



## ENVIRONMENTAL COMPLIANCE CERTIFICATE

ECC-4B-165-ORMIN-9690-2006

The Department of Environment and Natural Resources (DENR)–Environmental Management Bureau (EMB), MIMAROPA Region hereby grants this **Environmental Compliance Certificate (ECC)** to the **PROPOSED EXPANSION of ATLANTIS BEACH CLUB PROJECT** of Atlantis Beach Resort, Inc. to be located at **Brgy. Sabang, Puerto Galera, Oriental Mindoro** after complying with the Environmental Impact Assessment (EIA) requirement as prescribed in the promulgated guidelines implementing Section 3 (b) of P.D. 1121 and P.D. 1586.

### I. SCOPE AND COVERAGE

1. That this Certificate shall cover the expansion, construction, operation and maintenance of **ATLANTIS BEACH CLUB PROJECT** having a total floor area of **Three Thousand Two Hundred (3,200.00) square meters** with the following facilities and amenities, enumerated to wit:

#### 1.1 Facilities and amenities

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|--|--|
| 1. Existing                            | 2. Proposed (Tokos Resort Operation, Inc.) |
| a. Eleven (11) units single rooms;     | a. One (1) unit restaurant;                |
| b. Twenty one (21) units double rooms; | b. One (1) unit conference room;           |
| c. One (1) unit swimming pool; and     | c. One (1) unit bar; and                   |
| d. One (1) unit dive shop.             | d. One (1) unit swimming pool.             |

### II. CONDITIONS

#### A. Proponent's Environmental Compliance:

Proponents compliance with environmental laws specially on the Philippine EIS System and consisting of two sub sections: the general conditions requiring the proponent to comply with EIA rules and regulations and other environmental laws while the other sub-section is the special conditions which pertains to compliance with mitigating measures to address impacts directly under the control of the project proponents and as a result of findings during the EIA review and evaluation.

Non compliance with these conditions is a ground for the issuance of Notice of Violation.

#### A.1 General Conditions:

1. That the proponent shall comply with the following:
  - PD 1586 *Philippine Environmental Impact Statement System*
  - RA 6969 *Toxic and Hazardous Waste Act of 1990*
  - RA 8749 *Clean Air Act of 1999*
  - RA 9003 *Ecological and Solid Waste Management Act of 2000*
  - RA 9275 *Clean Water Act of 2004*
2. That this Environmental Compliance Certificate (ECC) supersedes ECC-4B-065-ORMIN-402-2001 issued on 11 July 2001;

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Atlantis Beach Club Project  
RD4B-ECC-145-06

6<sup>th</sup> 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

*Hyte R. Alarcon*

3. That the proponent shall set up the following:
- 3.1. That 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;
  - 3.2. 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 within sixty (60) days upon receipt of this Certificate.
4. That 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:
- 4.1 Monitor actual project impact vis-à-vis the predicted impacts and management measures in the IEE;
  - 4.2 Accordingly recommend revisions to the Environmental Management Plan (EMP) as necessary;
  - 4.3 Ensure that the appropriate post-assessment permits are in place;
  - 4.4 Ensure that monitoring and reporting are carried out as required; and
  - 4.5 Assure compliance with the conditions of the approved ECC.
5. That permits/clearances from other concerned agencies shall be secured prior to project implementation to be submitted to this Office;
6. That a **Self - Monitoring Report** shall be submitted to this Office quarterly;
7. That the submitted **Environmental Management Plan (EMP)** shall be strictly implemented;
8. That any authorized DENR-EMB Region IV-B personnel can initiate an on-the-spot inspection and monitoring even without prior notice;
9. That 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;
10. That any false information, misrepresentation or omission of material facts in the submitted documents shall be sufficient ground for the cancellation or suspension of this ECC;
11. That any expansion from the existing approved operation and project area shall be subjected to a separate EIA requirements;
12. That the transfer of ownership of this project carries the same conditions in the ECC of which a written notification shall be made to EMB -MIMAROPA within fifteen (15) days from such transfer;

*gm*

*Hyth N. Obanitas*



13. That in case there is a need for additional conditions in this ECC after monitoring/inspection, the same shall be imposed by DENR-EMB, Region IV-B;

*A.2 Special Conditions:*

14. That a Green buffer zone shall be established along the periphery of the resort and between facilities to help attenuate noise levels and absorb some pollutant emissions;
15. That an effective Information Education and Communication (IEC) program shall be implemented including communication of environmental risks of proposed project operations and occupational safety and health of its workers;
16. That this Certificate should be posted in a conspicuous location clearly visible to the public and shall be adequately framed or otherwise protected against damage;

*Non-compliance with the above conditions shall be sufficient cause for the suspension or cancellation of this Certificate and/or imposition of a fine in an amount not to exceed Fifty Thousand Pesos (PHP 50,000.00) for every violation thereof, at the discretion of the EMB in accordance with Section 9 of P.D. 1586.*

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*B. Suggestion to the Project Design, Contractor and Constructions*

*B.1. General Conditions:*

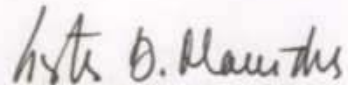
17. That compliance to occupational health and safety of the workers shall be ensured by the proponent by provision and use of Personal Protective Equipment (PPE) such as protective masks and other devices during construction phase to prevent health and occupational hazards to workers;
18. That the project proponent shall conform with the provisions of the Building Code and Sanitation Code and its implementing rules and regulations; and

*B.2 Special Conditions:*

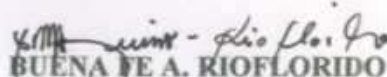
19. That contingency measures shall be implemented in case of accidents, equipment malfunction, power failure, and other emergencies.

ECC fee duly paid as evidenced by O.R. No. 4389467 dated 31 October 2006.

Granted this **DEC 13 2006**

  
**ESTER A. OLAVIDES**  
OIC, Regional Director

Recommending Approval:

  
**BUENA FE A. RIOFLORIDO**  
OIC, EIAM Division

Conforme:

**ATLANTIS BEACH RESORT, INC.**  
Proponent

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

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