

MINERAL PROCESSING PERMIT COMPLIANCE MONITORING

REGION III

TOTAL NO. OF MPP HOLDERS:							
COMPANY	MPP NO.	DATE APPROVED	EXPIRY DATE	DATE LAST AUDITED	FINDINGS	RECOMMENDATIONS	REMARKS
1 Templeton Resources Inc.	III-01-2013				<p>A. As of April 2016, one (1) Mineral Processing Permit (MPP) was issued by the MGB-RO-III. The lone MPP holder, Templeton Resources Inc. (TRI) is engaged in processing operations involving the recovery and production of magnetite and washed sand. In addition, there are seven (7) application for Mineral Processing Permits in the Region, TRI which is located in Brgy. Rabanes, San Marcelino, Zamboales, had a short stint of operation from the time MPP was granted due to inter-corporate dispute among TRI's Director and officers. As of now, only four (4) employees are employed by the company to maintain and guard the plant. B. The "carpete" that was audited/validated by the team for the approved MPP in the area was found incomplete. Documents such as EPEP and SDMP were not found in the "carpete" during the validation. According to Engr. Laura S. Garcia Jr., Chief, Mine Safety, Environment and Social Development Division (MSESDD), the EPEP of TRI is not yet approved pending the formation of MRFC and MMT as recommended from the result of the re-evaluation of the revised EPEP/FMRDP submitted by TRI. The 5-Year SDMP submitted by TRI is also not yet approved pending revision recommended by MSESDD from the result of the initial evaluation. The representative of the MGB-RO-III assured the audit team that copies of these lacking documents will be included in the "carpete". C. During the course of validation of MPP documents at the site, the audit team noticed the non-submissions of the reportorial requirements such as Power Station's Energy Consumption Report and the Monthly Report on Production, Sales and Inventory of Metallic Minerals and Employment. As prescribed in MGB Form No. 29-18 and MGB Form No.29-1, these reports should be submitted to the MGB regional office within fifteen (15) days after the end of each calendar quarter and fifteen (15) days after the end of each calendar month, respectively. Mr. Allan Jeffrey Adriano, Plant Operation Supervisor, narrated that since the plant operation stopped back in May 2014, he is not aware if such reports were submitted by their company, since their office in Manila is the one in-charge of the matter. D. MGB-RO-III thru OIC-Regional Director the Atty. Danilo U. Uykieng sent letter dated August 11, 2014 to Templeton Resources Inc. informing the company that on May 30, 2014, the Mining Industry Coordinating Council (MICC) issued Resolution No. 4 entitled "Adoption of Immediate Measures to Address Black Sand Mining Operations in the Country". Pursuant to the said Resolution, the agencies concerned were directed to review the permits issued for black sand mining to determine if there is violation of existing laws, rules and regulations and if these are utilized according to their designated purpose: a) Mineral Processing Permits (MPPs), b) Sand and Gravel Permits and lahar extraction permits issued by the Local Government Units and MGB, and c) dredging permits and agreements issued by/entered into by LGUs. Also adopted under the above-said Resolution, only river and/or river delta dredging activities under direct control and supervision of the Department of Public Works and Highways (DPWH) may be issued with MPPs by the DENR/MGB, for processing of and disposition of dredged materials upon the prior clearance by the DPWH and in accordance with the pertinent provisions of RA 7942, RA 7076 and other applicable laws, rules and regulations. Moreover, MGB-RO-III required TRI to submit Certification from the DPWH that the company's dredging operations which has Memorandum of Agreement with the Provincial Government of Zamboales (January 15, 2013) is under direct control and supervision of the DPWH and Clearance also from DPWH for the processing and disposition of the dredged materials. Pending submission of said Certification/Clearance from DPWH, TRI is refrain from further conducting processing of its dredged materials. E. TRI sent letter to Hon. Rogelio L. Singson, then Secretary of DPWH dated July 08, 2015 requesting clearance/referral pursuant to MICC Resolution no. 4. The said letter was forwarded to Regional Director Antonio V. Molano, Jr. (OIC) DPWH-Region 3 for appropriate action. RD Antonio V. Molano Jr. (OIC) DPWH-R3 sent Memorandum dated August 20, 2015 to TRI informing the company that Department's authority to give Permit for Dredging Works request if and only requirements stipulated in DPWH Department Order No. 139, Series of 2014 "Guidelines on River Dredging Operations for Flood Control" are complied. As of April 2016, TRI has yet to comply with the mandatory requirements stipulated in DPWH Department Order No. 139, Series of 2014 "Guidelines on River Dredging Operations for Flood Control" in order to obtain permit/clearance from DPWH for their Dredging Works in Sta. Tomas River which is the legal source of the feed materials for their mineral processing operations. Records show OIC-RD Lope O. Caniño Jr. sent letter dated December 08, 2015 to TRI reiterating to submit clearance from DPWH to this Office. Pending submission of said requirements, TRI is refrain from conducting processing of dredging materials.</p>	<p>A. The MGB-RO-III should submit to the MGB-CO a copy of the "carpete" with complete documentary requirements of MPP holder in the region. B. MGB-RO-III should periodically update the MGB-CO on the status of approved MPP in the region. C. MGB-RO-III should impose appropriate penalties to violations committed thereof. For non-submission of required reports of Templeton Resources Inc., a fine of Ten thousand Pesos (Php 10,000.00) should be imposed as provided for under Section 271 b. of DAO 2010-11. 1st Violation - Php 2,000.00, 2nd Violation - Php 3,000.00, and 3rd Violation and subsequent Violations - Php 5,000.00 Total Fine Php 10,000.00 D. MGB-RO-III should exercise due diligence in forming the MPP holder of its compliances under the terms and condition of its MPP as well as other supporting papers as the Regional Office may require.</p>	