requirements, especially those contained in the Initial Environmental Examination (IEE) checklist, particularly in the Environmental Management and Monitoring Plans, including all their modifications as approved by the EMB R IV-B (MIMAROPA), shall be instituted to minimize any adverse impact of the project to the environment throughout its implementation, including the following:

1. Appropriate measures shall be undertaken for the avoidance of siltation of adjoining areas, noise and dust pollution during construction and operation activities;
2. The entire project site shall be provided with adequate drainage facilities to prevent excessive surface run-off;
3. Tree planting shall be conducted with appropriate tree species in an open space within the project site;
4. A regular monitoring of tank leakages shall be strictly observed and a quarterly report shall be submitted to the Regional Director, EMB MIMAROPA Region;

GENERAL CONDITIONS

5. The proponent shall conform with the provisions of the following:

- a. PD 1586 *Philippine Environmental Impact Statement System*, DAO 2003-30
- b. RA 6969 *Toxic and Hazardous Waste Act of 1990*, DAO 29
- c. RA 8749 *Clean Air Act of 1999*, DAO 2000-81
- d. RA 9003 *Ecological Solid Waste Management Act of 2000*, DAO 2001-34
- e. RA 9275 *Clean Water Act of 2004*, DAO 2005-10

6. The proponent shall set up the following:

- a. A **Memorandum of Agreement (MOA)** shall be entered into by the proponent with the **ECC Holders Association** to become part of their MMT and in setting up the corresponding **Environmental Monitoring Fund (EMF)** prior to project implementation;

- b. A replenishable Environmental Monitoring Fund (EMF) to cover all costs attendant to the operation of the MMT such as conduct meetings, training, sampling and analysis, hiring of technical experts, meals, accommodations, supplies and materials, communication, and transportation.

The amount and mechanics of the EMF, and the establishment of the MMT shall be determined by the EMB-MIMAROPA Region and the proponent in consultation with stakeholder-communities and other concerned agencies. This MOA shall be submitted to EMB-MIMAROPA within sixty (60) days upon receipt of this Certificate.

7. A Pollution Control Officer (PCO) shall be appointed by the proponent who shall continue to competently handle the environment-related aspects of the project. In addition to the monitoring requirements as specified in the Environmental Monitoring Plan, the PCO shall also:

- a. Monitor actual project impact vis-à-vis the predicted impacts and management measures in the IEE;
 - b. Accordingly recommend revisions to the Environmental Management Plan (EMP) as necessary;
 - c. Ensure that the appropriate post-assessment permits are in place;
 - d. Ensure that monitoring and reporting are carried out as required; and
 - e. Assure compliance with the conditions of the approved ECC.
8. The proponent shall submit to this Office a summary of implementation of the project and proposed mitigating measures in the construction and operational phase. An accomplishment report on the implemented mitigating measures and the corresponding cost of the EMP activities shall also be submitted on a quarterly basis for monitoring;
 9. Permits/clearances from concerned agencies shall be submitted to this Office within thirty (30) days upon receipt hereof;
 10. A **Self - Monitoring Report** shall be submitted to this Office quarterly;
 11. Any authorized DENR-EMB Region IV-B personnel can initiate an on-the-spot inspection and monitoring even without prior notice;
 12. Should the implementation of the project cause adverse environmental impacts and pose nuisance to the public health and safety, as determined by the DENR-EMB and other concerned agencies, the operation shall be temporarily suspended after prior notice and due process until such time appropriate remedial measures are effected and any damage resulting from the same are properly compensated;
 13. Any false ground for information misrepresentation or omission of material facts in the submitted documents shall be sufficient, the cancellation or suspension of this ECC;
 14. In case of abandonment, the Proponent shall notify the EMB Regional Office concerned within three (3) months prior to the abandonment and the Proponent shall submit its abandonment mitigation plan;
 15. A 2' x 4' billboard containing this message : "**Notice to the Public, This project (title of the project) of (Name of the proponent) has been issued an Environmental Compliance Certificate (ECC Number) by the Environmental Management Bureau of the Department of Environment and Natural Resources, Region IV-B, on (date).**" This message must be installed at all entry and exit points and at all perimeters of the project facing the road to inform the general public within thirty (30) days from receipt of the certificate. A copy of the certificate shall also be posted by the Proponent at the barangay bulletin board of the affected barangays within thirty (30) days from receipt of the certificate. An accomplishment report which shall include picture verification of compliance to the posting of notices and the billboards shall be submitted to this Office within ninety (90) days from receipt of the ECC.

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Orca Petroleum Project



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II. RESTRICTIONS



16. No other activities should be undertaken other than what was stipulated in the Environmental Management Plan (EMP) submitted. Should there be an expansion of the project beyond the project description, construction of other structures beyond those stated in the EMP document; or any change in the activity, shall be made subject to a new Environmental Impact Assessment;
17. Project operation shall be limited to the project description; and
18. In case of transfer of ownership of this project, same conditions and restrictions shall apply and the transferee shall be required to notify the EMB Regional Office concerned within fifteen (15) days as regards to the transfer of ownership.

Non-compliance with any of the provisions of this certificate shall be a sufficient cause for the cancellation or suspension of this certificate and/or imposition of a fine in an amount not to exceed Fifty Thousand Pesos (50,000.00) for every violation thereof.

III. SUGGESTION TO THE PROJECT DESIGN, CONTRACTOR AND CONSTRUCTION

1. Compliance to occupational health and safety of the workers shall be ensured by the proponent by provision and use of Personal Protective Equipment (PPE) such as protective masks and other devices during construction and operation phase;
2. Structural designs and soundness of buildings shall be in accordance with the specifications of provided under the National Building Code of the Philippines; and
3. Contingency measures shall be implemented in case of accidents, power failure, equipment malfunction and other emergencies.

ECC-R414-0902-0284-280
Orca Petroleum Project

 
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