

ENVIRONMENTAL COMPLIANCE CERTIFICATE

(Issued under Presidential decree 1586)

ECC-4B-0807-223-2160

THIS IS TO CERTIFY THAT PROPONENT, **AGBIAG MINING DEVELOPMENT CORPORATION** represented by **MR. WARLITO TRINIDAD, JR.**, is granted this Environmental Compliance Certificate (ECC), for the **SMALL SCALE IRON ORE MINING PROJECT**, located at **SITIO LAGNAS, BRGY. LUMANGBAYAN, ABRA DE ILOG, OCCIDENTAL 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 a small scale iron ore mining project having a total land area of 20.0 hectares, and extraction shall not exceed 50,000 metric tons of run-of mine ore per annum, located at So. Lagnas, Brgy. Lumangbayan, Abra de Ilog, Occidental Mindoro, specifically describe as follows:

Tie Line : BLLM No. 1, Abra de Ilog S 37°45'E, 12,849.48 M

Line	Bearing	Distance
1-2	N 00°03'E	460.92 M
2-3	S 89°57'E	451.35 M
3-4	S 00°03'W	460.92 M
4-1	N 89°57'W	451.35 M

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.


SEP 09 2008

Issued at Manila, Philippines this _____.

Approved by:

REYNALDO R. VILLAFUERTE
Regional Director

Recommending Approval:


BUENA FE A. RIOFLORIDO
Chief, EIA Division

ECC-4B-0807-2202-2160
Small Scale Mining Iron Ore Project (Warlito Trinidad, Jr.)

CC: The RED DENR Region IV-B
The PENRO – Occidental Mindoro
The CENRO – Mamburao

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.

AGBIAG MINING DEVELOPMENT CORPORATION

Proponent

TIN – _____

WARLITO TRINIDAD, JR.

Subscribed and sworn to before me this _____ day of _____, 2008, the above-named affiant taking oath presenting Residence Certificate No. _____ issued on _____ 2008 at _____.

Signature of Administering Officer

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CC: The RED DENR Region IV-B
The PENRO – Occidental Mindoro
The CENRO – Mamburao

6th Floor DENR by the Bay Bldg., 1515 Roxas Blvd., Ermita Manila
RD's Office 536-9786; Admin/Finance Division Telefax No. 400-5960
PC Division 521-8904, EIA Division Telefax No. 400-5960
E-mail Address: admin-emb-rlb@denr.gov.ph and emb_minaropa@yahoo.com

I. CONDITIONS

ENVIRONMENTAL MANAGEMENT

All commitments, mitigating measures and monitoring requirements, especially those contained in the Initial Environmental Examination (IEE) Report, 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 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. The mining operation shall be labor intensive without the use of sophisticated equipment which means that the ratio of labor cost to equipment utilization cost to produce, process and market one metric ton of ore equivalent or exceeds one (1) pursuant to Mines Administrative Order No. MRD - 41, Series of 1994;
5. Undertake an effective and continuing Information, Education and Communication (IEC) Program to inform and educate all stakeholders, especially its local residents, about the project's mitigating measures embodied in its IEE Report, the conditions stipulated in this ECC and safety measures in surface mining for greater awareness, understanding and sustained acceptance of the project. The proponent shall implement an annual detailed IEC program in coordination with the Mines and Geosciences Bureau (MGB) Region IV-B and EMB IV-B;

GENERAL CONDITIONS

6. 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
 - f. RA 7942 *Philippine Mining Act of 1995*, DAO 96-40
7. A Memorandum of Agreement (MOA) between EMB and MGB shall be executed which include among others:
 - a. Submission of Environmental Protection and Enhancement Program (EPEP), with the Final Mine Rehabilitation and/or Decommissioning Plan (FMRDP) integrated thereto, to the MGB R4-B, for approval;
8. Formulate a Social Development and Management Program (SDMP) within thirty (30) days from receipt of this Certificate and submit to MGB R4-B for approval;

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9. 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.

10. 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.
11. The proponent shall submit to this Office a summary of implementation of the project and proposed mitigating measures in the 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;
12. Permits/clearances from concerned agencies shall be submitted to this Office within thirty (30) days upon receipt hereof;
13. A **Self - Monitoring Report** shall be submitted to this Office quarterly;
14. Any authorized DENR-EMB Region IV-B personnel can initiate an on-the-spot inspection and monitoring even without prior notice;
15. 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;

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16. 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;
17. 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;
18. 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.

II. RESTRICTIONS

19. 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, and beyond those stated in the EMP document; or any change in the activity, shall be made subject to a new Environmental Impact Assessment;
20. The project operation shall be limited to the project description; and
21. 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.

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PROJECT ASSESSMENT PLANNING TOOL

For the assistance of the proponents and government agencies concerned in the management of the project and for better coordination in mitigation on the impact of the project on its surrounding areas and to the environment.

By way of recommendation, the following have been taken notice of by the undersigned Review Committee and are forwarding these recommendations to parties and authorities concerned for proper appreciation and action.

REGULATORY CONDITIONS	RESPONSIBLE AGENCY/IES /PERSONS
1. That proper storm drainage canal, concrete culverts and other flood control measures needs to be provided to adequately receive and channel the run-off of rain water to the nearby receiving body of water,	Municipal Engineering Office of LGU Abra de Ilog, Occidental Mindoro
2. Need for the provision of segregation, collection, recycling and disposal mechanism for solid waste.	Municipal Mayor, LGU of Abra de Ilog, Occidental Mindoro
3. Sanitation Code of the Philippines; Labor Code of the Philippines including occupational health and safety standards.	DOH Regional Office 4-B DOLE Regional Office 4-B - Bureau of Working Condition MPDC/LGU, Abra de Ilog, Occidental Mindoro
ENVIRONMENTAL PLANNING RECOMMENDATIONS FOR THE PROPONENT The following are the recommendations for the proponent for the protection of the project area and the affected environment. It strongly recommended that the same be strictly complied by the proponent.	
1. The Emergency Response Plan (ERP) shall be updated based on APELL (Awareness and Preparedness for Emergency at the Local Level)	
2. The proponent needs to protect the headwaters and natural springs/wells within the project site that are being utilized as sources of potable water by the community. Should the development activities affect the headwaters and natural springs/wells, the proponent shall immediately provide alternative source of potable water to the affected community.	
3. The proponent needs to give priority employment to qualified local residents. Adequate public information for jobs available to local residents in the affected areas needs to be provided.	
4. Clearly delineate on ground, in coordination with the MGB R4-B, the exact limit of the mining areas for development.	

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