



**ENVIRONMENTAL COMPLIANCE CERTIFICATE**

**ECC-R4B-0809-263-3530**

THIS IS TO CERTIFY THAT PROPONENT **THETA PETROLEUM CORPORATION** is granted this Environmental Compliance Certificate (ECC), for the **BUNKER FUEL OIL DEPOT PROJECT**, located at **BARANGAY PAPANDAYAN, 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 proposed Bunker Fuel Oil Depot Project of Theta Petroleum Corporation having a total land area of 2,200.0 square meters and covered by TCT T-148025, located at Brgy. Papandayan, Pinamalayan, Oriental Mindoro. having a total capacity of 1,500 KL with the following facilities to wit:

Vertical Storage tank with a capacity of 1,500 KL; oil and water separator; Fire Fighting System; Office Building; and Movable pipe (for fuel unloading);

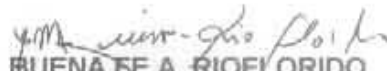
This Certification is issued in compliance to the requirements of Presidential Decree No. 1586, in accordance to Department Administrative Order No. 2003-30. The Bureau, however, is not precluded from reevaluating, adding, removing, and correcting any deficiencies or errors that may be found after issuance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

Issued at Manila, Philippines this **OCT 27 2008**

Approved by:

**REYNALDO R. VILLAFUERTE**  
Regional Director

Recommending Approval:

  
**BUENA FE A. RIOFLORIDO**  
Chief, EIA Division

ECC-R4B-0809-263-3530  
THETA PETROLEUM CORPORATION

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

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  
E-mail Address: [admin-emh-r4b@denr.gov.ph](mailto:admin-emh-r4b@denr.gov.ph) and [emh\\_mimaropa@yahoo.com](mailto:emh_mimaropa@yahoo.com)

# 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.

 NOEL DIONISIO  
**THETA PETROLEUM CORPORATION**

Proponent

TIN 45-878-805

Subscribed and sworn to before me this OCT 27 2008 day of CITY OF MANILA, 2008, the above-named affiant taking oath presenting Residence Certificate No. \_\_\_\_\_ issued on \_\_\_\_\_ 2008 at \_\_\_\_\_

  
**JOSE LUIS B. LAMAYO**  
NOTARY PUBLIC  
Commission No. 2008-004 up to 12/31/10  
Office: Rm. 601 Kinross Bldg.  
Cruz Street St. Ermita, Manila

Signature of Administering Officer

PAGE NO. 107  
AGE NO. 22  
BOOK NO. 71  
SERIES OF 2004

FCC-R4B-0809-263.35.10

THETA PETROLEUM CORPORATION

CC: The R4B DENR Region IV-B  
The PENRO - Oriental Mindoro  
The CENRO - Socorro

  
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  
E-mail Address: [admin-cmb-r4b@denr.gov.ph](mailto:admin-cmb-r4b@denr.gov.ph) and [cmb\\_mymatrina@yahoo.com](mailto:cmb_mymatrina@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 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;

### GENERAL CONDITIONS

4. 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
5. 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 of 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.
6. 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:

ECC-R4B-0809-263-15/M  
THETA PETROLEUM CORPORATION

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

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  
E-mail Address: [emb\\_r4b@denr.gov.ph](mailto:emb_r4b@denr.gov.ph) and [emb\\_mimaropa@nilico.com](mailto:emb_mimaropa@nilico.com)



- 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.
7. 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;
  8. Permits/clearances from concerned agencies shall be submitted to this Office within thirty (30) days upon receipt hereof;
  9. A **Self - Monitoring Report** shall be submitted to this Office quarterly;
  10. Any authorized DENR-EMB Region IV-B personnel can initiate an on-the-spot inspection and monitoring even without prior notice;
  11. 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;
  12. 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;
  13. 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;
  14. 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.

ECC-1414-0829-263-3530

THETA PETROLEUM CORPORATION

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  
E-mail Address: [admin-emb-r4b@denr.gov.ph](mailto:admin-emb-r4b@denr.gov.ph) and [emb\\_mmanacopa@denr.gov.ph](mailto:emb_mmanacopa@denr.gov.ph)

## II. RESTRICTIONS

15. 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.
16. That baseline data on waterquality (Oil and Grease, COD, Ph) along the coastal area of Tablas Strait, Barangay Papandayan, Pinamalayan, Oriental Mindoro shall be submitted prior to Project implementation;
17. The 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 CONSTRUCTIONS

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 operation phase;
2. Contingency measures shall be implemented in case of accidents, power failure, equipment malfunction and other emergencies; and
3. All designs and construction practices should be in accordance with rules and specifications as prescribed in the National Structural Code of the Philippines and/ or the National Building Code of the Philippines.