



Republic of the Philippines
Department of Environment and Natural Resources
MINES AND GEOSCIENCES BUREAU

North Avenue, Diliman, Quezon City, Philippines

Tel No. (+63 2) 920-9120/920-9130 Trunkline No. 667-6700 loc. 134 Fax No. (+63 2) 920-1635 Email: central@mgb.gov.ph.

MGB MEMORANDUM ORDER
NO. 2022- 006

SUBJECT: CLARIFICATORY GUIDELINES ON THE GROUNDS FOR REVISION OF THE ENVIRONMENTAL PROTECTION AND ENHANCEMENT PROGRAM AND FINAL MINE REHABILITATION AND/OR DECOMMISSIONING PLAN

Pursuant to Republic Act (RA) No. 7942, otherwise known as the Philippine Mining Act of 1995, and the Department of Environment and Natural Resources Administrative Order (DAO) No. 2010-21, the Revised Implementing Rules and Regulations of RA No. 7942, the following clarifications regarding the validity of the Environmental Protection and Enhancement Program (EPEP) and Final Mine Rehabilitation and/or Decommissioning Plan (FMR/DP) for a mining/mineral processing project are hereby provided for the guidance of all concerned:

SECTION 1. SCOPE AND COVERAGE

This Order shall apply to all operating Contractors/Permit Holders that are currently under Development/Operating Periods and have an approved EPEP and FMR/DP.

SECTION 2. GROUNDS FOR THE REVISION OF EPEP AND FMR/DP

Pursuant to Section 5 of DAO No. 2010-21, the "*Environmental Protection and Enhancement Program (EPEP) refers to the comprehensive and strategic environmental management plan for the life of the mining project on which [Annual] EPEPs are based and implemented to achieve the environmental management objectives, criteria and commitments including protection and rehabilitation of the disturbed environment.*" Further, Section 187 of the same DAO states that "*[t]he FMR/DP or Mine Closure Plan shall be integrated in the EPEP submitted by Contractors/Permit Holders...*" At any time during the mine life, a revision of the EPEP and FMR/DP shall be required for the following:

1. Application for amendment of contract/permit area with the following conditions:
 - Consolidating two (2) or more mining contracts/permits with ongoing operations;
 - Appending mining applications that are ready for development/utilization to support an existing mining operation; and



**"MINING SHALL BE PRO-PEOPLE AND PRO-ENVIRONMENT
IN SUSTAINING WEALTH CREATION AND IMPROVED QUALITY OF LIFE."**

20220207

- Appending additional area/s covered either by an exploration permit or another contract under exploration period: *Provided*, That the amendment in the EPEP shall include identified impacts and mitigating measures during exploration within the appended area/s as “Other Activities”: *Provided, further*, That the EPEP and FMR/DP concerned shall be totally revised upon the development and utilization of the same appended area/s.
- 2. Renewed contracts/permits with ongoing operations and/or exploration activities: *Provided*, That the revisions shall be in accordance with the terms and conditions of the renewed contracts/permits until the end of the life of contract/permit or the mining project, as the case may be.
- 3. Amendment of the issued Environmental Compliance Certificate due to any major modification on the project description as provided under DAO No. 2003-30, the Implementing Rules and Regulations of the Philippine Environmental Impact Statement System, such as, but not limited to, increase in area and/or production capacity, change of mining and/or mineral processing method/s, and utilization of new mineral commodities that may cause significant change/s from the original mining plan.

SECTION 3. APPROVAL OF THE REVISED EPEP and FMR/DP

In case of amendment of contract/permit area, a revised EPEP and FMR/DP shall form part of the documentary requirements for the application to be filed in the MGB Regional Office concerned.

A revised EPEP and FMR/DP shall be submitted by the Contractor/Permit Holder within thirty (30) calendar days upon renewal of contracts/permits and/or amendment of ECC, as the case may be, to the Mine Rehabilitation Fund Committee (MRFC) concerned for preliminary evaluation and shall then be endorsed to the Contingent Liability and Rehabilitation Fund Steering Committee for approval.

SECTION 4. TRANSITORY PROVISION

All Contractors/Permit Holders with consolidated/renewed contract/permit and/or amended ECC shall be given thirty (30) calendar days from the date of effectivity of this Order to submit a revised EPEP and FMR/DP to the MRFC concerned.

SECTION 5. SEPARABILITY CLAUSE

If any provision of this Order shall be held invalid or unconstitutional, the other portions or provisions hereof which are not affected shall continue in full force and effect.



SECTION 6. REPEALING CLAUSE

All Orders and other similar issuances inconsistent herewith are hereby revoked, amended, or modified accordingly.

SECTION 7. EFFECTIVITY

This Order takes effect immediately.


ATTY. WILFREDO G. MONCANO
Director



9/29/22 Mines Order 9:14 AM

