

14 MARCH 2022, MONDAY



NEWS ALERTS

STRATEGIC COMMUNICATION AND INITIATIVES SERVICE



DENR turns over Marikina River rehab project to DPWH

[Elizabeth Marcelo](#) - The Philippine Star March 14, 2022 | 12:00am



Joggers and cyclists enjoy the open air as they exercise along the riverbanks in Marikina City on Friday morning, Oct. 22, 2021.

The STAR / Miguel de Guzman

MANILA, Philippines — The Department of Environment and Natural Resources (DENR) recently turned over to the Department of Public Works and Highways (DPWH) the Task Force Build Back Better's Marikina River rehabilitation project to ensure its continuity after the Duterte administration.

Acting Environment Secretary Jim Sampulna said the move would mainstream the task force's gains in the Marikina restoration project into the initiatives of the DPWH's Unified Project Management Office-Flood Control Management Cluster.

"But the objective of the activity remains the same – to address the issue of perennial flooding in Marikina, Pasig and Quezon City," Sampulna said, adding that the gains of the task force was proven by the "improved conditions in the Marikina and Pasig during intense rains last year."

The transfer of implementation allows for the second segment of Phase 2 of the Marikina River Dredging Project to be adopted under Phase 4 of the DPWH's Pasig-Marikina River Channel Improvement Project in partnership with the Japan International Cooperation Agency.

Phase 2 of the dredging consisted of two segments covering Barangays Santolan, Ugong and Caniogon in Pasig.

Sampulna said Segment 1, which started in July 2021, is almost complete with 30,420 cubic meters already dredged as of Nov. 2, 2021, resulting in the widening of the Marikina River on the side of Pasig by 12,840 square meters.

Phase 1 of the Marikina River restoration project was completed in July last year, or five months after it was launched in February.

The DENR said Phase 1 of the project resulted in the widening of the Marikina River by about 9,060 square meters after 41,625 cubic meters were dredged from three "chokepoints" along the Olandez sewage treatment plant, BF City and SM Marikina Riverbanks.



“This broadened the river to up to 100 meters and an additional depth of two meters,” Sampulna said.

Marikina Mayor Marcelino Teodoro commended the efforts of the DENR-led task force, saying that “great improvements in terms of reducing floods have been observed last year, especially in outlying areas along the river.”

Teodoro said the task force has also provided local officials with effective models for addressing the flooding problems in Marikina.

He said the Marikina City Council recently approved a resolution calling for the dredging of Marikina River by the local government instead of hiring contractors.

The city government has purchased new equipment and other dredging materials as a result of the lessons learned from the task force’s initiatives in the Marikina River, Teodoro said.



Sampulna Lauds Task Force Build Back Better Accomplishments

Sunday, March 13, 2022 Journal Online



Department of Environment and Natural Resources ([DENR](#)) Acting Secretary Jim O. Sampulna expresses his admiration for the success of the restoration projects in the cities of Marikina and Pasig during the turnover of the Phase 4 of the Marikina River Restoration Project from the Task Force Build Back Better (TFBBB) to the Department of Public Works and Highways (DPWH)-Unified Project Management Office Flood Control Management Cluster on March 9, 2022 at the Palaruang Batang Lambak Covered Court, Brgy. Sta. Elena, Marikina City. The restoration projects resulted in the widening of Marikina River from 70 meters to more than 90 meters and to an additional depth of two meters. TFBBB is chaired by the DENR and the [DPWH](#).



DENR urges cement plants to utilize plastic wastes

By [Eireene Jairee Gomez](#) March 14, 2022

The Department of Environment and Natural Resources-Environmental Management Bureau (DENR-EMB) urged cement makers to explore ways to utilize plastic waste as a raw material to help reduce the country's solid waste generation by at least 40 percent.

"When all these cement plants will participate, we can dramatically reduce the volume of plastic waste which will be now regarded as raw materials of the cement plants in their current processing," said DENR-EMB Director William Cuñado, citing that several cement firms in the country have already adopted the conversion of plastic waste into energy.

Doing so will reduce the volume of plastic waste in the country by 40 to 60 percent.

Cuñado also said that the participation of the local government units through their solid waste management efforts will contribute to the decrease in plastic waste volume.

The DENR-EMB chief noted that the conversion of plastic waste into raw material for use by cement plants will result in the reduction of plastic wastes generated in cities and municipalities.

Meanwhile, DENR Undersecretary for Policy, Planning, and International Affairs and spokesperson Jonas Leones also cited that campaign materials made out of plastics used for the May 2022 elections can be recycled by cement plants.

"Plastic tarpaulins are also used in co-processing, in energy. These are mixed into cement as fillers; sometimes these are used to create pots," Leones said.

"Plastic tarpaulins are melted to have some other products out of these plastics," he added.

Leones also reiterated the continuing efforts of the DENR in addressing the problem of single-use plastics.

"The DENR has already approved the national plan of action to address the plastic litter and in addressing single-use plastics. We are supporting the principle of circular economy and extended producer responsibility or EPR," Leones said.

"For us, we are just preparing the policy that would hopefully give incentives to the industries for them to avoid using single-use plastics," he added.



DENR pushes use of plastic in cement manufacturing

By **Malaya Business Insight** -March 14, 2022

The Department of Environment and Natural Resources (DENR) through the Environmental Management Bureau (EMB), urged cement makers to explore ways of utilizing plastic waste as raw material to help reduce the country's solid waste generation by at least 40 percent.

“When all these cement plants will participate, we can dramatically reduce the volume of plastic waste which will be now regarded as raw materials of the cement plants in their current processing... This measure will reduce by 40 to 60 percent the volume of plastic waste,” said William Cuñado, EMB director.

Cuñado said in a statement several cement firms have adopted the conversion of plastic waste into energy. The participation of the local government units through their solid waste management efforts are also being sought.

Jonas Leones, DENR undersecretary for policy, planning and international affairs, said election campaign materials made out of plastics can be recycled by cement plants.

“Plastic tarpaulins are also used in co-processing, in energy. These are mixed into cement as fillers; sometimes these are used to create pots... Plastic tarpaulins are melted to have some other products out of these plastics,” Leones said.

The DENR said it continues to address the problem of single-use plastics with the recent approval of the national plan of action on plastic litter.

“We are supporting the principle of circular economy and extended producer responsibility... For us, we are just preparing the policy that would hopefully give incentives to the industries for them to avoid using single-use plastics,” Leones said. – **Jed Macapagal**

Source: https://malaya.com.ph/news_business/denr-pushes-use-of-plastic-in-cement-manufacturing/



Cement makers urged to use plastic waste as ‘raw’ material

March 12, 2022 [Cory Martinez](#)

“EXPLORE more ways to utilize plastic waste as raw material to help reduce the country’s solid waste generation by at least 40%.”

This is the appeal of the Department of Environment and Natural Resources-Environmental Management Bureau (DENR-EMB) to cement makers in the country saying that their participation will dramatically reduce the volume of plastic waste.

DENR-EMB Director William Cuñado said that these plastic wastes will now be regarded as raw materials of the cement plants in their current processing.

“This measure will reduce by 40 to 60% the volume of plastic waste,” said Cuñado as he cited that several cement firms have already adopted the conversion of plastic waste into energy in the country.

He also stressed that the participation of the local government units (LGUs) through their solid waste management efforts will contribute to the decrease in plastic waste volume.

Cuñado noted that the conversion of plastic waste into raw material for cement plants will result in the reduction of plastic wastes generated in cities and municipalities.

Atty. Jonas Leones, DENR Undersecretary for Policy, Panning, and International Affairs and spokesperson, on the other hand, cited that the campaign materials made out of plastics that are used for the May 2022 elections can be recycled by cement plants.

“Plastic tarpaulins are also used in co-processing, in energy. These are mixed into cement as fillers; sometimes these are used to create pots,” Leones said.

“Plastic tarpaulins are melted to have some other products out of these plastics,” he added.

Leones also reiterated the continuing efforts of the DENR in addressing the problem of single-use plastics.

“The DENR has already approved the national plan of action to address the plastic litter and in addressing single-use plastics. We are supporting the principle of circular economy and extended producer responsibility or EPR,” Leones said.

“For us, we are just preparing the policy that would hopefully give incentives to the industries for them to avoid using single-use plastics,” he added.



Paggamit ng plastic waste sa paggawa ng semento, giit ng DENR

[Angie dela Cruz](#) - Pilipino Star Ngayon March 13, 2022 | 12:00am

MANILA, Philippines — Hinikayat ng Department of Environment and Natural Resources-Environmental Management Bureau (DENR-EMB) ang mga cement makers na maghanap na paraan upang magamit ang plastic waste bilang raw material para mabawasan ang solid waste generation ng bansa ng halos 40 porsiyento.

“When all these cement plants will participate, we can dramatically reduce the volume of plastic waste which will be now regarded as raw materials of the cement plants in their current processing,” saad ni DENR-EMB Director William Cuñado.

Anyang may ilang cement firms na ang nagsasagawa ng conversion ng plastic waste bilang enerhiya sa bansa.

“This measure will reduce by 40 to 60 percent the volume of plastic waste,” paliwanag ni Cuñado.

Anyang ang pakikiisa ng mga local government units sa pamamagitan ng kanilang solid waste management efforts ay makatutulong upang mabawasan ang nalilikhang plastic waste.

Paliwanag din ni Cuñado na ang paggamit ng plastic waste bilang raw material sa cement plants ay magresulta para mabawasan ang nalilikhang basura sa mga lungsod at munisipalidad.



More 'dugong' sightings in Sarangani Bay

By [Franz R. Sumangil](#) March 14, 2022

ENVIRONMENTALISTS in Region 12 (Soccsksargen) have reported sightings of five sea cows, commonly known by locals as "dugong," off Sarangani Bay apparently looking for food.

The Sarangani Bay Protected Seascape (SBPS) Protected Area Management Office spotted the sea mammals through a drone grazing the coast of Glan, Sarangani province, on Friday, the last day of the SBPS Week celebration.

Felix Alicer, Department of Environment and Natural Resources-Region 12 (DENR-12) executive director, said the sightings of the dugong were a clear indicator that the SBPS remains as a key marine biodiversity area which needs to be protected not only by the DENR but all of its stakeholders.

"We rely much on the constituents of this area for the sea cows' protection," Alicer added.

He said the DENR alone cannot carry out its functions effectively without the support of citizens and local government units.

Alicer, also the concurrent chairman of the SBPS Protected Area Management Board, added that all must work together to protect and preserve the biodiversity in the SBPS.

Joy Oloquin, protected area superintendent, said she was overwhelmed by the presence of the sea cows in the area.

"We're glad that we still have this number of dugongs in the SBPS. We thought that we're losing this species because we were considered a hotspot of dugong in the whole Philippines. We are so delighted now," she added.

Maria Elvira Lumayag, provincial environment and natural resources officer of Sarangani, said it was the first time that a herd of sea cows was sighted on Sarangani Bay.

Lumayag said normally one or at the most two sea cows are seen in a given time during the DENR-12 monthly marine mammal monitoring activity.

"This is so timely with our SBPS Week celebration. These sightings are a manifestation of how we are taking care of our protected seascape. Our efforts are paying off," she said.

Dugong, the flagship species of the SBPS, are very shy and gentle marine mammals that feed on sea grasses.

In a statement, the DENR-12 cited an International Union for Conservation of Nature and World Wildlife Fund report that the dugong population has been diminishing as a result of loss of seagrass habitat or degradation.

The degradation could be attributed to various development and industrial activities in the coastal areas that cause water pollution, the DENR said.



Rare 'Party of 5' sea cows spotted in Sarangani Bay

By: [Edwin O. Fernandez](#) - [@inquirerdotnet](#)

[Philippine Daily Inquirer](#) / 05:36 AM March 13, 2022



GENTLE GIANT | Five sea cows or dugong were sighted by environmentalists off Sarangani Bay foraging for food in this photo taken on March 11. —PHOTO COURTESY OF DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES REGION 12

KORONADAL CITY, South Cotabato, Philippines — Environmentalists have reported the sighting of five sea cows, commonly known as dugong, off Sarangani Bay looking for food. The sea mammals were spotted by the drone camera used by the Sarangani Bay Protected Seascape (SBPS) Protected Area Management Office, as they were foraging off the coast of Glan town in Sarangani on Friday.

Ma. Elvira Lumayag, the provincial environment and natural resources officer, said it was the first time in recent memory that “a herd of five” dugong was sighted in the bay. Normally, she said, only a solitary sea cow or a pair could be seen.

‘Efforts paying off’

The [Department of Environment and Natural Resources](#) (DENR) conducts a monthly monitoring of marine mammal activity in the bay in line with conservation and protection efforts.

“This sighting is a manifestation of how we are taking care of our protected seascape. Our efforts are paying off,” Lumayag said.

Known for being shy and mainly subsisting on seagrass, the dugong are considered the flagship species of Sarangani Bay.

“We’re glad that we still have this number of dugong [here],” SBPS superintendent Joy Oloquin said. “We thought we were losing this species because we were considered a hot spot [for these animals]. We are delighted to see them.”

The DENR office in Region 12 cited reports of dwindling dugong population in other countries due to habitat loss and industrialization, as monitored by the International Union for Conservation of Nature and the World Wildlife Fund.



DENR needs help

For DENR-12 director Felix Alicer, the recent dugong sighting in Sarangani showed that the SBPS require continued protection, not only by the DENR but by other stakeholders.

“The DENR alone cannot carry out its functions effectively without the support of the citizenry and the local government units. We must all work together to protect and preserve the biodiversity in the SBPS,” said Alicer, who also chairs the SBPS Protected Area Management Board.

Protected area

According to marine biologist Roy Operario Mejorada of the Environmental Conservation and Protection Center-Sarangani Province, the sea cows showed up just as the SBPS was marking its 26th anniversary.

“Not just one dugong, but five! The herd was foraging on the seagrass meadows and mothers were observed nursing the calves. This sighting is just one of the many reasons why we protect our bay,” Mejorada wrote on social media.

The SBPS was established in 1996 through Proclamation No. 756 signed by then President Fidel Ramos.

The protected area comprises the entire Sarangani Bay and a portion of the municipal waters of Maitum, Kiamba and Maasim towns.

Source: <https://newsinfo.inquirer.net/1567385/rare-party-of-5-sea-cows-spotted-in-sarangani-bay>



Philippines adopts UN resolution to end plastic pollution

By [Pia Lee-Brago](#)(The Philippine Star) - March 14, 2022 - 12:00am



The resolution starts the process to craft an agreement to end plastic pollution, addressing the full lifecycle of plastic products – from production, design to disposal. Endorsed by 175 nations last March 2 at the UNEA-5 in Nairobi in Kenya, it is based on three initial draft resolutions from various nations.

STAR / Edd Gumban, file

MANILA, Philippines — The Philippines has joined other nations in adopting a historic resolution at the United Nations Environment Assembly (UNEA-5) to end plastic pollution and forge an international legally binding agreement by 2024.

The resolution starts the process to craft an agreement to end plastic pollution, addressing the full lifecycle of plastic products – from production, design to disposal. Endorsed by 175 nations last March 2 at the UNEA-5 in Nairobi in Kenya, it is based on three initial draft resolutions from various nations.

By the end of 2024, the Intergovernmental Negotiating Committee (INC) it established is expected to have already completed its work of drafting the agreement.

The United Nations Environment Program (UNEP) will convene a forum by yearend, in conjunction with the first session of the INC, to share knowledge and best practices in different parts of the world. Once the INC work is completed, UNEP will convene a diplomatic conference to adopt its outcome and open it for signatures.

“Today marks a triumph by planet earth over single-use plastics. This is the most significant environmental multilateral deal since the Paris accord. It is an insurance policy for this generation and future ones, so they may live with plastic and not be doomed by it,” said Inger Andersen, UNEP executive director.

Plastic production soared from two million tons in 1950 to 348 million tons in 2017, becoming a global industry valued at \$522.6 billion and is expected to double in capacity by 2040.

Espen Barth Eide, UNEA-5 president and Norway’s climate and environment minister, said “plastic pollution has grown into an epidemic of its own.”

“Paradoxically, plastics are among the most long-lasting products we humans have made – and frequently, we still just throw it away,” he said, noting that the product can be used over and over again.

Source: <https://www.philstar.com/headlines/2022/03/14/2167060/philippines-adopts-un-resolution-end-plastic-pollution/amp/>



Making a positive impact through waste collection

BYBMPLUS MARCH 11, 2022



Change for the environment often seems the hardest thing to do, and yet the most important one. For the past several years, Mondelēz International in the Philippines has been strengthening its actions on environmental protection, particularly on plastic waste. Today, the company is proud to announce its achievement of collecting 102,000 kilos of post-consumer plastic waste with partner Geocycle in the areas of Bulacan, Misamis Oriental, Davao City and La Union.

Starting in 2019 with a collection of just 1,000 kilos of plastic waste for the entire year, Mondelēz International has been steadily understanding the opportunities for waste collection in the Philippines. In 2021, the company achieved a milestone of 172,000 kilos' worth of collection and diversion of plastic waste. That means this amount of waste was diverted to better use and did not end up as landfill nor marine litter. This year, the Company announces its goal to collect and co-process more waste, and it's off to a good start with this partnership with Geocycle, the waste management unit of building solutions provider Holcim Philippines, Inc. The amount of waste collected and diverted through Geocycle is equal to the weight of 70 cars.

"Sustainability, particularly in the area of packaging and plastic waste, is one of the pillars of our strategy as a Company," explains Ashish Pisharodi, Country Director for Mondelēz International in the Philippines. "We call it sustainable snacking – a commitment to grow our business by making our snacks in the right way, with positive impact for people and the planet. This new partnership with Geocycle is one way we are showing our commitment to consumers, our stakeholders, our own people, and the environment." This collection of waste is brand-neutral, meaning the company collects most types of plastic waste, regardless of the maker or product.

Increasingly, consumers are expecting companies to make more than delicious products. According to Mondelēz International's 3rd State of Snacking report, "85% of global consumers surveyed said they either buy or would like to buy snacks from companies that are working to offset their environmental impact." Supporting environmental goals is something people demand of the companies who make products they consume. 70% give more value to brands that act in a responsible, transparent, and honest way towards the community (Kantar, 2021).



In working with Geocycle, snacks company Mondelēz International is collaborating with experts in the field of waste management to help support their sustainability goals. Geocycle is a leading provider of industrial, agricultural and municipal waste management services worldwide. It applies the proven technology of ‘co-processing’ and utilizes facilities of Holcim Philippines to help address waste challenges sustainably. This enables Geocycle and Holcim Philippines to recover energy and recycle minerals from waste, leaving no residue.

“We are extremely pleased to be working with Mondelēz International and supporting their sustainability journey,” shares Jon Alan Cuyno, **New Revenue Streams** Manager of Geocycle. “Our aim is to promote the transition towards a more extensive circular economy and create a zero-waste future. This means a future where plastic and other materials are not treated as waste; but are reused and repurposed to preserve natural resources and prevent pollution while producing essential building materials for development.”

Mondelēz International similarly supports the circular economy of plastics. In 2021, the company [pledged support for the Circulate Capital Ocean Fund \(CCOF\)](#) as a limited partner. This involves an investment in CCOF to support scalable business solutions, thereby helping develop infrastructure for the collecting, sorting and recycling of plastic waste, including flexible films or sachets. The Company’s investment in CCOF is expected to finance enterprises that support the company’s goal to collect more plastic waste than the company currently produces across India and Southeast Asia and will further CCOF’s investments into flexible plastic waste collection, recycling and infrastructure enterprises.

'Campaign posters of 6 presidential bets contain toxic substance'

[Elizabeth Marcelo](#) - The Philippine Star March 14, 2022 | 12:00am



Pedestrians walk past a fence full of posters of politicians along E. Rodriguez Sr. Avenue in Quezon City on the start of the campaign period for national positions, February 8, 2022. The Commission on Elections (Comelec) reminds aspiring candidates to take down previously posted materials that are in violation of Comelec rules to avoid sanctions.

Miguel De Guzman

MANILA, Philippines — The EcoWaste Coalition has called on the government to issue stricter guidelines against the use of cadmium in plastic products after the environmental watchdog detected high levels of the toxic substance in campaign posters of six presidential candidates for the May 9 elections.

Based on the laboratory tests it commissioned, EcoWaste said the multicolored coatings of the campaign posters of the presidential bets contained cadmium ranging from 607 to 775 parts per million. The white plastic sheet had cadmium between 384 to 546 ppm.

The group said these levels detected by SGS, a leading global testing company, were way above the 100 ppm limit for cadmium in plastics under European Union laws and World Health Organization (WHO) standards.

Cadmium belongs to the WHO's 10 "chemicals of major public health concern."

Earlier, the WHO warned that cadmium, a known human carcinogen, exerts toxic effects on the kidneys as well as the skeletal and respiratory systems even at a very low level of exposure.

The campaign posters bear the names and faces of six presidential candidates: Vice President Leni Robredo, Senators Panfilo Lacson and Manny Pacquiao, former senator Ferdinand Marcos Jr., Manila Mayor Isko Moreno and labor leader Leodegario de Guzman.

EcoWaste said the posters, which are made of polyvinyl chloride (PVC) plastic, were obtained from individuals supporting the candidates.

The group said it failed to collect posters from the other four presidential contenders: former presidential spokesman Ernesto Abella, former defense secretary Norberto Gonzales, Faisal Mangondato and physician Jose Montemayor Jr.



While the Commission on Elections encourages candidates to avoid campaign materials laden with hazardous substances, there is no national policy regulating cadmium in plastics such as PVC-based tarpaulins, EcoWaste said.

“Political parties and candidates will need a clearer guidance from the authorities on which campaign materials are free of hazardous substance. We hope that the Comelec will be supported by government agencies so it can require, not only encourage, the use of zero waste and toxics-free campaign posters in future elections,” Jove Benosa, EcoWaste Zero Waste campaigner, said.

EcoWaste said there is an urgent need for the government to phase out cadmium “use in plastics as colorant or stabilizer.”



PH, EU ink pact to strengthen disasters, climate change resilience

Published March 13, 2022, 11:55 AM

by [Gabriela Baron](#)

The Philippines and the European Union (EU) have officially launched the National Copernicus Capacity Support Action Program for the Philippines (CopPhil) to strengthen resilience to natural disasters and climate change.

In a taped report, DOST Secretary Fortunato “Boy” de la Peña said CopPhil will utilize a P590 million grant from the EU and will be mainly implemented by the DOST and the Philippine Space Agency, in collaboration with the European Science Agency.

“CoPhil specifically aims to secure the integrity of the natural ecosystem, livelihoods, and population against natural hazards and climate change-related threats and strengthen the timely and accurate use of information derived from the Copernicus Earth Observation Data for decision-making and monitoring of policy implementation,” de la Peña said.

“It is designed to address technical and infrastructure needs for enhanced satellites and ground-based data acquisition and processing, information sharing, and application development which are critical for evidence-based policy and decision making in response to disasters,” he added.

The program will support the Philippine Government’s objectives of developing and leveraging space science and technology applications to strengthen the nation’s resilience to natural disasters and climate change.

CopPhil is also expected to contribute to the effective management of the environment and the natural resources of the Philippine ecosystems and improve the resilience of all livelihoods against natural hazards and climate change-related threats.

Cebu City dad defends waste-to-energy proposal

By: Morexette Marie B. Erram - Multimedia Reporter - CDN Digital | March 13, 2022 - 02:10 PM



Cebu City Councilor Joel Garganera | CDN DIGITAL FILE PHOTO

CEBU CITY, Philippines — Several councilors of Cebu City came to defend the proposal to put up a waste-to-energy (WTE) facility here after an environment watchdog urged Mayor Michael Rama not to proceed with the project.

Councilor Joel Garganera dismissed statements from Ecowaste Coalition that establishing a WTE plant in the city would only further harm the environment.

Garganera, who chairs the city's Committee on Environment, was in favor of the project. He was among the eight councilors that gave Rama the authority to sign a joint-venture with New Sky Energy Philippines to construct the facility.

"In sum, I guess we can all agree that solid waste continues to be a huge problem in our city and every day that it goes unsolved, it is another year that we will be filling up our city with trash. Even with proper implementation of waste segregation, such will not be addressed overnight," Garganera said in a statement.

"But we have to walk before we can run. I also desire for a zero-waste practice in our city, but it is also a matter of policy for us to see how we can go from where we are and where we want to be in the future," he added.

Last weekend, Ecowaste Coalition issued a statement, calling Rama to junk the proposed WTE facility.

The group described the plan as harmful to the city's environment as well as an 'expensive, quick-fix solution' to its long-overdue solid waste management problem.

They also cautioned the city government that they may be tied down to a decades-long contract that may not be sustainable in the long run.

In response, Garganera said innovations such as waste-to-energy technologies would help the city address its issues arising from its garbage collection 'more efficiently and effectively', and can even serve as an alternative source of energy.

He also said New Sky Energy Philippines, the firm that proposed the WTE project, has already 'undergone environmental technology verification'.



“(And), let it be said that this is not a quick-fix solution by the city... I rather see it as a transitional measure to address our current waste generation of 600 tons a day, our scarcity of land to build up new landfills, and the more substantial risks that we face in operating a dumpsite or landfill,” added Garganera.

The city council approved last March 11 a resolution granting Rama the authority to approve New Sky Energy’s proposal to put up a six-hectare WTE facility.

Rama has yet to make an official decision on the matter.



SM Reinvents 'Building on Stilts' as a Climate Resilient Design for the Future

Floods and rising water levels brought about by typhoons are perennial problems in Marikina city, which is considered as one of the low-lying areas of Metro Manila. During typhoons, Marikina River's water can rise up to 23 meters compared to its normal average level of 13 meters. While this causes the communities surrounding the Marikina Watershed to be underwater, SM Marikina stands tall, serving as a safe haven to its neighboring communities.

The secret? It is sitting on 246 stilts.

SM City Marikina is uniquely designed. The 6-hectare mall property which is located within the Marikina River Watershed is an elevated mall built on top of 246 stilts.

1 We built it as an elevated mall sitting on top of **246 giant stilts**.



2 The **2nd floor** is elevated at **20.5 meters**, higher than the maximum recorded flood levels.

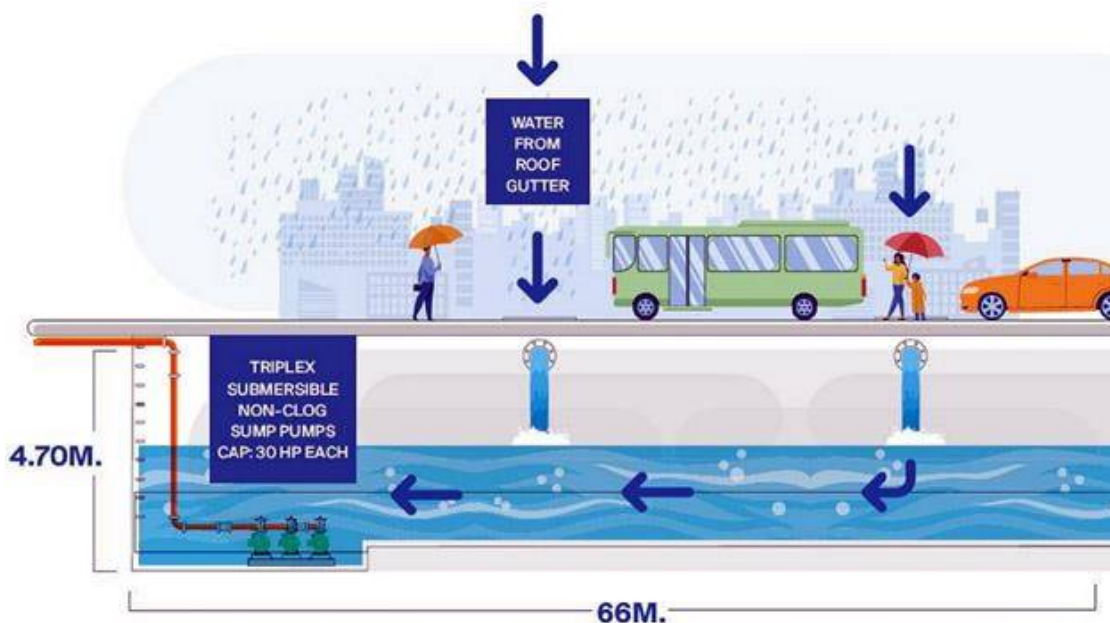


3 We invested additional 15% in our capital expenditures to make it **disaster resilient**.



"A critical part of building climate resilient structures is to understand weather patterns and how it affects the environment where your city or building will be," explained Architect Fides Garcia-Hsu, Vice President of SM Engineering Design and Development (SM EDD). *"During the design phase of SM City Marikina, we considered the long-term flood cycles of the Marikina Watershed, which was identified to be a high-risk area by the World Bank in 1977."*

Building on stilts traces back to ancient civilization from different parts of the world. The answer lies in its powerful functionality. Elevated construction had been the way earliest people groups would protect themselves from flooding, moisture and surface organisms. It also gives them provision for open space storage or cultural activities. Lastly, it reduces cost in modifying natural terrain. While building on stilts have been adopted by modern architects through the years, people had lost interest in it during the rise of urbanization.





SM revisited the functionality of 'building on stilts' and reinvented the concept as a climate resilient feature. This design was complemented with other disaster preparedness considerations to help reduce the risk of damages during extreme flooding. As such, SM City Marikina was built an additional 20 meters farther than the suggested 90-meter distance from the Marikina River centerline. Moreover, the ground floor parking was purposely laid out as an open-design, without walls to allow water to flow, while the second floor was elevated at 20.5 meters, which is higher than the maximum recorded flood levels.

During super typhoons, SM Marikina's resiliency saves an average of Php1 billion in terms of losses from business sales alone. This means that it is able to help its tenants, especially the micro, small and medium enterprises that depend on the mall for their business continuity and growth.

For its neighboring communities, SM Marikina also serves as a safe haven and a first responder to families who are affected during calamities. It also provides free parking spaces for those who are stranded and need a safe place to wait for flood water to recede.

"Our ultimate goal is to help build the resilience of our stakeholders. This begins by building our own resilience to serve as a good foundation they could rely on especially during calamities," Garcia-Hsu said.

Beyond the city of Marikina, building on stilts may be experiencing a revival in other parts of the world as urbanization begin to rise along with a greater demand for greener spaces. This would allow for high-rise developments while keeping ground levels reserved for much needed green open spaces.

While it took SM an additional 15% in its capital investments to make SM City Marikina a disaster resilient mall, the group sees it as an essential investment in its commitment to create shared value for its stakeholders. This, complemented with a science-based approach on climate scenario risk analysis, allows SM City Marikina to defy odds and prove that integrating resiliency is the way to a climate resilient future.

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DENR turns over Marikina River rehab project to DPWH

By ELIZABETH MARCELO

The Department of Environment and Natural Resources (DENR) recently turned over to the Department of Public Works and Highways (DPWH) the Task Force Build Back Better's Marikina River rehabilitation project to ensure its continuity after the Duterte administration.

Acting Environment Secretary Jim Sampulna said the move would mainstream the task force's gains in the Marikina restoration project into the initiatives of the DPWH's Unified Project Management Office-Flood

Control Management Cluster.

"But the objective of the activity remains the same - to address the issue of perennial flooding in Marikina, Pasig and Quezon City," Sampulna said, adding that the gains of the task force was proven by the "improved conditions in the Marikina and Pasig during intense rains last year."

The transfer of implementation allows for the second segment of Phase 2 of the Marikina River Dredging Project to be adopted under Phase 4 of the DPWH's Pasig-Marikina River Channel Improvement Project in partnership with the Japan Interna-

tional Cooperation Agency.

Phase 2 of the dredging consisted of two segments covering Barangays Santolan, Ugong and Caniogan in Pasig.

Sampulna said Segment 1, which started in July 2021, is almost complete with 30,420 cubic meters already dredged as of Nov. 2, 2021, resulting in the widening of the Marikina River on the side of Pasig by 12,840 square meters.

Phase 1 of the Marikina River restoration project was completed in July last year, or five months after it was launched in February.

The DENR said Phase 1 of the

project resulted in the widening of the Marikina River by about 9,060 square meters after 41,625 cubic meters were dredged from three "chokepoints" along the Olandez sewage treatment plant, BF City and SM Marikina Riverbanks.

"This broadened the river to up to 100 meters and an additional depth of two meters," Sampulna said.

Marikina Mayor Marcelino Teodoro commended the efforts of the DENR-led task force, saying that "great improvements in terms of reducing floods have been observed last year, especially in outlying areas

along the river."

Teodoro said the task force has also provided local officials with effective models for addressing the flooding problems in Marikina.

He said the Marikina City Council recently approved a resolution calling for the dredging of Marikina River by the local government instead of hiring contractors.

The city government has purchased new equipment and other dredging materials as a result of the lessons learned from the task force's initiatives in the Marikina River, Teodoro said.



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DENR pushes use of plastic in cement manufacturing

THE Department of Environment and Natural Resources (DENR) through the Environmental Management Bureau (EMB), urged cement makers to explore ways of utilizing plastic waste as raw material to help reduce the country's solid waste generation by at least 40 percent.

"When all these cement plants will participate, we can dramatically

reduce the volume of plastic waste which will be now regarded as raw materials of the cement plants in their current processing... This measure will reduce by 40 to 60 percent the volume of plastic waste," said William Cuñado, EMB director.

Cuñado said in a statement several

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DENR

cement firms have adopted the conversion of plastic waste into energy. The participation of the local government units through their solid waste management efforts are also being sought.

Jonas Leones, DENR undersecretary for policy, planning and international affairs, said election campaign materials made out of plastics can be recycled by cement plants.

"Plastic tarpaulins are also used in co-processing, in energy. These are mixed into cement as fillers; sometimes these are used to create

pots... Plastic tarpaulins are melted to have some other products out of these plastics," Leones said.

The DENR said it continues to address the problem of single-use plastics with the recent approval of the national plan of action on plastic litter.

"We are supporting the principle of circular economy and extended producer responsibility... For us, we are just preparing the policy that would hopefully give incentives to the industries for them to avoid using single-use plastics," Leones said. - *Jed Macapagal*



DENR urges cement plants to utilize plastic wastes

THE Department of Environment and Natural Resources-Environmental Management Bureau (DENR-EMB) urged cement makers to explore ways to utilize plastic waste as a raw material to help reduce the country's solid waste generation by at least 40 percent.

"When all these cement plants will participate, we can dramatically reduce the volume of plastic waste which will be now regarded as raw materials of the cement plants in their current processing," said DENR-EMB Director William Cuñado, citing that several cement firms in the country have already adopted the conversion of plastic waste into energy.

Doing so will reduce the volume of plastic waste in the country by 40 to 60 percent.

Cuñado also said that the participation of the local government units through their solid waste management efforts will contribute to the decrease in plastic waste volume.

The DENR-EMB chief noted that the conversion of plastic waste into raw material for use by cement plants will result in the reduction of plastic wastes generated in cities and municipalities.

Meanwhile, DENR Undersecretary for Policy, Planning, and International Affairs and spokesperson Jonas Leones also cited that campaign materials made out of plastics used for the May 2022 elections can be recycled by cement plants.

"Plastic tarpaulins are also used in co-processing, in energy. These are mixed into cement as fillers; sometimes these are used to create pots," Leones said.

"Plastic tarpaulins are melted to have some other products out of these plastics," he added.

Leones also reiterated the continuing efforts of the DENR in addressing the problem of single-use plastics.

"The DENR has already approved the national plan of action to address the plastic litter and in addressing single-use plastics. We are supporting the principle of circular economy and extended producer responsibility or EPR," Leones said.

"For us, we are just preparing the policy that would hopefully give incentives to the industries for them to avoid using single-use plastics," he added.

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'Campaign posters of 6 presidential bets contain toxic substance'

By ELIZABETH MARCELO

The EcoWaste Coalition has called on the government to issue stricter guidelines against the use of cadmium in plastic products after the environmental watchdog detected high levels of the toxic substance in campaign posters of six presidential candidates for the May 9 elections.

Based on the laboratory tests it commissioned, EcoWaste said the multicolored coatings of the campaign posters of the presidential bets contained cadmium ranging from 607 to 775 parts per million. The white plastic sheet had cadmium between 384 to 546 ppm.

The group said these levels detected by SGS, a leading global testing company, were way above the 100 ppm limit for cadmium in plastics under European Union laws and World Health Organization (WHO) standards.

Cadmium belongs to the WHO's 10 "chemicals of major public health concern."

Earlier, the WHO warned that cadmium, a known human carcinogen,

exerts toxic effects on the kidneys as well as the skeletal and respiratory systems even at a very low level of exposure.

The campaign posters bear the names and faces of six presidential candidates: Vice President Leni Robredo, Senators Panfilo Lacson and Manny Pacquiao, former senator Ferdinand Marcos Jr., Manila Mayor Isko Moreno and labor leader Leodegario de Guzman.

EcoWaste said the posters, which are made of polyvinyl chloride (PVC) plastic, were obtained from individuals supporting the candidates.

The group said it failed to collect posters from the other four presidential contenders: former presidential spokesman Ernesto Abella, former defense secretary Norberto Gonzales, Faisal Mangondato and physician Jose Montemayor Jr.

While the Commission on Elections encourages candidates to avoid campaign materials laden with hazardous substances, there is no national policy regulating cadmium in plastics such as PVC-based tarpaulins, EcoWaste said.



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THE EXPONENT OF PHILIPPINE PROGRESS
SINCE 1900
MANILA BULLETIN
THE NATION'S LEADING NEWSPAPER

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NEW CLIMATE CHANGE COMMISSIONER – President Duterte (left) swears into office Robert E. A. Borje as Vice Chairperson and Commissioner of the Climate Change Commission at the Malacañang Golf (Malago) Clubhouse in Malacañang Park, Manila on March 9, 2022. (Photo from the Office of the President)

PH, EU ink pact to strengthen disaster, climate change resilience

By GABRIELA BARON

The Philippines and the European Union (EU) have officially launched the National Copernicus Capacity Support Action Program for the Philippines (CopPhil) to strengthen

resilience to natural disasters and climate change.

Department of Science and Technology (DOST) Secretary Fortunato de la Peña said CopPhil will utilize a ₱590 million grant from the EU and will be implemented mainly by ▶ **8**



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PRRD on next president... 1

mo talaga ang kapwa mo tao. Maski na marami nang sugat (You should your fellowmen. Even though you end up wounded), there's pus everywhere," he added.

Duterte said the next president should also be decisive, and if possible - a lawyer.

"Wag kang matakot (Don't be afraid.). It's the best quality. But of the good qualities of the president, sana abogado (I wish the next president were a lawyer)," he said.

"Isang tingin mo lang maka-decide ka kaagad and the repercussions alam mo na kung ano (Even with just one look, you can decide and know what the repercussions are)," he added.

Lastly, the President said the next

Chief Executive should be a good judge of character so that the government will function well.

"He must be a good judge of tao (character). Kailan mo malaman na bolador (You must know when a person is just fooling you)," Duterte said.

"Magkuha ka (When you get people), you're able to delegate these powers because you know their character," he added.

President Duterte has not endorsed a presidential candidate for the May 2022 polls, and Malacañang said he might "stay neutral" up to the last minute.

Intel reports

In the same interview, the Presi-

dent expressed concern over what he claimed as the "working relation" between the Dilawan (Opposition) and communist rebels that might disrupt the May elections

Duterte told Quiboloy government has been on the lookout for the two groups and another which he failed to identify.

"But what I really am afraid of is the report of the intelligence community. There's a... parang (some sort of) grouping of the communists. . . Itong mga Dilawan tapos... I forgot the other one. 'Yan ang ano ng gobyerno. They're watching for that kind of situation," he added.

The President believes the three groups can cause trouble during the elections.

"'Yan ang sinabi kong pwedeng manggulo kasi (That's what I'm say-

ing there might be trouble because) they have this working relations now with the Dilawan. The election is the objective, really," he said.

Despite this, the President said he will not allow violence to prevail during the polls.

"I cannot guarantee you that it will be peaceful. There will be one or two or three, and even [here in] Mindanao," Duterte said.

"I will not allow terrorism dito sa eleksyon, I will not allow violence. Kampanya lang kayo (I will not allow terrorism during the elections. I will not allow violence. Just campaign)," he added.

On March 10, Communications Secretary and acting presidential spokesman Martin Andanan said Duterte is working hard to ensure the smooth transition of power to

his successor in the Palace so that the next chief executive will not have a hard time dealing with the challenges that face the country.

"Gagawin ng Pangulo ang lahat para ang transition ay smooth at hindi mahirapan ang susunod na gobyerno na harapin ang mga bagong hamon (The President will do everything to ensure a smooth transition so that the next administration will not have a hard time facing the new challenges)," he told Super Radyo DZBB.

"Iyong mga hamon na nanggagaling sa... iyong mga external factors katulad ng giyera sa ibang bansa na nakakaapekto sa ating ekonomiya (The challenges caused by external factors like the war in other countries that affect our economy)," he added.



Phl adopts UN resolution to end plastic pollution

By PIA LEE-BRAGO

The Philippines has joined other nations in adopting a historic resolution at the United Nations Environment Assembly (UNEA-5) to end plastic pollution and forge an international legally binding agreement by 2024.

The resolution starts the process to craft an agreement to end plastic pollution, addressing the full lifecycle of plastic products – from production, design to disposal. Endorsed by 175 nations last March 2 at the UNEA-5 in Nairobi in Kenya, it is based on three initial draft resolutions from various nations.

By the end of 2024, the Intergovernmental Negotiating Committee (INC) it established is expected to have already completed its work of drafting the agreement.

The United Nations Environment Program (UNEP) will convene a forum by yearend, in conjunction with the first session of the INC, to share knowledge and best practices in different parts of the world. Once the INC work is completed,

UNEP will convene a diplomatic conference to adopt its outcome and open it for signatures.

“Today marks a triumph by planet earth over single-use plastics. This is the most significant environmental multilateral deal since the Paris accord. It is an insurance policy for this generation and future ones, so they may live with plastic and not be doomed by it,” said Inger Andersen, UNEP executive director.

Plastic production soared from two million tons in 1950 to 348 million tons in 2017, becoming a global industry valued at \$522.6 billion and is expected to double in capacity by 2040.

Espen Barth Eide, UNEA-5 president and Norway’s climate and environment minister, said “plastic pollution has grown into an epidemic of its own.”

“Paradoxically, plastics are among the most long-lasting products we humans have made – and frequently, we still just throw it away,” he said, noting that the product can be used over and over again.



Mondelēz partners with Geocycle to collect 102,000 kilos of waste



CHANGE for the environment often seems the hardest thing to do, and yet the most important one. For the past several years, Mondelez International in the Philippines has been strengthening its actions on environmental protection, particularly on plastic waste. Today, the company is proud to announce its achievement of collecting 102,000 kilos of post-consumer plastic waste with partner Geocycle in the areas of Bulacan, Misamis Oriental, Davao City and La Union.

Starting in 2019 with a collection of just 1,000 kilos of plastic waste for the entire year, Mondelez International has been steadily understanding the opportunities for waste collection in the Philippines. In 2021, the company achieved a milestone of 172,000 kilos' worth of collection and diversion of plastic waste. That means this amount of waste was diverted to better use and did not end up as landfill nor marine litter. This year, the Company announces its goal to collect and co-process more waste, and it's off to a good start with this partnership with Geocycle, the waste management unit of building solutions provider Holcim Philippines, Inc. The amount of waste collected and diverted through Geocycle is equal to the weight of 70 cars.

"Sustainability, particularly in the area of packaging and plastic waste, is one of the pillars of our strategy as a Company," explains Ashish Pisharodi, Country Director for Mondelez International in

the Philippines. "We call it sustainable snacking – a commitment to grow our business by making our snacks in the right way, with positive impact for people and the planet. This new partnership with Geocycle is one way we are showing our commitment to consumers, our stakeholders, our own people, and the environment." This collection of waste is brand-neutral, meaning the company collects most types of plastic waste, regardless of the maker or product.

Increasingly, consumers are expecting companies to make more than delicious products. According to Mondelez International's 3rd State of Snacking report, "85 percent of global consumers surveyed said they either buy or would like to buy snacks from companies that are working to offset their environmental impact." Supporting environmental goals is something people demand of the companies who make products they consume. 70 percent give more value to brands that act in a responsible, transparent, and honest way towards the community (Kantar, 2021).

In working with Geocycle, snacks company Mondelez International is collaborating with experts in the field of waste management to help support their sustainability goals. Geocycle is a leading provider of industrial, agricultural and municipal waste management services worldwide. It applies the proven technology of 'co-processing' and utilizes facilities

of Holcim Philippines to help address waste challenges sustainably. This enables Geocycle and Holcim Philippines to recover energy and recycle minerals from waste, leaving no residue.

"We are extremely pleased to be working with Mondelez International and supporting their sustainability journey," shares Jon Alan Cuyno, New Revenue Streams Manager of Geocycle. "Our aim is to promote the transition towards a more extensive circular economy and create a zero-waste future. This means a future where plastic and other materials are not treated as waste, but are reused and repurposed to preserve natural resources and prevent pollution while producing essential building materials for development."

Mondelez International similarly supports the circular economy of plastics. In 2021, the company pledged support for the Circulate Capital Ocean Fund (CCOF) as a limited partner. This involves an investment in CCOF to support scalable business solutions, thereby helping develop infrastructure for the collecting, sorting and recycling of plastic waste, including flexible films or sachets. The Company's investment in CCOF is expected to finance enterprises that support the company's goal to collect more plastic waste than the company currently produces across India and Southeast Asia and will further CCOF's investments into flexible plastic waste collection, recycling and infrastructure enterprises.



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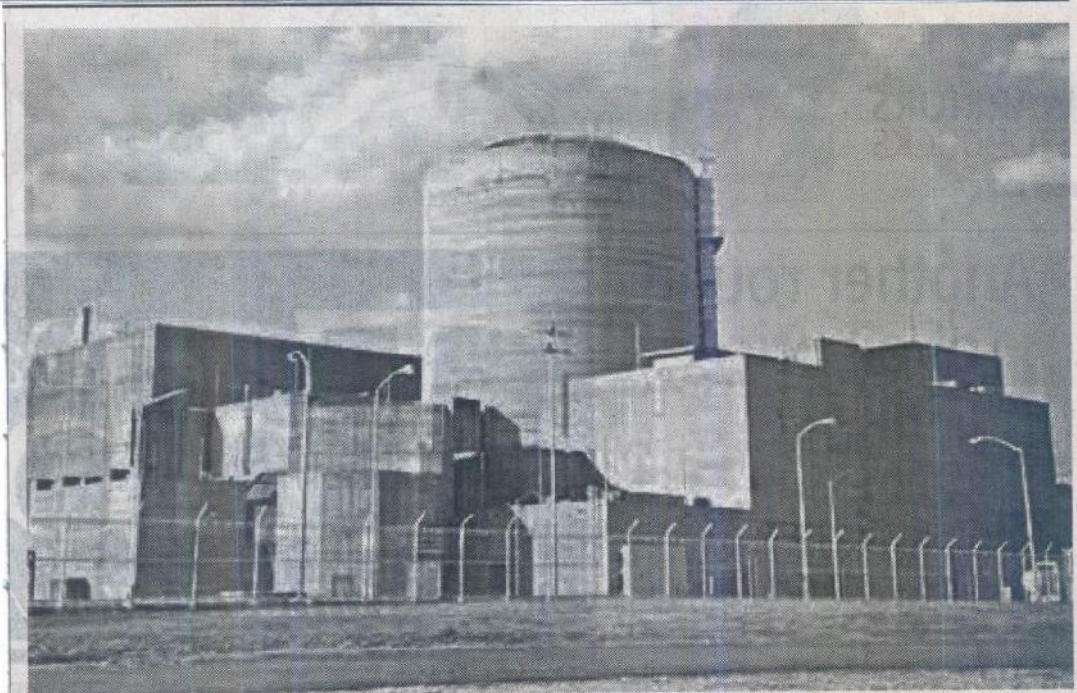
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SOUTH Korea offers its technology to revive the mothballed Bataan Nuclear Power Plant.

SoKor offers nuclear plant rehab

BY MARIA ROMERO
@tribunephil_mbr

South Korea (SoKor) has offered to rehabilitate and redevelop the Bataan Nuclear Power Plant (BNPP) for \$1.1 billion within the next five years.

During a radio interview on Sunday, Philippine Nuclear Research Institute (PNRI) Director Carlo Arcilla said the offer would pave for the fastest integration of nuclear power in the national energy mix.

"The fastest way for us to have nuclear energy is to open BNPP because first, someone offered to fix that — South Korea. They said they could do it within five years so there is a concrete offer," Arcilla added.

President Rodrigo R. Duterte signed the Executive Order 164 entitled, "Adopting a National Position for a Nuclear Energy Program, and Other Purposes" on 28 February.

Following this development, the Department of Energy

(DoE) proposed to create a specialized regulatory body — to be called Commission on Nuclear Energy — to safeguard the integration of nuclear power in the country's energy mix.

Energy Undersecretary Secretary Gerardo Erguiza Jr. said the new agency should be composed of professionals capable of safely harnessing nuclear energy.

"Now that we have the policy, the DoE will push that the regulatory framework submitted to the Senate will include energy. For the name, it should be Commission on Nuclear Energy, a regulatory body on nuclear energy," Erguiza said.

"We have to have this separate body, a specialized body knowledgeable on the nuclear industry to see to it that everything, with all the safeguards needed, is duly monitored and implemented," he added.

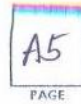
Erguiza emphasized

that moves to consider the viability of nuclear energy development and utilization in the Philippine setting must be taken within the context of energy security, and not a political one.

"Adopting a nuclear program is not just about constructing nuclear power plants. It is a matter of energy and national security. Should it be decided in the future that the Philippines is fit and finally ready to embark on its nuclear energy journey, then we would be able to look back and appreciate this landmark issuance," he said.

The government has long been exploring nuclear power as a viable energy source in line with the global push to reduce fossil fuel use due to its hazardous carbon emissions.

Engaging in nuclear technology calls for the assistance and mentorship of countries that already have knowledge of nuclear energy such as China, Russia, Korea and France.



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Nuclear energy poses serious risks

IN mid-January, a few weeks before the Kremlin's attack on the Ukraine, large drones were spotted flying over Sweden's three nuclear power plants. Reuters reported that the drone-flying incidents came after Sweden started patrolling Gotland, a Swedish island in the Baltic Sea, amid rising tensions between Moscow and Western countries.

While the investigation (officially) found no evidence of any foreign government being behind the drones, Sweden and residents of neighboring countries have reason to be spooked. The 1986 Chernobyl disaster has not been forgotten. The explosion at the Soviet-era nuclear power plant produced radioactive fallout over Northern Europe. Now, both Chernobyl and the Ukraine's operational nuclear power plants have found themselves within a war zone. The situation at the



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Zaporizhzhia Nuclear Power Plant, resulting from Mr. Vladimir Putin's troops' seizing the facility, exposes the vulnerability of nuclear plants in a time of escalating violent conflict.

It may seem remote to us here in the Philippines. After all, the closest we have to a nuclear power plant is the idle Bataan Nuclear Power Plant complex. In fact, the government has chosen this time to formally announce the adoption of a national position for a nuclear energy program. Signed on February 28 and made public on March 3, Executive Order (EO) 164 makes the case that

nuclear power is a reliable, cost-competitive and environment-friendly energy source. Including nuclear energy in the country's power generation mix is seen to help the Philippines achieve the economic growth required to attain the development goals set by AmBisyon Natin while reducing greenhouse gas emissions.

The government has already taken the first steps toward the development of a nuclear energy sector. For instance, a pre-feasibility study on viability has been conducted. The government is following the steps and procedures laid out by the International Atomic Energy Agency (IAEA). Also, a public perception survey was undertaken in 2019, which showed an overwhelming positive attitude toward nuclear energy. Did the questionnaire mention Fukushima and Chernobyl? Probably not.

Section 2 of EO 164 enumerates the guiding principles or "critical tenets" underpinning the nuclear power program: public safety, national security, energy self-sufficiency and environmental sustainability. Being overly dependent on importation creates vulnerabilities that are hard to adjust to in the short term. But replacing coal and oil (and soon natural gas) with uranium still means dependence on imported fuel. As for the environmental sustainability, a nuclear power plant indeed emits fewer greenhouse gases in its lifetime compared to power plants that run on fossil fuels. However, it is far behind solar, wind and hydro energy (*Deutsche Welle*, Nov. 29, 2021). There remains, of course, also the question of the safe handling and storage of nuclear waste — and the worst-case scenario of a nuclear meltdown.

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The risk of meltdown makes any atomic energy plant a national security concern as the drone-flying incidents in Sweden and the seizing of the Zaporizhzhia plant suggest. While a nuclear power plant is probably stronger and more secure than traditional power plants, it is an obvious target for armed attack and hacking by terrorists or a hostile nation. This isn't just about cutting off power to a grid and disrupting production, communication and electricity for everyday use. Nuclear power plants need uninterrupted power supply themselves to ensure cooling of the fuel and prevent a meltdown. The operation of a nuclear facility is so delicate and critical that staff must be free of undue pressure when they make

decisions. This is one of the "indispensable pillars of nuclear safety and security," said Rafael Mariano Grossi, secretary general of the IAEA, speaking with concern about the situation at Zaporizhzhia.

In the Philippines, coal still accounts for 57 percent of electricity generated while the contribution of renewable, clean energy sources — geothermal, solar, wind and hydro — is 21 percent, of which geothermal makes up half. There is no shortage of rigid, restrictive and complex regulations and requirements that hamper the further adoption and expansion of, especially, solar and wind power, if we are to believe lawyer Jay Layug (quoted in PNA, Nov. 13, 2021).

In short: if renewable energy's contribution to the nation's power generation mix remains small and diminishing, it is likely because neither the government nor the private sector has tried hard enough to make it work. Environmental concerns, such as climate change, have always been last on the list of considerations when making decisions about power generation mix. Of course, consumers want reliable and cheap energy. High energy costs are detrimental to economic growth and prosperity. But people cannot be reduced to consumers of electricity; they also need a safe environment where air, soil, water and food have not been poisoned by toxic substances and radioactivity. Not just for today but for generations to come.



ENERGY EXPLORATION SA SOUTH CHINA SEA, SIMULAN NA

WALA tayong matanggap na magandang balita sa ngayon. Magtataas na naman ang presyo ng gasolina at diesel.

May babala rin na kung hindi titigil ang pagtaas ng presyo ng langis sa mundo, aabot sa P100/litro ang gasolina o diesel.

Nagpahayag naman ang Amerika na hindi na sila bibili ng langis sa Russia. Tila sumusunod na rin ang ibang bansa tulad ng UK bilang parusa sa Russia dahil sa kanilang pagsalakay sa Ukraine.

Kumontra naman si Russian President Vladimir Putin na kung hindi na sila makakabenta, aabot sa \$300/bariles ang presyo ng langis.

Hindi pa natin maisip kung ano ang epekto nito sa mundo pero siguradong hindi maganda.

Parang ganito ang mga kaganapan na nagpasiklab sa malawakang digmaan.

Nagpahayag naman ang United Arab Emirates na magdaragdag sila ng produksyon ng langis kada araw para makatulong sa krisis at hihikayatin ang OPEC (Organization of the Petroleum Exporting Countries) na sumunod.

Ang OPEC ang pinakamalaking grupo ng mga bansang may langis at sila ang may kontrol kung magdaragdag o magbabawas ng output ng langis. Kumbaga, sila ang may hawak ng gripo kung palalaksin o hihinaan. Natural, kapag hininaan at malaki ang pangangailangan ng mundo, tataas ang presyo.

Itong nakaraang dalawang taon ay bumagsak nang husto ang presyo ng langis dahil sa pandemya. Pero ngayong tila unti-unting bumabalik na sa normal, nais nilang makabawi. Para namang naghirap ang mga bilyonaryong 'to sa nakaraang dalawang taon.

Kaya lang ang problema ay kasama ang Russia

sa tinatawag na OPEC+ at may kasunduan sila sa unti-unting dagdag lang sa output ng langis para makontrol ang presyo.

Dapat ay makumbinse ang ibang miyembro ng OPEC tulad ng Saudi Arabia na magdagdag ng output para bumagsak nang bahagya ang presyo ng langis.

Ito ang pinakamagandang argumento kung bakit kailangang maghanap ng alternatibong pagmumulan ng enerhiya para sa tao. Mahirap na umasa na lang sa langis dapat nang bigyang pansin ang

mga renewable energy sources — kuryente mula sa mga plantang hydroelectric at mula sa araw at hangin.

Mahirap umasa sa mga bansang hindi magdadalawang-isip na pahirapan ang mundo sa pamamagitan ng pagdadamot ng langis para lang mas yumaman pa. At kung masimulan na sana ang paghanap ng langis o anumang pagmumulan ng enerhiya sa bahagi ng South China

Sea, simulan na. 'Pag naunahan tayo ng China, sayang na naman ang oportunidad.



TITLE:

Republic of the Philippines Department of Environment and Natural Resources... DENR ADMINISTRATIVE ORDER No. 1022-82

SUBJECT: REVISED IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 7976, OTHERWISE KNOWN AS THE "PEOPLE'S SMALL-SCALE MINING ACT OF 1991"

Pursuant to the applicable provisions of Republic Act (RA) Nos. 7076 and 7180, The People's Small-Scale Mining Act of 1991 and The Local Government Code of 1991, respectively...

CHAPTER I TITLE, POLICY AND OBJECTIVES

SECTION 1. Title. This Administrative Order shall be known as the Revised Implementing Rules and Regulations of RA No. 7076, otherwise known as the "People's Small-Scale Mining Act of 1991".

SECTION 2. Policy. It shall be the policy of the State to promote, develop, protect, and equitably share the benefits and opportunities arising from the nation's wealth and natural resources...

SECTION 3. Objectives. This Administrative Order is promulgated towards the attainment of the following objectives:

- a. To ensure the effective and expeditious implementation of the People's Small-Scale Mining Act of 1991.
b. To effect an orderly, systematic, and ecologically balanced administration and disposition of small-scale mining areas.
c. To regulate the small-scale mining industry, with a view of enhancing its growth and productivity, as well as ensuring environmental protection; and
d. To provide technical, financial, and marketing assistance; ensure efficient collection of government revenues; adopt best practices; and promote good governance and integrity in the industry.

CHAPTER II DEFINITION

SECTION 4. Definition of Terms. As used in and for purposes of this Administrative Order, the following terms shall mean:

- a. "Active Mining Area" refers to an area under actual exploration, development, utilization or commercial production as determined by the Secretary after the necessary field investigation or verification...
b. "Ancestral Domain" refers to all areas generally belonging to Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) comprising lands, inland waters, coastal areas and natural resources...
c. "Ancestral Land" refers to land occupied, possessed, and utilized by individuals, families, and clans who are members of the ICCs/IPs since time immemorial...
d. "Angle of Repose" refers to the angle of steepest slope at which material will remain stable when the maximum angle lies on an unimpacted...
e. "Annual Safety and Health Program (ASHP)" refers to a program approved by the Regional Office concerned, which ensures just, safe, and humane working environment for small-scale miners or mineral processing plant workers...
f. "Board" refers to the Provincial/City Mining Regulatory Board composed of the Regional Director, the Mines and Geosciences Bureau as Chairperson, and four (4) members composed of duly appointed representatives of the following offices/agencies: Governor or City Mayor, small-scale miners, large-scale miners and environmental non-government organizations...
g. "Bylaws" means the Mines and Geosciences Bureau (MGB) under the Department;
h. "Claimant" refers to a holder of an existing mining right;
i. "City" refers to an independent component or highly urbanized city as provided under RA No. 7160;
j. "Community Development and Management Plan (CDMP)" refers to the plan approved by the Regional Office concerned, which aims to assist in the development of responsible, self-reliant, and resource-based host and neighboring communities;
k. "Compressor Mining" refers to underground small-scale mining with the workers/miners using compressed/pressurized air for breathing;
l. "Custom Mill" refers to a plant established by the government or thru a private sector within mineral processing zones intended for the mineral processing of ores, tailings, and/or mine wastes from small-scale mining for a fee;
m. "Department" refers to the Department of Environment and Natural Resources (DENR);
n. "Director" refers to the Director of the Mines and Geosciences Bureau;
o. "Environmental Compliance Certificate (ECC)" is a document issued by the Department/Environmental Management Bureau (EMB) pursuant to Presidential Decree No. 1586 and its implementing rules and regulations;
p. "Exploratory Economic Zone" refers to the water, sea bottom, and subsurface measured from the sea baseline of the Philippine Archipelago up to two hundred (200) nautical miles above;
q. "Existing Mining Right" refers to a valid and existing lease, contract, mining patent, agreement or permit covering a mineralized area prior to its declaration as a People's Small-Scale Mining Area or Minahang Bayan;
r. "Flood Cycle" refers to a period of time during which floods or sequence of floods occur;
s. "Free Board" refers to the vertical distance between a specified reservoir water surface and the top of the dam without allowance for camber of the top of the dam;
t. "Government Production Share" refers to the share of the government in a small-scale mining contract as may be determined by the Board. In co-production and joint venture agreements, the government shall, in addition to receiving government share for the mineral resources as prescribed above, be entitled to compensation for its other contributions that shall be agreed upon by the parties concerned;
u. "Hydraulic" means mining with the use of pressurized stream of water;
v. "Investment" means all capital investments, infused by a Small-Scale Mining Contractor, including but not limited to additional land and capital, such as tools, infrastructures, capitalized exploration and development costs, support facilities, and working capital. This investment shall not exceed Ten Million Pesos (P=10,000,000.00) during the entire term of the Small-Scale Mining Contract, including its renewals;
w. "License" refers to the privilege granted to a person to legitimately pursue occupation as a small-scale miner or processor under RA No. 7076;
x. "Mill Tailings" refers to materials whether solid, liquid or both segregated from the ores during concentration/milling operations, which have no present economic value to the generator of the same;
y. "Mill Tailings Storage Facility" refers to a structure used as impoundment/ storage for mill tailings;
z. "Minahang Bayan" or "People's Small-Scale Mining Area" refers to the entire area declared by the Board for the conduct of small-scale mining operations pursuant to RA No. 7076;
aa. "Mineralized Area" refers to an area with naturally occurring metallic mineral deposits of gold, silver and/or chromite; and/or with non-metallic mineral deposits;
ab. "Mineral Land" refers to a land in which minerals exist in sufficient quantity and grade to justify the economic utilization of such materials;
ac. "Mineral Processing" means the milling, beneficiation, leaching, smelting, calcination or upgrading of ore minerals, rocks, mill tailings, mine wastes and/or other materials by-products or by similar means to convert the same into marketable products;
ad. "Mineral Processor's License" refers to the license granted to a small-scale processor to operate custom mill/small-scale mineral processing plant in the treatment of mineral or ore-bearing materials, such as by beneficiation, leaching, cutting, sizing, polishing and/or other similar activities;

- ae. "Mineral Processing Zone" refers to an area duly designated by the local government unit concerned upon recommendation of the Board, with defined areas and bounds specifically for mineral processing, including the mill tailings disposal system;
af. "Mineral Reservation" refers to an area established and proclaimed as such by the President upon the recommendation of the Director through the Secretary, including all submerged lands within the contiguous zones and Exclusive Economic Zone;
ag. "Mine Waste" refers to soil and/or rock materials from surface or underground mining operations with no present economic value to the generator of the same;
ah. "Mine Waste Dump" refers to a designated place where the mine waste are accumulated or collected;
ai. "Petitioner" refers to ICC/PA groups, Local Government Unit (LGU), Small-Scale Miners Cooperatives/Associations/Cooperatives, or MGB/DENR;
aj. "Potential Environmental Impact Management Plan (PEIMP)" is an environmental management and rehabilitation plan, approved by the Regional Office concerned, for the SB of the Small-Scale Mining Contractor/Mineral Processor's License;
ak. "Private Land" refers to a land belonging to any private person or entity including alienable and disposable land being claimed by a holder, claimant or occupant who has already acquired a vested right thereunder by the law although the corresponding certificate or deed of title/ownership or patent has not been actually issued;
al. "Processor" refers to a person licensed to operate custom mill/small-scale mineral processing plant in the treatment of mineral or ore-bearing materials, such as by beneficiation, leaching, cutting, sizing, polishing and/or other similar activities;
am. "Public Land" refers to a land of the public domain, including patrimonial property of the State;
an. "Qualified Person" refers to any Filipino citizen of legal age and with capacity to contract, or a 100% Filipino-owned corporation, partnership, association or cooperative organized or authorized for the purpose of engaging in small-scale mineral processing, with technical and financial capability to undertake mineral processing, duly registered in accordance with law;
ao. "Regional Director" refers to the Director of the Regional Office of the Bureau;
ap. "Secretary" refers to the Secretary of the Department;
aq. "Small-scale miner" refers to Filipino citizens who have organized themselves as an individual miner or cooperative duly licensed by the Department to engage, under the terms and conditions of a small-scale mining contract, in the extraction of minerals or ore-bearing materials from the ground;
ar. "Small-Scale Mining" refers to extraction of minerals that relies heavily on manual labor using simple implements and methods and does not use explosives or heavy mining equipment;
as. "Small-Scale Mining Contract" refers to co-production, joint venture or mineral production sharing agreement between the government and a Small-Scale Mining Contractor for the small-scale utilization of a plot of mineral land inside a People's Small-Scale Mining Area or Minahang Bayan;
at. "Small-Scale Mining Contractor" refers to small-scale miners organized as an individual miner or cooperative registered with the Securities and Exchange Commission (SEC) or with the appropriate government agency, which has entered into an agreement with the government for the small-scale utilization of a plot of mineral land within a People's Small-Scale Mining Area or Minahang Bayan;
au. "Stake Loading" refers to a condition wherein the load applied to a body or mass is unidirectional and non-varying; and
av. "Two-year Work Program" refers to the two-year schedule of engineered small-scale mining, including its corresponding budgetary requirement, duly prepared and signed by a Licensed Mining Engineer.

Other terms used in this Administrative Order shall have their meaning as defined in other relevant laws and their implementing rules and regulations.

CHAPTER III REGISTRATION, LICENSING, DECLARATION OF MINAHANG BAYAN AND AWARDING OF SMALL-SCALE MINING CONTRACTS

SECTION 5. General Provisions. No small-scale mining shall be undertaken outside a Minahang Bayan or a People's Small-Scale Mining Area or Minahang Bayan. A Small-Scale Mining Contract. Likewise, no person shall work or be hired to work in small-scale mining and other similar operations unless registered with the Board.

SECTION 6. Registration and Licensing of Small-Scale Miners. All persons undertaking or intending to undertake small-scale mining operations within a declared Minahang Bayan shall register with the Board. A small-scale miner shall, in addition, be subject to payment of the corresponding license application fee and the following requirements:
a. Filipino citizen;
b. Legal age;
c. With any government identification;
d. Barangay Clearance as proof of residency; and
e. Certificate of attended skills and safety trainings conducted by MGB RO concerned.

The application fee, payable to the Provincial/City government concerned, shall be Three Hundred Pesos (P=300.00), without prejudice to other fees and charges that may be imposed by the local government by way of an ordinance. The collected fees shall be used to defray the expenses of the Board.

The corresponding small-scale miner's license shall be issued by the Board as proof of registration. The small-scale miner's license shall be valid for three (3) years, renewable for like periods.

For the above purpose, the Board shall maintain a registry of small-scale miners within its jurisdiction.

SECTION 7. Areas Open for Declaration as Minahang Bayan. The Board shall have the authority to declare and set aside Minahang Bayan in mineralized areas onshore suitable for small-scale mining, except in areas closed to mining operations as provided in Section 1 of the Executive Order (EO) No. 79 issued July 4, 2011, and that exceed two (2) contiguous meridional blocks, subject to review by the Secretary thru the Director.

The following mineralized areas onshore may be declared by the Board as Minahang Bayan:

- a. Public lands not subject to any existing right;
b. Public lands covered by mining applications, such as:
1. Areas covered by Exploration Permit applications: Provided, That the total proposed area for Exploration Bayan within the applied Exploration Permit Area does not exceed two (2) meridional blocks; Provided, Further, That upon filing of the petition and due notice, the area shall be excised from the coverage of the Exploration Permit Application; Provided, Finally, That if such petition is denied, the area shall be reverted to the affected Exploration Permit application/permit.
2. Areas covered by applications for mineral agreements: Provided, That the proposed area for Minahang Bayan within the applied area for mineral agreement does not exceed two (2) meridional blocks; Provided, Further, That the applicant for the mineral agreement consents to the declaration of his/her contract area or parts thereof as a Minahang Bayan; Provided, Finally, That upon declaration of the Minahang Bayan, the area shall be excised from the coverage of the Mineral Agreement application or Mineral Agreement, in case the Mineral Agreement application was approved through the processing of the petition for Minahang Bayan.
3. Areas covered by denied applications for mineral agreements but with pending appeal with the Bureau or Department Central Office: Provided, That the proposed area for Minahang Bayan within the applied area for mineral agreement does not exceed two (2) meridional blocks; Provided, Further, That upon declaration of the Minahang Bayan, the area shall be excised from the coverage of the denied Mineral Agreement application but with pending appeal with the Bureau or Department Central Office.
Provided, That Exploration Permit (EP) with no declaration or Mining Project Feasibility (DMPF) application shall be governed by item 1 hereof.
Provided, Further, That EP with DMPF application shall be governed by item 2 hereof.
Provided, Finally, That Mineral Production Sharing Agreement (MPSA) intended for exploration shall be governed by item 3 hereof.
c. Public lands covered by existing mining rights which are not active mining areas. A mining area is considered inactive if there is no operation for five (5) years from the date of approval of the mining right:
1. Non-approved Exploration Period for five (5) years;
2. Non-approved Exploration Work Program/Exploration Period;
3. Approved Three (3)-Year Work Program; and
4. Non-implementation of activity related to mineral development for five (5) years as verified by the Regional Office concerned.
d. Private lands, subject to certain rights and conditions, except those with substantial improvements or in bonafide and regular use as a yard, stockyard, garden, plant nursery, plantation, cemetery or burial site, or land situated within one hundred meters (100 m.) from such cemetery or burial site, water reservoir or a separate parcel of land with an area of ten thousand square meters (10,000 sq. m.) or less;
e. Areas already occupied and actively mined by small-scale miners before August 1, 1987: Provided, That such areas are not closed to mining;
f. No ancestral land may be declared as a people's small-scale mining area without the prior consent of the cultural communities concerned: Provided, That, if ancestral lands are declared as people's small-scale mining areas, the members of the cultural communities therein shall be given priority in the awarding of Small-Scale Mining Contracts.

SECTION 8. Suitability of a Minahang Bayan for Small-Scale Mining. An area may be considered for declaration as Minahang Bayan, subject to the following conditions, as determined by the Regional Office concerned:

- a. For Gold and Silver Deposits:
1. Alluvial/Placer deposits of at least one (1) gram per ton gold equivalent grade;
2. Epithermal, Vein-type, Disseminated or Porphyry deposits of at least five (5) grams gold per ton grade.

b. For Chromite Deposits:
1. For metallurgical chromite -Alluvial/Placer deposits
2. Shallow or near surface deposits

SECTION 9. Procedure in the Declaration of Minahang Bayan. The following procedure shall be observed in the declaration of a Minahang Bayan:

- a. The Petitioner shall file with the Board a petition for declaration of an area as Minahang Bayan, specifying therein the coverage of the proposed area described in geographic coordinates of at least four (4) corners of the proposed area) following the meridional block system under Section 11 hereof. Within five (5) days upon receipt of the petition, the Board shall forward the same to the following:
1. Regional Office concerned - shall check in its control map the status of the proposed area vis-a-vis prior and existing mining rights and applications, as well as areas closed to mining applications pursuant to existing laws, rules and regulations;
2. National Commission on Indigenous Peoples (NCIP) - The Board to obtain the list of ICC/PA legitimate leaders to be notified about the petition and shall conduct a consultative meeting with the legitimate leaders;
3. Other DENR Sectors concerned - for area status/clearance;
4. Provincial/City government concerned - area status/clearance (local issuances re: closed to mining, zoning, agriculture/tourism, among others); and
5. All Sanggunian concerned for the purpose of the pertinent provisions of Sections 26 and 27 of RA No. 7960. At least the majority of the Sanggunian concerned shall endorse the declaration of the proposed Minahang Bayan in case of an opposition of a Sanggunian concerned, said opposition shall be filed within fifteen (15) days from receipt of the notice, with the Board for resolution.
Result of the area status/clearance from the DENR Sectors and Provincial/City government concerned shall be submitted to the Board within fifteen (15) days from receipt of the pertinent petition. A copy of the submitted area status clearance shall be furnished to the Regional Office concerned by the Board.
b. In case the area is found to be open for declaration as Minahang Bayan, the Regional Office concerned shall evaluate within twenty (20) days whether the said area is technically and economically viable for small-scale mining, taking into consideration, among others, the necessary allocation for a mineral processing zone, if mining operations shall be conducted, and joint venture in the determination of the area status and evaluation assessment conducted by the Regional Office.
Within fifteen (15) working days from the conduct of the area status and evaluation assessment, the Regional Office concerned shall submit the results of its evaluation to the Board, for consideration. A copy of the evaluation result shall be provided to the Secretary thru the Director.
c. In case the proposed area is situated inside areas closed to mining applications, the Board shall return the petition.
d. In case the proposed area is in conflict with existing mining permits/licenses and/or mining application(s) falling within the categories enumerated in paragraphs (b) and (c) of Section 7 hereof, the Board shall formally notify the holder(s) of mining permit(s)/contract(s) or mining application(s) concerned of the proposed Minahang Bayan, copy furnished the petitioner.
e. In case the proposed area covers private land(s) as cited in paragraph (d) of Section 7 hereof, the Board shall formally notify the landowner(s) or land possessor(s) concerned of the proposed Minahang Bayan, copy furnished the petitioner.
f. Upon receipt of the evaluation done by the MGB RO, the Board shall prepare and cause the posting of the notice of the proposed Minahang Bayan on the bulletin boards of the Regional Office concerned and Offices of the Provincial Governor and Municipal/City Mayor concerned, for seven (7) days, copy furnished the Barangay(s) concerned. Where necessary, the Notice shall be in a language generally understood in the locality concerned and where it is posted. The Board shall also cause the publication of the same notice once in a newspaper of local or national circulation. The petitioner shall shoulder the cost of publication.
g. Within five (5) days from the last date of posting and publication, the authorized official of the Regional Office concerned and the authorized official of the Provincial Governor shall issue a certification(s) that the posting and publication requirements have been complied with. Any adverse claim, protest or opposition shall be filed directly with the Board within ten (10) days from the date of posting or from the last date of posting, with the Board for resolution.
h. The Board shall act on all adverse claim, protest or opposition within fifteen (15) days after it is submitted for resolution. The decision of the Board may be appealed to the Secretary within fifteen (15) days from receipt of the decision of the Board.
i. Where no adverse claim, protest or opposition is filed within the ten (10)-day prescribed period, or upon final resolution of the adverse claim, protest or opposition in favor of the petitioner, the Board shall forward, within three (3) working days after the expiration of the ten (10)-day period, to the Regional Office concerned, all the pertinent documents for the declaration of the proposed Minahang Bayan to the Secretary thru the Director, for review. The Regional Office shall review the submitted pertinent documents within fifteen (15) working days upon receipt.
j. If the above requirements are fully complied with, the Secretary shall clear the declaration of the proposed Minahang Bayan.
k. The Board shall declare the area as Minahang Bayan thru a resolution within fifteen (15) working days from receipt of the clearance from the Secretary.
l. The Board shall cause the posting of the notice of declaration of the Minahang Bayan on the bulletin boards of the Regional Office concerned and Offices of the Provincial Governor, Municipal/City Mayor concerned, and the Barangay(s) concerned. Where necessary, the notice of declaration shall be in a language generally understood in the locality concerned where it is posted.
m. The Board may accept applications for Small-Scale Mining Contracts after the posting of the declaration: Provided, That for Minahang Bayan with areas subject to Section 7(e) hereof, only applications by small-scale miners whose members are part of the ICC therein shall be accepted within the first thirty (30) days: Provided, Further, That for Minahang Bayan outside areas subject to Section 7(a) hereof, only applications by small-scale miners residing in the province or city where the Minahang Bayan is located shall be accepted within the first thirty (30) days.

SECTION 10. Application to Enter into a Small-Scale Mining Contract. Licensed small-scale miners with the capacity to contract, subject to the conditions under Section 6(b) hereof, may apply to the Board for a Small-Scale Mining Contract. An area situated in a Minahang Bayan together with the following mandatory requirements in five (5) copies:

- a. Duly accomplished application form (Form No. SBM-01);
b. Application fee of P=10,000.00 (Ten Thousand) payable to the Provincial/City government concerned, without prejudice to other fees and charges that may be imposed by the local government concerned by way of an ordinance;
c. For individuals, a valid identification card issued by the local government;
d. For association or cooperative/photocopy of Articles of Association/Cooperation, By-Laws and Certificate of Registration, duly certified by the Securities and Exchange Commission or the Commission on Cooperative Government Agency(s) concerned; or Certification from the Bureau/Regional Office concerned that said documents are duly registered in that Office;
e. Sketch Plan as a convenient scale with location map of the proposed small-scale mining contract area showing its geographic coordinates/meridional block(s) and boundaries in relation to the Minahang Bayan, major environmental features and other projects using a National Aeronautics and Space Administration (NASA) topographic map in a scale of 1:100,000 (duly prepared, signed and sealed by a duly Licensed Geodesic Engineer; and
f. Proposed Two (2)-Year Work Program (Form No. SBM-02).

The authorized capitalization for an application for SBMC shall be Ten Million Pesos (P=10,000,000.00) with a maximum paid up capital of Six hundred Twenty-five Thousand Pesos (P=625,000.00).

Applications with incomplete mandatory requirements shall not be accepted. Within three (3) working days upon receipt of the application, the Board shall check through the Minahang Bayan control map if the area is free from conflict and inform the applicant about the status of the area. In case the applied area is in conflict totally, the Board shall return the application. In case the applied area is partially in conflict, the Board shall return the application for revision and resubmission within fifteen (15) working days: Provided, That only one (1) people's Small-Scale Mining Contract may be awarded at any one time to a small-scale mining contractor in the entire country.

The Certificate of Non-Overlap for areas without ICC/PA shall be secured by the Small-Scale Mining Contractor application accordance with the existing PRC rules and regulations and shall be submitted to the Board seven (7) days from receipt of the Certificate.

The Certification Precondition shall be secured by the Small-Scale Mining Contractor applicant in accordance with the existing NCIP rules and regulations and shall be submitted to the Board seven (7) days from receipt of the Certificate.

In case the Certification Precondition is not issued within the NCIP's prescribed period, the applicant shall file a petition with the NCIP's Field-Based Investigation Report/Validation Report for the applicant area and the Memorandum of Agreement with the ICC/PA's concerned.

The Small-Scale Mining Contract applicant shall secure an Environmental Compliance Certificate (ECC), which shall be submitted to the Board prior to the issuance of the Small-Scale Mining Contract.

The Potential Environmental Impact Management Plan (PEIMP) (Form No. SBM-03), Community Development Management Plan (CDMP) (Form No. SBM-04) and Annual Safety and Health Program (ASHP) (Form No. SBM-05) shall be submitted to the Board, for approval within fifteen (15) working days upon receipt.

SECTION 11. Extent of Small-Scale Mining Contract Area. The Board shall determine the extent of small-scale mining contract area following the meridional block system established under RA No. 7976, otherwise known as the Philippine Mining Act of 1991, but in no case shall the applied area be less than 1.25 hectares and more than 26 hectares per Small-Scale Mining Contract.

For the above purpose, the Board shall subdivide the meridional block into 64 parcels, the first 27 parcels shall be reserved for the applicant, containing an area of 1.25 hectares, more or less: Provided, That a small-scale mining contract area shall consist of adjacent and contiguous parcels.

All underground openings such as main openings/secondary passage ways, whether horizontal, vertical or inclined, shall at least have an effective height of 1.5 meters and an effective width of 1 meters and a maximum depth of 100 meters underground workings, vertically measured from the postel elevation but in no case shall go below Mean Sea Level elevation.

For surface mining, bench height shall be limited to 1.5 meters only. A minimum



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allowable term for working area shall be two (2) meters.

Any deviation from the standards shall be subject to the approval of the Board.

SECTION 12. Award of People's Small-Scale Mining Contract. Within fifteen (15) working days upon receipt of all the pertinent requirements, the Board shall award the Small-Scale Mining Contract. A copy of the Small-Scale Mining Contract, together with its supporting documents, shall be forwarded to the Director for information and record within three (3) working days after the registration of the contract with the Board. Provided, That the Small-Scale Mining Contractor shall start mining operations within one (1) year from the date of award.

SECTION 13. Terms and Conditions of Small-Scale Mining Contract. The following terms and conditions shall be incorporated in the Small-Scale Mining Contract:

- The Small-Scale Mining Contract shall have a term of two (2) years, renewable for like periods. Provided, (1) That the Small-Scale Mining Contractor has complied with the terms and conditions of the Small-Scale Mining Contract and the provisions of RA No. 7078 as verified by the Board; (2) That the application for renewal shall be filed not later than sixty (60) days prior to the expiry of the Small-Scale Mining Contract; (3) That the application for renewal shall be accompanied by the following:
 - Duly accomplished application form (refer to Form No. SSM-A-01);
 - Proof of payment of Application Fee of PNP10,000.00, payable to the Provincial/City government concerned;
 - Certification from the Board as to the compliance with the terms and conditions of the Small-Scale Mining Contract, which shall be issued not earlier than sixty (60) days prior to the expiration of the Small-Scale Mining Contract;
 - Proposed Two (2)-Year Work Program covering the renewal period; and
 - The Potential Environmental Impact Management Plan (PEIMP), Community Development Management Plan (CDMP) and Annual Safety and Health Program (ASHP) shall be approved by the Board within fifteen (15) days from receipt.

- The Small-Scale Mining Contractor shall be authorized to mine the small-scale mining contract area. Provided, That the extracted ore shall not exceed fifty thousand (50,000) metric tons annually.
- Updated General Information Sheet or GIS;
- The Small-Scale Mining Contractor shall:
 - Before the conduct of mining operations:
 - Establish survey monument on the area;
 - Have an approved PEIMP, CDMP, ASHP;
 - Conduct small-scale mining in accordance with the Two (2)-Year Work Program, PEIMP, ASHP and CDMP, duly approved by the Board, and the ECC;
 - Any applicant for SSMC who is not the Petitioner shall reimburse the latter the cost of the expenses in the operation of the Mining Bayan proportionate to the applied contract area;
 - Not undertake hydraulic or compressor mining at any stage of small-scale mining operations;
 - Not use mercury in any phase of small-scale mining;
 - Continue small-scale mining to its small-scale mining contract area, as defined by DAC No. 97-30, otherwise known as the "Small-Scale Mine Safety Rules and Regulations";
 - Comply with its obligations to the holder of a mining permit/contract, if applicable;
 - Set its production outputs to the Bangko Sentral ng Pilipinas (BSP) or any its accredited banks or financial institutions in the case of gold production.
 - Pay all taxes, royalties and/or government production share as provided by law at the time the Small-Scale Mining Contract is awarded unless exempted;
 - Comply with pertinent rules and regulations on environmental protection and conservation, particularly those on tree-cutting, mineral processing and pollution control;
 - Submit under oath at the end of each quarter a detailed production report and annual financial report to the Board; and
 - Assume responsibility for the safety of persons working in the mines and compliance with RA No. 9231, an act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child, Amended, and for other purposes, RA No. 7610, as Amended, Otherwise Known as the "Special Protection of Children against Child Abuse, Exploitation and Discrimination Act".

CHAPTER IV MINERAL PROCESSING

SECTION 14. General Provisions. Small-scale mineral processing shall be undertaken only in Mineral Processing Zones (MPZ) under a Mineral Processing License (MPL). Provided, That no mercury shall be used in mineral processing.

SECTION 15. Establishment and Operation of Centralized Custom Mills/Plants and Mineral Processing Zones. Mineral Processing Zones shall be duly designated by the local government unit concerned upon the recommendation of the Board.

In the recovery of gold, custom mill/processor plants shall not use mercury, instead gravity concentration/cyanidation and/or other plant/mercury recovery methods shall be utilized.

Custom mill/processing plants shall be constructed to cater for the production volume of Small-Scale Mining Contractors. Maximum annual capacity of 50,000 tons per annum shall be required and maximum floor area of 1,500 square meters and maximum capacity. Capital expenditure for the mill plant shall not be less than Two Million Pesos (PNP2,000,000.00) but not more than Twenty-five Million Pesos (PNP25,000,000.00).

Custom mills shall be operated in the designated MPZ and shall be constituted as withholding agents for the royalties, production share or other taxes due the government. Provided, That as withholding agents, such custom mills shall be registered with the Bureau of Internal Revenue Office concerned.

In case processing zone shall be located outside the Mining Bayan and is within mining permit or contract area, the consent of the permittee or the contractor shall be required and the Board shall determine the amount of compensation due the mining permittee(s) or holder(s) of mining permit/contract.

In mining areas where the private sector is unable to establish a custom mill, the Board shall recommend to the Department thru the Director the construction of the custom mill, if viable.

The Department thru the Bureau shall establish or designate assay laboratories to cross-check the integrity of custom mills and to render metallurgical and laboratory services to miners.

SECTION 16. Application for Mineral Processor's License. An application for Mineral Processor's License (MPL) shall be filed by a qualified person either personally or through his/her duly authorized representative with the Regional Office concerned. Provided, That a MPL application shall be accepted only upon payment of the required fees in the amount of Ten Thousand Pesos (PNP10,000.00) to the Provincial/City Government concerned, without prejudice to other fees and charges that may be imposed by the local government by way of an ordinance. Provided further, That any application with incomplete mandatory requirements shall not be accepted.

Upon payment of the filing fee, the applicant shall submit at least five (5) sets of the following mandatory requirements:

- For association or cooperative:
 - Original or certified true copy of Certificate of Registration issued by the SEC or authorized government agency concerned;
 - Original or certified true copy of Articles of Association/Coop Erection and By-Laws duly certified by the SEC or authorized government agency concerned or Bureau of Internal Revenue Office concerned; and
 - Said documents are duly registered in that Office, with a minimum authorized capital of Ten Million Pesos (PNP10,000,000.00) and not to exceed Two Hundred Million Pesos (PNP200,000,000.00);
 - Location map/sketch plan of the area of the proposed processing plant using NAMRIA topographic map in a scale of 1:50,000 or 1:10,000;
 - Project Description and plant layout/design including cost of project duly prepared and signed by a Licensed Metallurgical Engineer;
 - Small-Scale Mining License of the duly authorized representative;
 - Proof of technical competence;
 - Proof of financial capability such as latest Audited Financial Statement, Annual Report for the preceding year, and credit line(s) and/or proof of bank deposit(s), in the amount that shall not be less than the cost of project; and
 - Supply contract/agreement with the small-scale mining contractor(s)/MPL holder(s);
- For individual miner:
 - Location map/sketch plan of the area of the proposed processing plant using NAMRIA topographic map in a scale of 1:50,000 or 10,000;
 - Project Description and plant layout/design including cost of project duly prepared and signed by a Licensed Metallurgical Engineer;
 - Small-Scale Mining License of the duly authorized representative;
 - Proof of technical competence;
 - Proof of financial capability such as latest Audited Financial Statement, Annual Report for the preceding year, and credit line(s) and/or proof of bank deposit(s), in the amount that shall not be less than the cost of project; and
 - Supply contract/agreement with the Small-Scale Mining Contractor(s)/MPL holder.

The Certificate of Non-Overlap for areas without ICCA/PA shall be secured by the Mineral Processor's License applicant in accordance with the existing NCIP rules and regulations and shall be submitted to the Board seven (7) days from receipt of the Certificate.

The Certification Precondition shall be secured by the Mineral Processor's License applicant in accordance with the existing NCIP rules and regulations and shall be submitted to the Board seven (7) days from receipt of the Certificate.

In case the Certification Precondition is not issued within the NCIP's prescribed period, the Small-Scale Mining Contractor applicant shall submit the NCIP's Field-Based Investigation Report/Field Report for the applied area and the Memorandum of Agreement with the ICCA/PA concerned.

The Mineral Processor's License applicant shall secure an Environmental Compliance Certificate (ECC), which shall be submitted to the Board prior to the issuance of the Mineral Processor's License.

The Potential Environmental Impact Management Plan (PEIMP), Community Development Management Plan (CDMP) and Annual Safety and Health Program (ASHP) shall be submitted to the Board, for approval within fifteen (15) working days from receipt.

SECTION 17. Processing/Registration/Issuance of a Mineral Processor's License. Upon compliance with all the pertinent requirements, the Board may approve an application for MPL. The Board shall not issue an application to cause the registration and payment of the required fees within five (5) working days from registration copy

furnished the Regional Office concerned

SECTION 18. Terms and Conditions of Mineral Processor's License. The MPL shall have the following terms and conditions:

- The Processor shall:
 - Have PEIMP, CDMP and ASHP duly approved by the Board before the conduct of mineral processing operations;
 - Assume full responsibility and be liable for damages to private and/or public property(ies) that may be occasioned by his/her/its operations under the MPL;
 - Submit to the Board the applicable production and activity reports prescribed in Chapter XXIX of Department Administrative Order (DAO) No. 2010-21; The Board may conduct an on-site validation of the submitted reports subject to the payment of the required verification fee;
 - Conduct his/her/its operations in accordance with the PEIMP, ASHP, CDMP and ECC;
 - Conduct his/her/its operations in accordance with the provisions of RA No. 7078, the Administrative Order and DAO No. 97-30 known as "Small-Scale Mine Safety Rules and Regulations";
 - Respect the right of women workers to participate in policy and decision-making processes affecting their rights and benefits and not discriminate on the basis of gender;
 - Comply with the provisions of Section 12 of RA 7613 as amended by RA No. 9231;
 - Pay fees, taxes and other financial obligations in accordance with existing laws, rules and regulations;
 - Give preference to goods and services produced and offered in the Philippines of comparable quality and cost; and
 - Utilize the best available appropriate and efficient mineral processing technology.
- The term of the MPL shall be for five (5) years, renewable for like periods but not to exceed a total term of twenty-five (25) years. Provided, That no renewal of the MPL shall be allowed unless the Processor has complied with all the terms and conditions of the MPL and has not been found guilty of violation of any provision of the RA No. 7078 and other existing laws, rules and regulations and this Administrative Order;
- MPL should only process ores from Small-Scale Mining Contractors and/or other MPL holders;
- Withdrawal by the Processor from the MPL, shall not release it from any and all financial, environmental, social, legal and/or fiscal obligations; and
- Such other terms and conditions consistent with the Constitution, RA No. 7078, the Administrative Order and other existing laws, rules and regulations.

CHAPTER V SUPERVISION

SECTION 19. Administrative Supervision over Small-Scale Mining. The Secretary through his representative shall exercise direct supervision and control over the programs and activities of the small-scale miners within the Mining Bayan.

SECTION 20. Provincial/City Mining Regulatory Board. The Board created under RA No. 7078 shall exercise the following major powers and functions, subject to review by the Secretary:

- Declares and segregates existing gold-rich areas for small-scale mining;
- Declares, segregates and reserves for the future, mineralized areas/land parcels as Mining Bayan;
- Issues and signs the PEIMP, CDMP, ASHP;
- Awards and registers Small-Scale Mining Contracts and Mineral Processing Licenses;
- Formulates its own guidelines and implements rules and regulations related to RA No. 7078;
- Settles disputes/contracts or litigations over conflicting claims within a people's small-scale mining area;
- Suspends, cancels and revokes for cause after due process Small-Scale Mining Contracts and Mineral Processing Licenses;
- Submits to the Department and the Bureau a comprehensive Annual Report of the overall operation of the Mining Bayan;
- Performs such other functions as may be necessary to achieve the goals and objectives of RA No. 7078.

SECTION 21. Composition of the Board. The Board shall be composed of the following:

- Regional Director concerned or his/her duly authorized representative as Chairman;
- Provincial Governor or City Mayor or his/her representative as Member;
- One (1) small-scale mining representative as Member;
- One (1) large-scale mining representative as Member; and
- One (1) representative from an environmental non-government organization as Member.

Technical Secretariat/Staff shall be provided by the Regional Office concerned.

In areas with existing ICCA/Ps, the Board may issue a resolution to include representations from other agencies, as co-owner.

In provinces and cities where the Board have not been constituted, the said Board shall be operational within three (3) months from the effectivity of this Administrative Order.

SECTION 22. Honorarium of the Board. The chairperson, members and secretary of the Board shall receive honorarium as provided in the rules and regulations prescribed by pertinent laws subject to existing accounting and auditing procedures.

The Provincial/City government concerned shall allocate funds for the operational expenses, including honorarium, of the Board and its secretariat/staff.

CHAPTER VI RIGHTS

SECTION 23. Eminent Rights. Upon the declaration of a Mining Bayan, the Director, thru the police, in consultation with the holders of mining permits/contracts, operators, or landowners of the affected area, shall determine the right of the small-scale miners to existing facilities, such as mining and logging roads, private roads, port and communication facilities and processing plants which are necessary for small-scale mining, subject to payment of royalties to the parties concerned.

SECTION 24. Rights under a Small-Scale Mining Contract. A Small-Scale Mining Contract entitles the holder the right to extract and dispose of minerals for commercial purposes over the area covered thereby. Provided, That in no case shall the Small-Scale Mining Contractor be subject to expropriation or otherwise transferred.

SECTION 25. Rights of Claimowners. In case a site declared and set as a People's Small-Scale Mining Area is covered by an existing mining right, the claimowner and the small-scale miners therein are encouraged to enter into a voluntary and acceptable contractual agreement with respect to the small-scale utilization of the mineral values from the area under claim. In case of disagreement, the claimowners shall be entitled to the following rights and privileges:

- Exemption from the performance of annual work obligations and payment of occupation fees, rental, and real property taxes;
- Subject to the approval of the Board, free access to the contract area to conduct metallurgical work with the operations of the small-scale miners; and
- Royalty equivalent to one and one-half (1 1/2%) of the gross value of the metallic mineral output or one percent (1%) of the gross value of the non-metallic mineral output to be paid to the claimowner. Provided, That such rights and privileges shall be available only if he is not delinquent in the performance of his annual work obligations and other requirements for the last two (2) years prior to the effectivity of this act.

SECTION 26. Rights of Private Landowners. The private landowner or lawful possessor shall be notified of any plan or petition to declare his land as a people's small-scale mining area. Said landowner may file a petition or objection in an appropriate proceeding and hearing conducted before the Board.

If a private land is declared as a people's small-scale mining area, the owner and the small-scale Mining Contractors are encouraged to enter into a voluntary and acceptable contractual agreement for small-scale utilization of the mineral values from the private land. Provided, That the owner shall in all cases be entitled to the payment of actual damages which may suffer as a result of such declaration. Provided, further, That royalties shall be paid to the owner shall be no less than one percent (1%) of the gross value of the minerals recovered as royalty.

SECTION 27. Ownership of Mill Tailings. In the absence of a prior written agreement, the Small-Scale Mining Contractor concerned shall be the owner of the mill tailings produced from the custom mill. It may sell the tailings, or have them re-processed in any custom mill. Provided, That if the Small-Scale Mining Contractor concerned desires to sell his/her/its mill tailings, the claimowner shall have a pre-emptive right to purchase said mill tailings at the prevailing market price.

The Contractor and Processor shall submit to the Board copy furnished the Regional Office concerned a report on the sale/disposal of mill tailings.

CHAPTER VII ENVIRONMENTAL PROTECTION, COMMUNITY DEVELOPMENT, AND SAFETY AND HEALTH

SECTION 28. Environmental Protection and Community Development and Management Program. To ensure the protection of the environment and the development of host and neighboring communities, the Small-Scale Mining Contractor or MPL holder shall submit a two (2)-year Potential Environmental Impact Management Plan (PEIMP) and Community Development and Management Plan (CDMP) which shall be initially evaluated by the Regional Office concerned within fifteen (15) working days upon receipt and endorsed the same to the Board for approval.

The PEIMP shall provide a description of the expanded and considered acceptable means to deliver the "EIMP" and CDMP. The EIMP shall be equivalent to that to be applied based on best practice in environmental and biodiversity strategies at all stages of small-scale mining operation wherever applicable. The PEIMP shall be based on the Environmental Compliance Certificate.

The CDMP shall be prepared in consultation and in partnership with its host and neighboring communities.

An annual status report of the physical and financial accomplishment on the implementation of PEIMP and CDMP shall be submitted to the Board concerned, subject to annual monitoring/audit.

The Small-Scale Mining Contractor or MPL holder shall set up an Environmental Management and Social Development Fund (EMSDF) in strict compliance with approved activities as defined in the "EIMP" and CDMP. The EMSDF shall be equivalent to ten percent (10%) of the total operating cost for the whole duration of the contract/permit or One Hundred Twenty-Five Thousand Pesos (PNP125,000.00), whichever is higher. Provided, That the EMSDF shall be used for the implementation of PEIMP and CDMP. Further, that for MPL, the EMSDF shall be equivalent to three percent (3%) of the capital requirement. Provided, further, That an amount in the amount needed to achieve the objectives of PEIMP and CDMP, shall be included in the amount needed by the Small-Scale Mining Contractor/MPL holder.

The EMSDF shall be deposited in a Government depository bank after the execution of the Tripartite Memorandum of Agreement among the Small-Scale Mining Contractor or MPL holder, the Board and the Government depository bank. Provided, That the request for withdrawal and disbursement from the EMSDF shall be by the Small-Scale Mining Contractor only. Non-compliance with the PEIMP and CDMP shall be submitted to the Board for consideration and approval.

The Secretary upon the recommendation of the Bureau, is authorized to impose the said fees when national interest and public welfare so require.

SECTION 29. Safety and Health Program. To ensure the safety and health of small-scale miners and mineral processing plant workers, the Small-Scale Mining Contractor and MPL holder shall submit an Annual Safety and Health Program (ASHP) covering its area of operations at least fifteen (15) calendar days before the start of every calendar year. The Small-Scale Mining Contractor and MPL holder shall abide by the provisions of DAO No. 97-30, otherwise known as the "Small-Scale Mine Safety Rules and Regulations".

SECTION 30. Mine Wastes Dump and Tailings Storage Facility

A. Mine Wastes Dump

The following are the guidelines on:

a. Site Selection of Mine Wastes Dump:

- Mine wastes dump shall be located far from old growth or virgin forest, proclaimed watershed forest reserves, wilderness areas, mangrove forests, mossy forests, national parks, greenlands, game reserves, bird sanctuaries and areas proclaimed as marine reserves/marine parks, and tourist zones. As defined by law a buffer of not less than 500 meters from the perimeter shall be maintained.
- Mine wastes dump shall be located away from water bodies so that water after rehabilitation shall not be a factor of safety against failure of at least 1:1 under static loading conditions and at least 0.50:1:2 under maximum probable earthquake loading conditions; and
- Mine wastes dump shall accommodate mine wastes produced from the entire life of small-scale mining operation; and
- A five (5) year flood cycle shall be designed and constructed above the maximum flood level.

b. Design of Mine Wastes Dump:

- The exposed face of the mine, the geology, hydrology, ecology, land use, topography, climate, area of land available, and vegetation of the site shall be considered in the design (e.g. height, slope, area, shape, etc.) of mine wastes dump.
- Drainage system shall be constructed to handle heavy rainfall event.

c. Construction of Mine Wastes Dump

- Site disturbance shall be limited and conform with the proposed design;
- Drainage system shall be constructed during dump build-up and shall enable rainfall run-off to be shed from the dump without causing erosion;
- Any pre-erected topsoil shall be stockpiled separately; and
- Gripped topsoil shall be contained and protected from erosion for future rehabilitation purposes.

B. Mill Tailings Storage Facility

Mill Tailings Storage Facility (MTSF) shall be located far from declared watershed areas and free from spillage, water, and/or washing away of tailings by surface runoff during heavy rain or significant areas and natural drainage systems (tributaries, creeks and/or rivers). The following are the guidelines on:

a. Embankment Design of MTSF:

- Impoundment close to the coast shall be above the maximum storm surge level;
- Impoundment formed of earth or earth and rock materials shall be designed and constructed to be a factor of safety against failure of at least 1:1 under static loading conditions and at least 0.50:1:2 under maximum probable earthquake loading conditions; and
- Five (5) year flood cycle shall be accompanied to not less than ninety percent (90%) of proctor density.

b. Construction of the MTSF:

- Freeboard requirement during MTSF construction stage shall take into consideration the hydrology/flooding in the area. Current, and/or water diversion or spillway wherever necessary, shall also be provided;
- A five (5) year flood cycle shall be considered during MTSF construction stage;
- Materials to be used for embankment shall be non-acid and non-toxic leachates generating materials; and
- The MPL holder shall submit an "as-built" report to the Board after the MTSF construction.

c. Operation of MTSF:

- Sufficient freeboard of at least five (5) meters depending on the hydrological/flooding consideration shall be maintained during operation of the impoundment; A one hundred (100) year flood cycle shall be taken into account during active impoundment operation;
- Construction slopes shall be designed with an angle of repose, a maximum angle of 1:1 along the upstream slope and 1.5:1 along the downstream slope; and
- Whenever possible, all wastewater from the MTSF shall be recycled and utilized for mining and milling purposes. A zero wastewater discharged shall always be practiced.

There shall be only one (1) MTSF to be constituted within the designated MPZ. The Processor shall be allowed to operate within a MTSF and shall contain and manage the MTSF with due and equal emphasis on economic and environmental considerations, as well as safety, health, social, and cultural concerns and shall be held liable on the MTSF integrity.

MTSF of small-scale mining operations shall be located, designed, constructed, operated and rehabilitated/commissioned such that they can be returned to productive long term and agreed land use.

The Board shall monitor and regulate the MTSF. Direct and indirect disposal of mill tailings into natural drainage systems (including rivers and tributaries) and flushing of mill tailings are prohibited. Any water discharge from the MTSF shall conform to the DENR standards.

SECTION 31. Submission of Biennial Annual Report on the Amount of Mine Wastes and Tailings Produced, Contained and/or Utilized. All operating SSMC/MPL holder shall submit a biennial annual report on the amount of mine wastes and tailings produced, contained, and/or utilized to the Board, copy furnished the Regional Office concerned within fifteen (15) working days after the end of each year using the prescribed format (Form No. SSM-A-02).

A Small-Scale Mining Contractor/MPL holder with no mine wastes and tailings generated shall be deemed to have no report stating that for the said year no such materials were generated.

The Board or its representative shall conduct annual field verification of the amount of mine wastes and tailings produced, contained and/or utilized by each small-scale mining contractor or mineral processor or its operator using the prescribed format (Form No. SSM-A-03).

SECTION 32. Small-Scale Mine Waste and Tailings Fee. Small-scale mine wastes and tailings fees shall be collected annually from each operating SSMC/MPL holder under small-scale mining contract area located. Provided, That the basic fee shall accrue to the MWT Reserve Fund. Provided, That mine wastes and tailings utilized for the following shall be exempted from payment of MWT fee:

- Filling materials for underground mine openings;
- Filling materials for surface mine openings and tailings storage facility embankment; and
- Sold to MPL holder or Mineral Processing Permit holder.

MWT fees shall be payable to the Provincial/City government concerned within forty five (45) calendar days after the end of the calendar year to be used for payment of compliance with the Small-Scale Mining Contract/Mineral Processor's License. The amount of payment of MWT fee shall be submitted to the Board, copy furnished the Regional Office concerned. Provided, That any shortfall in the amount needed to compensate claims for damages, shall be shouldered by the SSMC/MPL holder.

CHAPTER VIII FISCAL AND REGULATORY PROVISIONS

SECTION 33. Payment of Taxes and Government Production Share. The Small-Scale Mining Contractor/Mineral Processor shall pay to the government the following:

- National and local taxes as provided for in the National Internal Revenue Code;
- Royalty, if within mineral reservations; and
- Government production share.

SECTION 34. Payment of Occupation Fee. The Small-Scale Mining Contractor shall pay to the government the occupation fee of One Hundred Pesos (PNP100.00) per hectare or a fraction thereof per year which shall be paid to the municipality where the claimant is located. Provided, That the initial occupation fee shall be paid on the date the Small-Scale Mining Contract is approved.

SECTION 35. Grounds for Suspension and Administrative Fines. Small-scale mining operations covered by a Small-Scale Mining Contract/Mineral Processor's License may be suspended on the following grounds:

- Violation of the safety standards as stated in DAO No. 97-30;
- Non-compliance with the terms and conditions of the Small-Scale Mining Contract and Mineral Processor's License;
- Late or non-submission of reportorial requirements;
- Non-compliance with the approved PEIMP, CDMP and ASHP;
- Non-compliance with the approved Two (2)-Year Work Program;
- SSMC/MPL holder with tailings impoundment/Disposal system that were found deficient and/or to be discharging solid fractions of tailings into areas other than the approved tailings disposal area shall pay PNP100,000.00 tax, which shall accrue to the EMSDF Reserve Fund. This is without prejudice to the civil and criminal liabilities imposed upon the Small-Scale Mining Contractor or MPL holder under other existing laws, rules and regulations; and
- Late or non-submission of sworn assessment of mine wastes and tailings produced, contained, and/or utilized shall mean non-availability of the exemption from payment of MWT fees and a fine of Five Thousand Pesos (PNP5,000.00).

SECTION 36. Cancellation of Small-Scale Mining Contract/Mineral Processor's License may be cancelled, after the process, on the following grounds:

- Gross violation of the terms and conditions of the Small-Scale Mining Contract/Mineral Processor's License;
- Failure to operate within one (1) year after the approval of the SSMC/MPL holder;
- Non-payment of fees, taxes, royalties and/or government production share in accordance with this Administrative Order and other applicable laws, rules and



allowable term for working area shall be two (2) meters.

Any deviation from the standards shall be subject to the approval of the Board.

SECTION 12. Award of People's Small-Scale Mining Contract. Within fifteen (15) working days upon receipt of all the pertinent requirements, the Board shall award the Small-Scale Mining Contract. A copy of the Small-Scale Mining Contract, together with its supporting documents, shall be forwarded to the Director for information and record within three (3) working days after the registration of the contract with the Board. Provided, That the Small-Scale Mining Contractor shall start mining operations within one (1) year from the date of award.

SECTION 13. Terms and Conditions of Small-Scale Mining Contract. The following terms and conditions shall be incorporated in the Small-Scale Mining Contract:

1. The Small-Scale Mining Contract shall have a term of two (2) years, renewable for like periods. Provided, (1) That the Small-Scale Mining Contractor has complied with the terms and conditions of the Small-Scale Mining Contract and the provisions of RA No. 7078 as verified by the Board; (2) That the application for renewal shall be filed not later than sixty (60) days prior to the expiry of the Small-Scale Mining Contract; (3) That the application for renewal shall be accompanied by the following:

1. Fully accomplished application form (refer to Form No. SSM-A-01);
2. Proof of payment of Application Fee of PNP10,000.00, payable to the Provincial/City government concerned;
3. Certification from the Board as to the compliance with the terms and conditions of the Small-Scale Mining Contract, which shall be issued not earlier than sixty (60) days prior to the expiration of the Small-Scale Mining Contract;
4. Proposed Two (2)-Year Work Program covering the renewal period; and
5. The Potential Environmental Impact Management Plan (PEIMP), Community Development Management Plan (CDMP) and Annual Safety and Health Program (ASHP) shall be approved by the Board within fifteen (15) days from receipt.

6. The Small-Scale Mining Contractor shall:

1. Before the conduct of mining operations:
 - a. Establish survey monument on the area;
 - b. Have an approved PEIMP, CDMP, ASHP;
 - c. Conduct small-scale mining in accordance with the Two (2)-Year Work Program, PEIMP, ASHP and CDMP, duly approved by the Board, and the ECC;
 - d. Any applicant for SSMC who is not the Petitioner shall reimburse the latter the cost of the expenses in the operation of the Mining Bayan proportionate to the applicant contract area;
 - e. Not undertake hydraulic or compressor mining at any stage of small-scale mining operations;
 - f. No use mercury in any phase of small-scale mining;
 - g. Continue small-scale mining to its small-scale mining contract area, as defined by DAC No. 97-30, otherwise known as the "Small-Scale Mine Safety Rules and Regulations";
 - h. Comply with its obligations to the holder of a mining permit/contract, if applicable;
 - i. Sell its production outputs to the Bangko Sentral ng Pilipinas (BSP) or any its accredited buyers or processors in the case of gold production.
 - j. If, for all cases, royalties and/or government production share as provided by law at the time the Small-Scale Mining Contract is awarded, unless exempted;
 - k. Comply with pertinent rules and regulations on environmental protection and conservation, particularly those on tree-cutting, mineral processing and pollution control;
 - l. Submit under oath at the end of each quarter a detailed production report and annual financial report to the Board; and
 - m. Assume responsibility for the safety of persons working in the mines and compliance with RA No. 8231, an act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child, Amended, and for other purposes, RA No. 7610, as Amended, Otherwise Known as the "Special Protection of Children against Child Abuse, Exploitation and Discrimination Act".

CHAPTER IV MINERAL PROCESSING

SECTION 14. General Provisions. Small-scale mineral processing shall be undertaken only in Mineral Processing Zones (MPZ) under a Mineral Processing License (MPL). Provided, That no mercury shall be used in mineral processing.

SECTION 15. Establishment and Operation of Centralized Custom Mills/Plants and Mineral Processing Zones. Mineral Processing Zones shall be duly designated by the local government unit concerned upon the recommendation of the Board.

In the recovery of gold, custom mill/processor plants shall not use mercury, instead gravity concentration/cyanidation and/or other flash mercury recovery methods shall be utilized.

Custom mill/processing plants shall be constructed to cater for the production volume of Small-Scale Mining Contractors. Maximum annual capacity of 50,000 tons per annum shall be required and maximum floor area of 1,500 square meters per annum. Capital expenditure for the mill plant shall not be less than Two Million Pesos (PNP2,000,000.00) but not more than Twenty-five Million Pesos (PNP25,000,000.00).

Custom mills shall be operated in the designated MPZ and shall be constituted as withholding agents for the royalties, production share or other taxes due the government. Provided, That as withholding agents, such custom mills shall be registered with the Bureau of Internal Revenue Office concerned.

In case processing zone shall be located outside the Mining Bayan and is within mining permit or contract area, the consent of the permittee or the contractor shall be required and the Board shall determine the amount of compensation due the mining permittee(s) or holder(s) of mining permit/contract.

In mining areas where the private sector is unable to establish a custom mill, the Board shall recommend to the Department thru the Director the construction of the custom mill, if viable.

The Department thru the Bureau shall establish or designate assay laboratories to cross-check the integrity of custom mills and to render metallurgical and laboratory services to miners.

SECTION 16. Application for Mineral Processor's License. An application for Mineral Processor's License (MPL) shall be filed by a qualified person either personally or through his/her duly authorized representative with the Regional Office concerned. Provided, That a MPL application shall be accepted only upon payment of the required fees in the amount of Ten Thousand Pesos (PNP10,000.00) to the Provincial/City Government concerned, without prejudice to other fees and charges that may be imposed by the local government by way of an ordinance. Provided further, That any application with incomplete mandatory requirements shall not be accepted.

Upon payment of the filing fee, the applicant shall submit at least five (5) sets of the following mandatory requirements:

1. For association or cooperative:
 1. Original or certified true copy of Certificate of Registration issued by the SEC or authorized government agency concerned;
 2. Original or certified true copy of Articles of Association/Coop Erection and By-Laws duly certified by the SEC or authorized government agency concerned or Bureau of Internal Revenue Office concerned; and
 3. That said documents are duly registered in that Office, with a minimum authorized capital of Ten Million Pesos (PNP10,000,000.00) and not to exceed Two Hundred Million Pesos (PNP200,000,000.00);
 4. Location map/sketch plan of the area of the proposed processing plant using NAMRIA topographic map in a scale of 1:50,000 or 1:10,000;
 5. Project Description and plant layout/design including cost of project duly prepared and signed by a Licensed Metallurgical Engineer;
 6. Small-Scale Mining License of the duly authorized representative;
 7. Proof of technical competence;
 8. Proof of financial capability such as latest Audited Financial Statement, Annual Report for the preceding year, and credit line(s) and/or proof of bank deposit(s), in the amount that shall not be less than the cost of project; and
 9. Supply contract/agreement with the small-scale mining contractor(s) (MPL holder/s);
2. For individual miner:
 1. Location map/sketch plan of the area of the proposed processing plant using NAMRIA topographic map in a scale of 1:50,000 or 1:10,000;
 2. Project Description and plant layout/design including cost of project duly prepared and signed by a Licensed Metallurgical Engineer;
 3. Small-Scale Mining License of the duly authorized representative;
 4. Proof of technical competence;
 5. Proof of financial capability such as latest Audited Financial Statement, Annual Report for the preceding year, and credit line(s) and/or proof of bank deposit(s), in the amount that shall not be less than the cost of project; and
 6. Supply contract/agreement with the Small-Scale Mining Contractor(s) (MPL holder).

The Certificate of Non-Overlap for areas without ICCA/PA shall be secured by the Mineral Processor's License applicant in accordance with the existing NCIP rules and regulations and shall be submitted to the Board seven (7) days from receipt of the Certificate.

The Certification Precondition shall be secured by the Mineral Processor's License applicant in accordance with the existing NCIP rules and regulations and shall be submitted to the Board seven (7) days from receipt of the Certificate.

In case the Certification Precondition is not issued within the NCIP's prescribed period, the Small-Scale Mining Contractor applicant shall submit the NCIP's Field-Based Investigation Report/Field Report for the applied area and the Memorandum of Agreement with the ICCA/PA concerned.

The Mineral Processor's License applicant shall secure an Environmental Compliance Certificate (ECC), which shall be submitted to the Board prior to the issuance of the Mineral Processor's License.

The Potential Environmental Impact Management Plan (PEIMP), Community Development Management Plan (CDMP) and Annual Safety and Health Program (ASHP) shall be submitted to the Board, for approval within fifteen (15) working days from receipt.

SECTION 17. Processing/Registration/Issuance of a Mineral Processor's License. Upon compliance with all the pertinent requirements, the Board may approve an application for MPL. The Board shall not issue the application if cause the registration and payment of the required fees within five (5) working days from registration copy

furnished the Regional Office concerned

SECTION 18. Terms and Conditions of Mineral Processor's License. The MPL shall have the following terms and conditions:

1. The Processor shall:
 1. Have PEIMP, CDMP and ASHP duly approved by the Board before the conduct of mineral processing operations;
 2. Assume full responsibility and be liable for damages to private and/or public property(ies) that may be occasioned by his/her/its operations under the MPL;
 3. Submit to the Board the applicable production and activity reports prescribed in Chapter XXIX of Department Administrative Order (DAO) No. 2010-21; The Board may conduct an on-site validation of the submitted reports subject to the payment of the required verification fee;
 4. Conduct his/her/its operations in accordance with the PEIMP, ASHP, CDMP and ECC;
 5. Conduct his/her/its operations in accordance with the provisions of RA No. 7078, the Administrative Order and DAO No. 97-30 known as "Small-Scale Mine Safety Rules and Regulations";
 6. Respect the right of women workers to participate in policy and decision-making processes affecting their rights and benefits and not discriminate on the basis of gender;
 7. Comply with the provisions of Section 12 of RA 7613 as amended by RA No. 9231;
 8. Pay fees, rates and other financial obligations in accordance with existing laws, rules and regulations;
 9. Give preference to goods and services produced and offered in the Philippines of comparable quality and cost; and
 10. Utilize the best available appropriate and efficient mineral processing technology.
2. The term of the MPL shall be for five (5) years, renewable for like periods but not to exceed a total term of twenty-five (25) years. Provided, That no renewal of the MPL shall be allowed unless the Processor has complied with all the terms and conditions of the MPL and has not been found guilty of violation of any provision of the RA No. 7078 and other existing laws, rules and regulations and this Administrative Order;
3. MPL should only process ores from Small-Scale Mining Contractors and/or other MPL holders;
4. Withdrawal by the Processor from the MPL, shall not release it from any and all financial, environmental, social, legal and/or fiscal obligations; and
5. Such other terms and conditions consistent with the Constitution, RA No. 7078, the Administrative Order and other existing laws, rules and regulations.

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1. Declares and segregates existing gold-rich areas for small-scale mining;
2. Declares, segregates and reserves for the future, mineralized areas/land parcels as Mining Bayan;
3. Issues and signs the PEIMP, CDMP, ASHP;
4. Awards and registers Small-Scale Mining Contracts and Mineral Processing Licenses;
5. Formulates its own guidelines and implements rules and regulations related to RA No. 7078;
6. Settles disputes/contracts or litigations over conflicting claims within a people's small-scale mining area;
7. Suspends, cancels and revokes for cause after due process Small-Scale Mining Contracts and Mineral Processing Licenses;
8. Submits to the Department and the Bureau a comprehensive Annual Report of the overall operation of the Mining Bayan;
9. Performs such other functions as may be necessary to achieve the goals and objectives of RA No. 7078.

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1. Regional Director concerned or his/her duly authorized representative as Chairman;
2. Provincial Governor or City Mayor or his/her representative as Member;
3. One (1) small-scale mining representative as Member;
4. One (1) large-scale mining representative as Member; and
5. One (1) representative from an environmental non-government organization as Member.

Technical Secretariat/Staff shall be provided by the Regional Office concerned.

In areas with existing ICCA/PAs, the Board may issue a resolution to include representations from other agencies, as co-owner.

In provinces and cities where the Board have not been constituted, the said Board shall be operational within three (3) months from the effectivity of this Administrative Order.

SECTION 22. Honorarium of the Board. The chairperson, members and secretary of the Board shall receive honorarium for their services in the manner prescribed by pertinent laws subject to existing accounting and auditing procedures.

The Provincial/City government concerned shall allocate funds for the operational expenses, including honorarium, of the Board and its secretariat/staff.

CHAPTER VI RIGHTS

SECTION 23. Eminent Rights. Upon the declaration of a Mining Bayan, the Director, thru the police, in consultation with the holders of mining permits/contracts, operators, or landowners of the affected area, shall determine the right of the small-scale miners to existing facilities, such as mining and logging roads, private roads, port and communication facilities and processing plants which are necessary for small-scale mining, subject to payment of royalties to the parties concerned.

SECTION 24. Rights under a Small-Scale Mining Contract. A Small-Scale Mining Contract entitles the holder the right to extract and dispose of minerals for commercial purposes over the area covered thereby. Provided, That in no case shall the Small-Scale Mining Contractor be subject to expropriation or confiscation transferred.

SECTION 25. Rights of Claimowners. In case a site declared and set as a People's Small-Scale Mining Area is covered by an existing mining right, the claimowner and the small-scale miners therein are encouraged to enter into a voluntary and acceptable contractual agreement with respect to the small-scale utilization of the mineral values from the area under claim. In case of disagreement, the claimowners shall be entitled to the following rights and privileges:

1. Exemption from the performance of annual work obligations and payment of occupation fees, rental, and real property taxes;
2. Subject to the approval of the Board, the right to conduct the contract area to conduct metallurgical with the operations of the small-scale miners; and
3. Royalty equivalent to one and one-half (1 1/2%) of the gross value of the metallic mineral output or one percent (1%) of the gross value of the non-metallic mineral output to be paid to the claimowner. Provided, That such rights and privileges shall be available only if he is not delinquent in the performance of his annual work obligations and other requirements for the last two (2) years prior to the effectivity of this Act.

SECTION 26. Rights of Private Landowners. The private landowner or lawful possessor shall be notified of any plan or petition to declare his land as a people's small-scale mining area. Said landowner may file a petition or objection in an appropriate proceeding and hearing conducted before the Board.

If a private land is declared as a people's small-scale mining area, the owner and the small-scale Mining Contractors are encouraged to enter into a voluntary and acceptable contractual agreement for small-scale utilization of the mineral values from the private land. Provided, That the owner shall in all cases be entitled to the payment of actual damages which may suffer as a result of such declaration. Provided, further, That royalties shall be paid to the owner shall be no less than one percent (1%) of the gross value of the minerals recovered as royalty.

SECTION 27. Ownership of Mill Tailings. In the absence of a prior written agreement, the Small-Scale Mining Contractor concerned shall be the owner of the mill tailings produced from the custom mill. It may sell the tailings, or have them re-processed in any custom mill. Provided, That if the Small-Scale Mining Contractor concerned desires to sell his/her/its mill tailings, the claimowner shall have a pre-emptive right to purchase said mill tailings at the prevailing market price.

The Contractor and Processor shall submit to the Board copy furnished the Regional Office concerned a report on the sale/disposal of mill tailings.

CHAPTER VII ENVIRONMENTAL PROTECTION, COMMUNITY DEVELOPMENT, AND SAFETY AND HEALTH

SECTION 28. Environmental Protection and Community Development and Management Program. To ensure the protection of the environment and the development of host and neighboring communities, the Small-Scale Mining Contractor or MPL holder shall submit a two (2)-year Potential Environmental Impact Management Plan (PEIMP) and Community Development and Management Plan (CDMP) which shall be initially evaluated by the Regional Office concerned within fifteen (15) working days upon receipt and endorsed the same to the Board for approval.

The PEIMP shall provide a description of the expanded and considered acceptable means to deliver the "EIMP" and shall be applied to be applied based on best practice in environmental and biodiversity strategies at all stages of small-scale mining operation wherever applicable. The PEIMP shall be based on the Environmental Compliance Certificate.

The CDMP shall be prepared in consultation and in partnership with its host and neighboring communities.

An annual status report of the physical and financial accomplishment on the implementation of PEIMP and CDMP shall be submitted to the Board concerned, subject to annual monitoring/audit.

The Small-Scale Mining Contractor or MPL holder shall set up an Environmental Management and Social Development Fund (EMSD) in strict compliance with approved activities as defined in the "EIMP" and CDMP. The EMSD shall be equivalent to ten percent (10%) of the total operating cost for the whole duration of the contract/permit or One Hundred Twenty-Five Thousand Pesos (PNP125,000.00), whichever is higher. Provided, That the EMSD shall be used for the implementation of PEIMP and CDMP. Further, that for MPL, the EMSDF shall be equivalent to three percent (3%) of the capital requirement. Provided, finally, That an amount in the amount needed to achieve the objectives of PEIMP and CDMP, shall be included in the amount needed by the Small-Scale Mining Contractor/MPL holder.

The EMSDF shall be deposited in a Government depository bank after the execution of the Tripartite Memorandum of Agreement among the Small-Scale Mining Contractor or MPL holder, the Board and the Government depository bank. Provided, That the request for withdrawal and disbursement from the EMSDF shall be made by the Small-Scale Mining Contractor only, non-compliance therewith, PEIMP and CDMP, shall be submitted to the Board for consideration and approval.

The Secretary upon the recommendation of the Bureau, is authorized to increase the said fees when national interest and public welfare so require.

SECTION 29. Safety and Health Program. To ensure the safety and health of small-scale miners and mineral processing plant workers, the Small-Scale Mining Contractor and MPL holder shall submit an Annual Safety and Health Program (ASHP) covering its area of operations at least fifteen (15) calendar days before the start of every calendar year. The Small-Scale Mining Contractor and MPL holder shall abide by the provisions of DAO No. 97-30, otherwise known as the "Small-Scale Mine Safety Rules and Regulations".

SECTION 30. Mine Wastes Dump and Tailings Storage Facility

A. Mine Wastes Dump

The following are the guidelines on:

a. Site Selection of Mine Wastes Dump:

1. Mine wastes dump shall be located far from old growth or virgin forest, proclaimed watershed forest reserves, wilderness areas, mangrove forests, mossy forests, national parks, greenlands, game reserves, bird sanctuaries and areas proclaimed as marine reserves/marine parks, and tourist zones. As defined by law a buffer of not less than 500 meters from the perimeter shall be maintained;
2. Mine wastes dump shall be located away from water bodies so that water after rehabilitation shall not be a factor of safety against failure of at least 1:1 under static loading conditions and at least 0.50:1:2 under maximum probable earthquake loading conditions; and
3. Mine wastes dump shall accommodate mine wastes produced from the entire life of small-scale mining operation; and
4. The mine waste dump shall be designed and constructed above the maximum flood level.

b. Design of Mine Wastes Dump:

1. The exposed face of the mine, the geology, hydrology, ecology, land use, topography, climate, area of land available, and vegetation of the site shall be considered in the design (e.g. height, slope, area, shape, etc.) of mine wastes dump; and
2. Drainage system shall be constructed to handle heavy rainfall event.

c. Construction of Mine Wastes Dump

1. Site disturbance shall be limited and conform with the proposed design;
2. Drainage system shall be constructed during dump build-up and shall enable rainfall run-off to be shed from the dump without causing erosion;
3. Any pre-eroded topsoil shall be stockpiled separately; and
4. Drilled topsoil shall be contained and protected from erosion for future rehabilitation purposes.

B. Mill Tailings Storage Facility

Mill Tailings Storage Facility (MTSF) shall be located far from declared watershed areas and free from spillage, water, and/or washing away of tailings by surface runoff during heavy rain or significant areas and natural drainage systems (tributaries, creeks and/or rivers). The following are the guidelines on:

a. Embankment Design of MTSF:

1. Impoundment close to the coast shall be above the maximum storm surge level;
2. Impoundment formed of earth or earth and rock materials shall be designed and constructed to be a factor of safety against failure of at least 1:1 under static loading conditions and at least 0.50:1:2 under maximum probable earthquake loading conditions; and
3. Tailings embankment shall be constructed to be no less than ninety percent (90%) of proctor density.

b. Construction of the MTSF:

1. Freeboard requirement during MTSF construction stage shall take into consideration the hydrology/flooding in the area. Current, and/or water diversion or spillway wherever necessary, shall also be provided;
2. A five (5) year flood cycle shall be considered during MTSF construction stage;
3. Materials to be used for embankment shall be non-acid and non-toxic leachates generating materials; and
4. The MPL holder shall submit an "as-built" report to the Board after the MTSF construction.

c. Operation of MTSF:

1. Sufficient freeboard of at least five (5) meters depending on the hydrological/flooding consideration shall be maintained during operation of the impoundment; A one hundred (100) year flood cycle shall be taken into account during active impoundment operation;
2. Construction slopes shall be designed with an angle of repose, a maximum angle of 1:1 along the upstream slope and 1.5:1 along the downstream slope; and
3. Whenever possible, all wastewater from the MTSF shall be recycled and utilized for mining and milling purposes. A zero wastewater discharged shall always be practiced.

There shall be only one (1) MTSF to be constituted within the designated MPZ. The Processor shall be allowed to operate within a MTSF and shall construct and manage the MTSF with due and equal emphasis on economic and environmental considerations, as well as safety, health, social, and cultural concerns and shall be held liable on the MTSF integrity.

MTSF of small-scale mining operations shall be located, designed, constructed, operated and rehabilitated/dismantled such that they can be returned to productive long term and agreed land use.

The Board shall monitor and regulate the MTSF. Direct and indirect disposal of mill tailings into natural drainage systems (including rivers and tributaries) and flushing of mill tailings are prohibited. Any water discharge from the MTSF shall conform to the DENR standards.

SECTION 31. Submission of Biennial Annual Report on the Amount of Mine Wastes and Tailings Produced, Contained and/or Utilized. All operating SSMC/MPL holder shall submit a biennial annual report on the amount of mine wastes and tailings produced, contained, and/or utilized to the Board, copy furnished the Regional Office concerned within fifteen (15) working days after the end of each year using the prescribed format (Form No. SSM-A-07).

A Small-Scale Mining Contractor/MPL holder with no mine wastes and tailings generated shall be deemed to have complied with the report stating that for the said year no such materials were generated.

The Board or its representative shall conduct annual field verification of the amount of mine wastes and tailings produced, contained and/or utilized by each small-scale mining contractor or mineral processor or its operator using the prescribed format (Form No. SSM-A-07).

SECTION 32. Small-Scale Mine Waste and Tailings Fee. Small-scale mine wastes and tailings fees shall be collected annually from each operating SSMC/MPL holder under small-scale mining contract area located. Provided, That the basic fee shall accrue to the MWT Reserve Fund. Provided, That mine wastes and tailings utilized for the following shall be exempted from payment of MWT fee:

1. Filling materials for underground mine openings;
2. Filling materials for surface mine openings and tailings storage facility embankment; and
3. Sold to MPL holder or Mineral Processing Permit holder.

MWT fees shall be payable to the Provincial/City government concerned within forty five (45) calendar days after the end of the calendar year to be used for payment of compliance with the Small-Scale Mining Contractor's operations. Provided, that payment of MWT fee shall be submitted to the Board, copy furnished the Regional Office concerned. Provided, That any shortfall in the amount needed to compensate claims for damages, shall be shouldered by the SSMC/MPL holder.

CHAPTER VIII FISCAL AND REGULATORY PROVISIONS

SECTION 33. Payment of Taxes and Government Production Share. The Small-Scale Mining Contractor/Mineral Processor shall pay to the government the following:

1. National and local taxes due as provided for in the National Internal Revenue Code;
2. Royalty, if within mineral reservations; and
3. Government production share.

SECTION 34. Payment of Occupation Fee. The Small-Scale Mining Contractor shall pay to the government the occupation fee of One Hundred Pesos (PNP100.00) per hectare or a fraction thereof per year which shall be paid to the municipality where the occupation fee is levied. Provided, That the initial occupation fee shall be paid on the date the Small-Scale Mining Contract is approved.

SECTION 35. Grounds for Suspension and Administrative Fines. Small-scale mining operations covered by a Small-Scale Mining Contract/Mineral Processor's License may be suspended on the following grounds:

1. Violation of the safety standards as stated in DAO No. 97-30;
2. Non-compliance with the terms and conditions of the Small-Scale Mining Contract and Mineral Processor's License;
3. Late or non-submission of reportorial requirements;
4. Non-compliance with the approved PEIMP, CDMP and ASHP;
5. Non-compliance with the approved Two (2)-Year Work Program;
6. SSMC/MPL holder with tailings impoundment/Disposal system that were found deficient and/or to be discharging solid fractions of tailings into areas other than the approved tailings disposal area shall pay PNP100,000.00 tax, which shall accrue to the EMSDF Reserve Fund. This is without prejudice to the civil and criminal liabilities imposed upon the Small-Scale Mining Contractor or MPL holder under other existing laws, rules and regulations; and
7. Late or non-submission of sworn assessment of mine wastes and tailings produced, contained, and/or utilized shall mean non-availability of the exemption from payment of MWT fees and a fine of Five Thousand Pesos (PNP5,000.00).

SECTION 36. Cancellation of Small-Scale Mining Contract/Mineral Processor's License may be cancelled, after the process, on the following grounds:

1. Gross violation of the terms and conditions of the Small-Scale Mining Contract/Mineral Processor's License;
2. Failure to operate within one (1) year after the approval of the SSMC/MPL holder;
3. Non-payment of fees, taxes, royalties and/or government production share in accordance with this Administrative Order and other applicable laws, rules and



C. POSSIBLE IMPACTS AND MITIGATING MEASURES (Describe briefly and please add separate sheet/s, if necessary)

Table with 4 columns: Particular, Impact, Mitigating Measures, Estimated Cost (P)

D. REHABILITATION

Table with 3 columns: Areas for Rehabilitation, Rehabilitation/Decommissioning Activities, Cost (P)

Accountability Statement

This is to certify that all the information in the Potential Environmental Impact Management Plan (PEIMP) are true, accurate and complete.

We hereby bind ourselves jointly and solidarily for any penalties that may be imposed arising from any misrepresentations or failure to state material information in the PEIMP.

In witness whereof, we hereby set our hands this ___ day of ___ at ___

Name & Signature of Preparer (Dry Seal) (Mining/Metallurgical Engineer, Geologist) PRC License Number: PTR Number: Issued On: Issued At: T.J.N. No.:

Name & Signature of Proponent/Representative Designation

Attach the following:

- a. Small scale mining permit b. Environmental Compliance Certificate (ECC)

Form No. 558-04

COMMUNITY DEVELOPMENT AND MANAGEMENT PROGRAM (CDMP) (For Small-Scale Mining/Quarrying Operations) Chapter VII DAD 2013-03

- 1. INTRODUCTION a. Mining Project Background b. Coverage of the Impact Communities c. Budgetary Allocation d. SITE PROFILE OF THE IDENTIFIED HOST AND NEIGHBORING COMMUNITIES e. General Location f. Environmental Conditions g. Socio-Economic Conditions h. CDMP METHODOLOGY i. Identified Community Assessment j. Community Issues/Problems/Concerns k. CDMP DEVELOPMENT FRAMEWORK l. Program Monitoring m. PPI/Na MATRIX PRESENTATION

Table with 5 columns: Priority/Program Activity, Location, Target Beneficiaries, PPI/Na Cost, Date of Implementation, Remarks

- 6. ATTACHMENTS/ANNEXES (Minutes of Stakeholder Consultation, Attendance Sheet, Maps, Pictures, Tables, Graphs, etc.)

Prepared by:

Position, Company Name

Form No. 558-05

GUIDELINE ON THE IMPLEMENTATION OF THE SAFETY AND HEALTH PROGRAM (SHP) FOR SMALL SCALE MINING

- 1. Name and address of the company A. Mine site office and name of mine site officials B. Organizational structures C. Type and nature of the project D. Brief description of the project E. Detailed discussions of the activities to be undertaken F. Leadership and Administration G. Organizational Rules H. Safety Meetings

D. Management and Employee Training

- Safety and Health Training (Examples of training sessions: eight hours mandatory safety and health training for workers; standard basic life support training; first aid training; fire fighting training; mine rescue training and proper housekeeping training.)

E. Health Control and Services

- Memorandum of Agreement with nearest hospital for medical services. • Coordination with the Department of Health regarding the Prevention and Control of HIV, TB and Hepatitis B, and Health Promotions on Drug-free workplace, Mental Health, and Healthy Lifestyle as per RA 11058.)

F. Planned Inspections

(planned general inspections with established frequency should be conducted on all workplaces.)

G. Accident/Incident Investigation

- Analysis of Accidents (Brief analysis of the injuries and illnesses.) • Creation / Update of Accident Statistics (all injuries, occupational illnesses, property damage, accident and incidents.)

H. Emergency Preparedness

- Creation of Emergency Response Team (a coordinator should be appointed to administer the overall emergency program of the mine/plant operation.) • Emergency teams should be put in place to deal with emergencies and be supported with all appropriate equipment and facilities including emergency power and communication. • Conduct of Quarterly Emergency Drills (quarterly emergency drills should be conducted. Emergency drill reports should be submitted to the Bureau copy furnished the Regional Office.)

I. Good Housekeeping

- Maintenance of Workplace (good housekeeping should be maintained in all working places through proper housekeeping procedures and activities/practices.)

J. Personal Protective Equipment (PPE)

- Identification of Required PPE as per Job Hazard Analysis (brief analysis on the job hazard in the mine/plant area and determine the PPE needed.) • Issuance of PPE (PPE should be provided to employees free of charge and worn out PPE should be replaced.)

K. Safety Promotions

- Safety and Health Slogan and Poster (slogans and posters to reinforce the promotion of safety and health consciousness to all employees.) • Safest Miner Award (awards could be in the forms of cash awards, certificates, plaques, tokens, etc.) • Healthy Lifestyle (examples: sports fest, Zumba program, etc.)

L. Community Consultation / Program Dissemination

- Conduct IEC with Impacted Community / Stakeholders (educational workshop about the mine operation.)

M. Matrix of the Summary of Targeted Activities, Schedule and Budget Allocation.

Matrix table with columns: Activity, Sub-activity, Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec, Total

Form No. 558-06

Republic of the Philippines DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MINES AND GEOSCIENCES BUREAU North Avenue, Diliman, Quezon City

ANNUAL REPORT ON MINE WASTES AND TAILINGS PRODUCED, CONTAINED, AND/OR UTILIZED FOR THE YEAR 20_

Small-Scale Mining Contractor/ Mineral Processing Permit Holder: Tenant: Project Location:

Table A: Tonnage of Mine Wastes Produced, Contained, and/or Utilized. Columns: Month, Produced (MT), Utilized (MT), Combined (MT)

Formula: C=A+B

B. Manner of Utilization

- 1. Filling materials a. For underground mine openings b. For surface mine openings c. For tailings dams d. For roads e. For housing areas f. For reclamation 2. Sold to M/PLMPP Holders

Table C: Tonnage of Tailings Produced, Contained, and/or Utilized. Columns: Month, Produced (MT), Utilized (MT), Combined (MT)

Formula: C=A+B

D. Manner of Utilization

- 1. Filling materials a. For underground mine openings b. For surface mine openings c. For tailings dams d. For roads e. For housing areas f. For reclamation 2. Sold to M/PLMPP Holders

Prepared for:

(Name of Company)

By:

(Signature)

(Designation/Position)

SUBSCRIBED AND SWORN to before me this ___ day of ___ 20_ at ___ on/off exhibiting to me his/her ID No. ___ issued at ___

Doc. No. Page No. Book No. Series of 20_

Form No. 558-07

Republic of the Philippines DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES MINES AND GEOSCIENCES BUREAU REGIONAL OFFICE NO. ___

MINE WASTES AND TAILINGS VERIFICATION REPORT

Form fields: Small-Scale Mining Contractor/Mineral Processing Permit Holder, Project Location, Date of Verification, Period Covered, Verified by, Designation, Signature

REPORT ON THE VERIFICATION OF THE TONNAGE OF MINE WASTES AND TAILINGS PRODUCED, CONTAINED AND/OR UTILIZED BY

Company Name

I. INTRODUCTION

Pursuant to the pertinent provisions of Department of Environment and Natural Resources Administrative Order No. 2015-02, the Revised Implementing Rules and Regulations of Republic Act No. 7076, the Peoples Small-Scale Mining Act of 1991, a field verification of the tonnage of mine wastes and tailings generated by and how such materials were produced, contained and/or utilized for the period was conducted by the undersigned at its mine/stamp mill site at ___ on ___

Table No. 1. Basic Information

Table with 2 columns: Field, Value. Fields include Name of Small-scale Mining Contractor/Mineral Processing Permit Holder, President, Date Issued, Date Expire, Project Type, Type of Mines, Area Covered, Mineral Community, Geographic Coordinates, Contact Person(s), Project Operator, Telephone/Fax Number, E-mail Address, Complete Mailing Address

A. Project Location and Accessibility

B. METHODOLOGY

- a. Document review b. Introductory meeting with the company's representative(s) to present the scope, priorities and objectives of the field verification. c. Site inspection which will involve observation, actual field-site verification and photo documentation, and interview with company representative. d. Verification Team to discuss, reconcile and summarize findings and recommendations. e. Field confirmation meeting with the company representative(s) and i. Report preparation.

II. FINDINGS AND OBSERVATIONS

A. Process Flow

This shall contain discussion on the flow of mining and/or mineral processing operations, especially on the generation of mine wastes and tailings.

B. Compliance with the Submission of Report and Payment of Mine Wastes and Tailings Fee

This shall contain discussion on the company's compliance with the submission of sworn annual report, tonnage of mine wastes and tailings produced, contained and/or utilized and status of payment of mine wastes and tailings fees.

Table No. 2. Status on the Submission of Sworn Annual Report

Table with 3 columns: Prescribed Date of Submission, Actual Date of Submission, Remarks

Table No. 3. Mine Wastes and Tailings Generation and/or Utilization

Table with 4 columns: Type, Tonnage of Wastes Produced (MT), Tonnage of Wastes Contained (MT), Tonnage of Wastes Utilized (MT), Mode of Utilization (Include breakdown)

Table No. 4. Tonnage of Mine Wastes Contained in Wastes Dump/ Tonnage of Wastes Contained (MT)

Table with 3 columns: Name of Waste Dump, Period, Tonnage of Wastes Contained (MT)

Table No. 5. Status of Payment of Mine Wastes and Tailings Fees

Table with 5 columns: Type, Period, Tonnage of Wastes Contained (MT), Amount Paid (Php), Date of Payment, Official Receipt No.

Computation of Mine Wastes and Tailings Fees: Mine Waste and Tailings Fee = (Mine Waste (MT) x PHP 15/MT) + (Tailings (MT) x PHP 15/MT)

IV. CONCLUSIONS

V. RECOMMENDATIONS

VI. ATTACHMENTS

- A. Location Map B. Mine Wastes and Tailings Sworn Annual Report C. Photo Documentation with Caption



STRATEGIC
COMMUNICATION
AND
INITIATIVES
SERVICE

Trinidad (Area 071)

The Manila Times

87
PAGE

UPPER
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PAGE 1
STORY

BANNER
STORY

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03-14-22

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PAGE:

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Republic of the Philippines
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City
Tel. Nos. 929-6826 to 29; 929-6633 to 35
926-7041-7041 to 43; 929-8252; 929-1669
Website: <http://www.denr.gov.ph/> E-mail: wcb@denr.gov.ph

NOTICE OF BIDDING MISCELLANEOUS LEASE APPLICATION

Notice is hereby given that the DENR-CENRO at Olongapo City will accept oral or written bids not later 10:30 A.M. on May 10, 2022 for the lease of tract of land herein below described:

Location : Brgy. Sta. Niño, San Felipe, Zambales
Description : Plan Mla-03-000035-D
Beginning at a point marked "1" of Plan Mla-03-000035-D, being N 85° 55' W., 1,483.26 m. from MBM #2, San Narciso, Zambales to corner 1; Thence:
Line 1-2: S 47° 08' E., 200.00 m; Line 2-3: N42° 52' W., 127.77 m;
Line 3-4: N 47° 08' W., 269.50 m; Line 4-1: N71°, 27' E., 145.50 m;

Boundaries:

North: Salvage Zone
East: Foreshore
South: Foreshore
West: West Philippine Sea

Area : 30,000 square meters
Appraised : Land : P 20,250,000.00
Value of : Proposed/Existing Improvements : P 19,920,000.00
Applied for by : **PONGE AND ASSOCIATES CONSTRUCTION CORPORATION**
Rep. by: Jan Erika Danielle C. Taliadoros
Approved Annual Rental : **P806,700.00**

The right to lease the land will be awarded to the person offering the highest annual rental, which shall not less than three percent per centum (3%) of the value of the land plus one per centum (1%) of the value of the proposed and/or existing improvements. In order that a person may be entitled to participate in the bidding, he must be a qualified public land applicant, and must, before the commencement of the same, make a deposit equivalent to at least three (3) months' rental. Only deposit in cash, money, order, treasury warrant, certified check or manager's check can be accepted. A person bidding in representation of another may do so under a duly executed power of attorney. During the bidding, the bidder has to make an additional deposit every time his bid is raised, to complete the three (3) months rental, otherwise, such bid is raised shall not be accepted. The right is reserved to reject any or all bids.

(SGD.) **ROGER V. ENCARNACION**
CENR Officer

MT - Feb. 14, 21, 28, Mar. 7, 14, 21, 2022

14 MARCH 2022, MONDAY



DENR

NEWS ALERTS

COVID-19 NEWS

STRATEGIC COMMUNICATION AND INITIATIVES SERVICE



PH posts 564 new COVID-19 cases; active infections now at 46,537

By: [Zacarian Sarao](#) - [@inquirerdotnet](#)

[INQUIRER.net](#) / 09:35 PM March 13, 2022



FILE PHOTO: Persons identified for contact tracing in connection to COVID-19 patients undergo swabbing procedures inside UP-Philippine General Hospital, Manila. INQUIRER FILE PHOTO / LYN RILLON

MANILA, Philippines — The Department of Health (DOH) reported 564 new infections of COVID-19 on Sunday.

Active cases, meanwhile, slightly dropped to 46,537 in the 3,670,739 confirmed infections.

Total recoveries currently stand at 3,566,592, while COVID-19 deaths are at 57,610.

The DOH released the data through the [COVID-19 tracker](#) on the DOH's website (which usually updates at night), after the agency stopped its daily COVID-19 report and transitioned into a weekly report.

Despite being retained, the COVID-19 tracker will also eventually be updated on a weekly basis, said Health Undersecretary Maria Rosario Vergeire in an earlier statement.

The first weekly report was released on Monday, March 7, where a total of 6,297 new infections of COVID-19 were reported from [March 1 to 7](#).

Health Secretary Francisco Duque III earlier said the transition into a weekly released report is meant to boost the [confidence of the public](#) under the new normal.

Source: <https://newsinfo.inquirer.net/1567752/ph-posts-564-new-covid-19-cases-active-infections-now-at-46537>



NCR mayors prefer status quo

Published 2 hours ago on March 14, 2022 05:00 AM

By [Alvin Murcia](#) @tribunephil_alvi



Tribune Photo by Joey Sanchez Mendoza

The 17 Metro Manila Mayors comprising the Metropolitan Manila Development Authority are not inclined to downgrade to Covid Alert Level 0 from Alert Level 1 in view of the recombinant variant “Deltacron” reported abroad.

Parañaque City Mayor Edwin Olivarez, chairperson of the Metro Manila Council, said he and his fellow mayors have held off talks on recommending easing to Alert Level 0, although they are discussing ways of implementing the so-called “new normal.”

Olivarez said the status quo may be best implemented in the next few weeks as authorities look at the Covid-19 transmission data and the “Deltacron.”

“We must maintain Alert Level 1. We rely on data, although we see that Covid-19 cases have decreased,” Olivarez said.

Citing incidence in his hometown Parañaque City, five out of 16 barangays have already registered zero Covid-19 cases and there have only been 37 active cases among the city’s nearly one million residents.

Some experts said the National Capital Region may be ripe for a pandemic exit, while others expressed caution considering rising cases in Hong Kong and some parts of China.

Olivarez said the removal of the mask mandate should happen last, especially with the reopening of full on-site work and face-to-face classes.

Under Alert Level 1, intrazonal and interzonal travel shall be allowed without regard to age and comorbidities.

All establishments, persons, or activities, are allowed to operate, work, or be undertaken at full on-site or venue/seating capacity provided it is consistent with minimum public health standards.

Source: https://tribune.net.ph/index.php/2022/03/14/ncr-mayors-prefer-status-quo/?utm_source=rss&utm_medium=rss&utm_campaign=ncr-mayors-prefer-status-quo

14 MARCH 2022, MONDAY



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NEWS

ALERTS

VLOGS

STRATEGIC COMMUNICATION AND INITIATIVES SERVICE



Please click this link:

<https://www.youtube.com/watch?v=19iYdTHJ0P0>

#DolomiteBeach #DuterteLegacy #BattleForManilaBay

KAKAIBANG LAMANG DAGAT MAS LALONG DUMAMI!

5,700 views • Mar 13, 2022

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#manilabay

MARIRINIG MO ANG TUNAY NA PAGBABAGO SA MANILA BAY

1,683 views • Mar 13, 2022



48



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