



## ENVIRONMENTAL COMPLIANCE CERTIFICATE ECC-4B-163-OCCMIN-2236-2006

The Department of Environment and Natural Resources (DENR)-Environmental Management Bureau (EMB), MIMAROPA Region hereby grants this **Environmental Compliance Certificate (ECC)** to the **SAND AND GRAVEL EXTRACTION PROJECT** of **Mr. Marcial Bertos** to be located at **Brgy. Vigo, Lubang, Occidental 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

That this Certificate shall cover the operation and maintenance of **SAND AND GRAVEL EXTRACTION PROJECT** with an annual extraction of Ten Thousand (10,000) cu.m. having a total area of **Ten Thousand (10,000) square meters** located in Vigo River, Brgy. Vigo, Lubang, Occidental Mindoro:

### I. 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 8749 *Clean Air Act of 1999*
- RA 9003 *Ecological and Solid Waste Management Act of 2000*
- RA 9275 *Clean Water Act of 2004*
- RA 7942 *Philippine Mining Act of 1995*, DAO 9640
- DAO 97-30 *Small Scale Mine Safety Rules and Regulation*

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2. That the proponent shall set up the following:
- 2.1. 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;
  - 2.2. 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.
3. That permits/clearances from other concerned agencies shall be secured **prior** to project implementation to be submitted to this Office;
  4. That a **Self - Monitoring Report** shall be submitted to this Office quarterly;
  5. That the submitted **Environmental Management Plan (EMP)** shall be strictly implemented;
  6. That any authorized DENR-EMB Region IV-B personnel can initiate an on-the-spot inspection and monitoring even without prior notice;
  7. 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;
  8. 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;
  9. That any expansion from the existing approved operation and project area shall be subjected to a separate EIA requirements;
  10. 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;
  11. 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:*

12. That a Green buffer zone shall be established along the periphery of the project area to help attenuate noise levels and absorb some pollutant emissions;

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13. 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;
14. 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.*

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

***B.1. General Conditions:***

15. 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 extraction/operation phase to prevent health and occupational hazards to workers; and

***B.2 Special Conditions:***

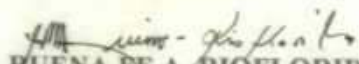
16. That contingency measures shall be implemented in case of accidents, equipment malfunction, power failure, and other emergencies.

ECC fee duly paid as evidenced by O.R. No. 3202863 dated 8 November 2006.

Granted this DEC 18 2006

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

Recommending Approval:

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

Conforme:

**MARCIAL BERTOS**  
Proponent

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

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