



Republic of the Philippines
Department of Environment and Natural Resources

Visayas Avenue, Diliman, Quezon City 1116
Tel. Nos.: (632) 929-66-26 to 29 • (632) 929-65-52
929-66-20 • 929-66-33 to 35
929-70-41 to 43

OCT 14 2009

ECC-CO- 0904-007-2721

Atty. Leocleto A. Gamolo

President

INTEX RESOURCES PHILIPPINES, INC.

Unit 20B, 20th Floor, Wynsum Corporate Plaza,
F. Ortigas, Jr. Road, Ortigas Center,
Pasig City

Subject: **ENVIRONMENTAL COMPLIANCE CERTIFICATE**

Dear Sir:

This refers to your submitted Environmental Impact Statement (EIS) Report in connection with your application for an Environmental Compliance Certificate (ECC) for the proposed **MINDORO NICKEL PROJECT** to be located at the Municipalities of Victoria, Pola and Socorro in Oriental Mindoro and Municipality of Sablayan in Occidental Mindoro.

After satisfying the requirements in the said application and upon recommendation of the Environmental Management Bureau (EMB), this Department has decided to grant an ECC to the above-mentioned project.

With the issuance of this ECC, you are expected to implement the measures presented in the Environmental Impact Statement (EIS) Report and Environmental Management Plan (EMP), intended to protect and mitigate the project's adverse impacts on community health, welfare and the environment. Environmental considerations shall be incorporated in all phases and aspects of the project. You may proceed with project implementation after securing all the necessary permits from other pertinent government agencies. This Office will be monitoring the project periodically to ensure your compliance with stipulations cited in the attached ECC.

Please be guided accordingly.

Very truly yours,

JOSE L. ATIENZA, JR.
Secretary

cc: EMB Region IV-B
MGB Central Office
MGB Region IV-B
Municipal Office of Victoria, Mindoro Oriental
Municipal Office of Pola, Mindoro Oriental
Municipal Office of Socorro, Mindoro Oriental
Provincial Office of Mindoro Oriental
Municipal Office of Sablayan, Mindoro Occidental
Provincial Office of Mindoro Occidental



Let's Go Green!



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ENVIRONMENTAL COMPLIANCE CERTIFICATE
(Issued under Presidential Decree 1586)
CO- 0904-007-2721

THIS IS TO CERTIFY THAT THE PROPONENT **INTEX RESOURCES PHILIPPINES, INC. (IRPI)**, represented by its President, **Atty. Leocleto A. Gamolo**, is granted this Environmental Compliance Certificate (ECC), for the proposed **MINDORO NICKEL PROJECT** located in the **Municipalities of Victoria, Pola, and Socorro in Oriental Mindoro Province & Municipality of Sablayan in Occidental Mindoro**, by the Department of Environment and Natural Resources (DENR), through the Environmental Management Bureau (EMB).

SUBJECT to the conditions and restrictions set-out herein labeled as Annexes A and B.

PROJECT DESCRIPTION

This Certificate covers the extraction and processing of nickel laterite ore and its by-products such as chromite, cobalt, zinc sulfide, and ammonium sulfate. The following are the major components of the proposed project:

1. **Mine operation** – The extraction of nickel ore will cover the 11, 216.6060 hectares mine tenements comprised of the following:
 - **MPSA No. 167-2000-IVB (2,290.614 has.) and AMA No. IVB-97 (863.9107 hectares)** located at Brgy. Villa Cerveza, Victoria, Oriental Mindoro
 - **AMA No. IVB-101 (3,376 has.) and MPSA No. 227-2009-IVB (4,686.0819 hectares)** located at Brgys. Pag-asa and San Agustin, Sablayan, Occidental Mindoro
2. **Belt conveyor/ore transport route** – The transfer of ore from the mine site to the plant site will be by overland cable conveyor. This shall traverse Brgys. Villa Cerveza and Alcate, Victoria, Oriental Mindoro; Brgys. Fortuna, Zone 3, Calocmoy, Catiningan, Bayuin, & Pula, Socorro, Oriental Mindoro; and Brgys. Campamento, Malibago, & Pula, Pola, Oriental Mindoro.
3. **Processing plant** - The approximately 100 hectares processing plant shall be located at Brgy. Calima, Pola, Oriental Mindoro and will be comprised of the following:
 - High Pressure Acid Leach (HPAL) Plant
 - Sulphuric acid plant
 - Power station
 - Fuel storage facilities
 - Waste treatment plant
 - Warehouse and explosives/detonators storage (page 3-17)
 - Offices, training and medical facilities
 - Access Roads and road upgrades
 - Stockpile area, etc.

- Ore treatment plant

4. **Port facility** – The port with capacity for a range of bulk ships up to handymax size (60,000 DWT) and barges up to 10,000 DWT will be located at Sitio Dayap, Barangay Calima and Brgy. Buhay na Tubig, Pola, Oriental Mindoro.

5. **Residue Storage Facility** – This will be located at Brgys. Buhay na Tubig, Calima, & Bacawan, Pola, Oriental Mindoro and will have a capacity of 145-185 Mm³ based on average dry density for residue of 0.8 t/m³.


The mine is projected to produce between 100-120 million tonnes of ore over a life of 15-20 years. On the other hand, the projected annual production rate from the processing plant is 75,500 tons of mixed sulphide products comprised of 39,400 tons nickel and 3,020 tons cobalt.

This shall also cover construction of mine camp, mine industrial area, field offices, staff houses, laboratory, settling ponds, access roads at the mining and plant sites etc.

This Certification is issued pursuant to the provisions of Presidential Decree No. 1586 and in accordance to DENR Administrative Order No. 2003-30. Non-compliance with any of the provisions of this Certificate shall be a sufficient cause for the cancellation of this Certificate and/or imposition of a fine in an amount not to exceed Fifty Thousand Pesos (Php 50,000.00) for every violation thereof. The EMB, however, is not precluded from reevaluating, adding, removing, and correcting any deficiencies or errors that may be found after issuance of this Certificate.

Issued at DENR, Quezon City Philippines this OCT 14 2009.

Recommending Approval


JULIAN D. AMADOR
Director, EMB

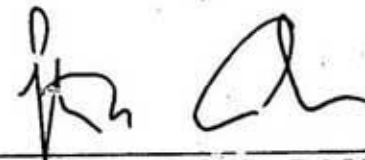
Approved by:


JOSE L. ATIENZA, JR
Secretary



SWORN STATEMENT OF OWNER

I, Atty. Leocleto A. Gamolo, President, representing INTEX Resources Philippines, Inc. with office address located at Unit 20B, 20th Floor, Wynsum Corporate Plaza, F. Otigas, Jr, Road, Ortigas Center, Pasig City takes full responsibility in complying with all conditions contained in this Environmental Compliance Certificate (ECC).



LEOCLETO A. GAMOLO

Signature

TIN NO.

123-492-950

OCT 15 2009

Subscribed and sworn to before me this _____ day of _____, 2009 the above-named affiant taking oath presenting Community Tax Certificate No. 13610603 issued on JANUARY 14, 2009 at PASIG CITY.

DOC. NO. 88
PAGE NO. 18
BOOK NO. XL
SERIES OF 2009

ATTY. JAY T. BORRERO
NOTARY PUBLIC

Signature of Notary Public Officer
EXPIRES UNTIL DEC 31, 2010
REG. NO. 119460 - JAN. 5, 2009
BP. NO. 747051 - DEC 2, 2008 - Q.C.
ATTY'S ROLL NO. 49649
PIN NO. 156-545-237
ECC COMPLIANCE II NO. 000203

I. CONDITIONS

ENVIRONMENTAL MANAGEMENT

All commitments, appropriate mitigating/enhancement measures and monitoring requirements especially those contained in the EIS, its modifications and additional information as approved by the EMB during the EIS review shall be instituted to minimize any adverse impact of the project to the environment throughout the project implementation, including the following:

1. Implementation of an Information, Education and Communication (IEC) Program to explain to all stakeholders, especially to its local residents, mitigating measures embodied in its EIS, the conditions stipulated in this Certificate and the environmental and safety measures in mining and processing operations for greater awareness, understanding and sustained acceptance of the project. An annual detailed IEC program in coordination with the Mines and Geosciences Bureau (MGB) Region IV-B Office and EMB Region IV-B Office should be prepared and submitted;
2. Observance of sound environmental practices including conservation of flora and fauna, proper land use, and sound soil management throughout the project implementation which includes, among others, the following:
 - a. Proper stockpiling and disposal of waste materials generated from the mining and plant sites, silt materials scooped-out from the settling ponds and other solid waste in permanent, stabilized areas away from any water body and drainage systems, and maintain them in safe and non-polluting conditions;
 - b. Construction of siltation ponds and check dams at the mining site, sediment traps, effective drainage system and vegetative buffers to prevent any sediments or sediment load pollutants and discharges into nearby water streams;
 - c. Stabilization and erosion control of the affected side slopes of the roads and nearby creeks within the project site, rehabilitation area, as well as those of the siltation pond shall be immediately undertaken;
 - d. Stockpiling on designated suitable areas maintained at no more than three (3) meters high and stabilized by vegetation to protect it from erosion of topsoil and overburden;
 - e. Use of recovered top soil and overburden materials for re-soiling, rehabilitation or as soil cover on mined-out areas, waste dumps, and other disturbed areas; and
 - f. Progressive rehabilitation/Revegetation/reforestation using species originally found in the area shall be undertaken to restore biodiversity.
3. The proponent shall secure a tree balling permit from the concerned DENR Office and in case that such is not possible, a tree cutting permit shall be secured only as a last recourse;

GENERAL CONDITIONS

4. The mining and processing plant operations shall conform with the applicable provisions of the Toxic and Hazardous Waste Act of 1990 (R.A. 6969),

Ecological and Solid Waste Management Act of 2000 (R.A. 9003), Clean Water Act of 2004 (R.A. 9275), & Clean Air Act of 1999 (R.A. 8749). Meanwhile, Residue Storage Facility (RSF) construction and management shall strictly comply with DMO 99-32;

5. The proponent shall comply with the environmental management and protection requirements of pertinent provisions of the Philippine Mining Act of 1995 (R.A. 7942) and its implementing rules and regulations (DAO. No. 96-40, as amended), as well as the Memorandum of Agreement between EMB and MGB executed on April 16, 1998. These include, among others, submission of the following within thirty (30) days upon receipt of this Certificate:

An Environmental Protection and Enhancement Program (EPEP), with the Final Mine Rehabilitation and/or Decommissioning Plan (FMR/DP) integrated thereto thru the MGB for approval of CLRF Steering Committee. The plan shall also include measures so as not to destroy any of the springs and drainage systems located within or near its mining premises;

Setting-up of a Multi-partite Monitoring Team (MMT), Contingent Liability and Rehabilitation Fund (CLRF) and Environmental Trust Fund (ETF). The CLRF shall consist of the Mine Rehabilitation Fund (MRF), the Mine Waste and Tailings Fees (MWTF) and the Final Mine Rehabilitation and Decommissioning Fund (FMRDF);

Establishment of Mine Environmental Protection and Enhancement Office (MEPEO) to competently handle the environment related aspects of the project in addition to the monitoring requirements as specified in the Environmental Management Plan (EMP)/Environmental Monitoring Plan (EMoP). The MEPEO shall monitor actual project impacts vis-avis the predicted impacts and management measures in the EIS. This shall be included in the Environmental Monitoring Report for submission to EMB (Central Office and Region IV-B);

Implementation of a Social Development and Management Program (SDMP). The SDMP shall be submitted to MGB Region IV-B for approval prior to project's implementation; and

Designation of a Community Relations Officer.

6. In relation to condition no. 4 above, the following component of the processing plant shall be provided with pollution control systems to ensure compliance with pertinent environmental standards:
 - a) Sulfuric acid plant,
 - b) Power station,
 - c) Fuel storage facilities,
 - d) Water treatment plant, and
 - e) Ore treatment plant
7. The proponent shall ensure that its contractors and sub-contractors properly comply with the relevant conditions of this Certificate;

II. RESTRICTIONS

8. The extraction method within the approved mining area shall be contour



mining with no on-site chemical processing and blasting involved;

9. Processing method to be employed at the processing plant shall be High-Pressure Acid Leach (HPAL); and
10. In case of transfer of ownership of this project, these same conditions and restrictions for which written notification must be made by herein grantee to EMB within fifteen (15) days from such transfer.

O.R. No. : 5858089
Processing Fee : Php 6,000.00
Date : April 13, 2009



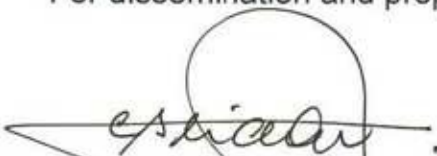
PROJECT ASSESSMENT PLANNING TOOL

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

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

RECOMMENDATIONS	CONCERNED GOVERNMENT AGENCIES/ENTITIES
1. Proponent needs to comply with: a. Sanitation Code of the Philippines; a. Labor Code of the Philippines including occupational safety and safety standards for all mining activities and provide personal protective equipment for the workers; c. Building Code of the Philippines;	DOH DOLE-Bureau of Working Condition/MGB Municipal Planning & Devt. Office/LGUs Concerned
2. Approval of AMA IVB-101 of Alag-ag Mining Incorporated and AMA IVB-97 of Aglubang;	MGB
3. Comply with LGU requirements such as securing of necessary permits (i.e. Mayor' permits, etc.)	LGUs Concerned
4. A comprehensive Risk Assessment and ERF for the RSF	MGB
5. Ensure conformance with the Ecological Solid Waste Management Act;	LGUs concerned
6. Secure tree cutting permits	FMB
ENVIRONMENTAL PLANNING RECOMMENDATIONS FOR THE PROPONENT	
7. Conduct research, propagate, and use species indigenous or endemic to the area to rehabilitate the same to its original vegetation cover. Planting of endemic and indigenous species instead of fast growing should be given consideration for rehabilitation ;	
8. Ensure proper maintenance of the siltation control system which includes sabo dams, siltation ponds, and silt curtains;	
9. Submit the design and alignment of the conveyor belt to ensure that there will be no problem on access and check the risk when something went wrong with the conveyor belt since it will carry ore from the mine site to the plant site;	
10. In case archeological artifacts will be found during operations, proponent needs to submit/report it to the National Historical Institute; and	
11. Give priority employment to to qualified local residents. Adequate public information for jobs available to local residents in the affected areas needs to be provided;	
12. Provision on assistance to IPs and affected communities as part of the SDMP to be submitted within 60 days from approval hereof.	

For dissemination and proper action of the parties concerned.


CESAR S. SIADOR, JR.
 OIC-Chief
 EIAM Division


JULIAN D. AMADOR
 Director