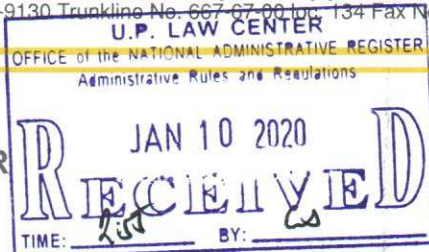




Republic of the Philippines  
Department of Environment and Natural Resources  
**MINES AND GEOSCIENCES BUREAU**

North Avenue, Diliman, Quezon City, Philippines

Tel No. (+63 2) 920-9120/920-9130 Trunkline No. 667-67-00 loc. 134 Fax No. (+63 2) 920-1635 Email: central@mgb.gov.ph.



JAN 10 2020

**MGB MEMORANDUM ORDER**  
NO. 20-001

**SUBJECT: GUIDELINES FOR CARE AND MAINTENANCE PROGRAM FOR MINING PROJECTS**

Pursuant to Department of Environment and Natural Resources (DENR) Administrative Order (DAO) No. 2000-98, the Mine Safety and Health Standards, and Sections 166 and 167 of DAO 2010-21, the Revised Implementing Rules and Regulations of Republic Act (RA) No. 7942, the Philippine Mining Act of 1995, the following rules and regulations are hereby promulgated for the information, guidance and compliance of all concerned:

**Section 1. Title**

The title of this Memorandum Order shall be "*Guidelines for Care and Maintenance Program for Mining Projects.*"

**Section 2. Basic Policy**

It is the policy of the DENR to ensure the integration of environmental protection and stakeholder involvement in every stage of mining operation. Provision for care and maintenance measures shall be integral components of mining operations.

**Section 3. Objective**

This Memorandum Order aims to provide detailed guidelines for Care and Maintenance Program (CMP) for Mining Projects.

**Section 4. Coverage**

All mining tenements, excluding those under Exploration Permit stage/period, and those issued permits by DENR/MGB covering quarrying resources, shall be covered by this Memorandum Order.

**Section 5. Scope**

CMP shall be implemented in case of the following:

- a. Operational Constraints (Voluntary Stoppage) – include any dispute with surface owners or work force, peace and order, flooding, fire, massive landslide and other natural or man-made calamities; and



19/2020 Memorandum Order 4:51 PM



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

20-202357

- b. Suspension (Involuntary Stoppage) – due to non-conformance/s with regulatory provisions of the mining law and its implementing rules and regulations; other pertinent environmental laws, rules and regulations; and the terms and conditions of mining contracts/permits.

## Section 6. General Provisions

The CMP shall include the following: (a) identification of safety and health hazards, environmental and social impacts; (b) mitigating measures; and (c) budget to implement the CMP.

Attached as Annex A is the Outline for the Preparation of Care and Maintenance Program for Mining Projects.

## Section 7. Submission and Approval of CMP

Contractors/Permit Holders with existing mining operations shall submit the CMP to the MGB RO concerned within 30 calendar days after the effectivity of this Memorandum Order.

The MGB RO shall evaluate and approve the submitted CMP within fifteen (15) calendar days from receipt thereof. A Certificate of Approval (COA) shall be issued and the MGB RO shall furnish the MGB Central Office (CO) a copy of the approved CMP and COA. In case the CMP is not acted upon after the prescribed period, the same is deemed approved.

The approved CMP shall form part of the requirements for the approval of Declaration of Mining Project Feasibility (DMPF) for new mining projects and application for ISAGP, MPP and SMEP.

## Section 8. Duration of CMP

The duration of the CMP during voluntary stoppage, *i.e.* operational constraint, shall be for three (3) months.

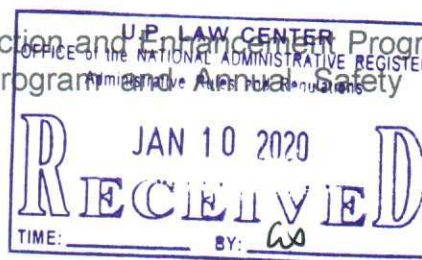
In case of involuntary stoppage, *i.e.* suspension, the CMP shall be implemented until the Suspension Order issued by the government agency concerned is lifted.

## Section 9. Implementation of the CMP

In case of voluntary stoppage, the Contractor/Permit Holder shall notify the MGB RO concerned to implement the CMP, copy furnished the MGB CO. In the event of involuntary stoppage, the Contractor/Permit Holder shall immediately implement the CMP upon receipt of the Suspension Order.

During the implementation of CMP, no extraction and no commercial disposition of mineral ore/products by the Contractor/Permit Holder shall be allowed.

The approved Annual Environmental Protection and Enhancement Program, Annual Social Development and Management Program and Annual Safety and Health



Program including Emergency Response and Preparedness Program shall continuously be implemented during the care and maintenance period.

### Section 10. Resumption of Operations

In case of voluntary stoppage, the Contractor/Permit Holder shall notify the MGB RO concerned in writing, in not less than ten (10) calendar days prior to the intended date of resumption of operation, with the report on the implementation of CMP. The CMP report shall be subject to validation by the MGB RO concerned.

Upon resumption of operation, the Contractor/Permit Holder shall immediately implement its approved Three-Year Development/Utilization Work Program.

### Section 11. Funding

Funds for the approved CMP shall be sourced from the first-year deposit of the Final Mine Rehabilitation and/or Decommissioning Fund (FMRDF).

Withdrawal of the funds for the implementation of the CMP shall be subject to approval by the MGB Regional Director concerned upon clearance from the Contingency Liability Rehabilitation Fund-Steering Committee Chairman.

The Contractor/Permit Holder shall replenish the FMRDF prior to resumption of mining operation.

### Section 12. Reporting, Monitoring and Review

The Contractor/Permit Holder shall regularly submit report on the implementation of the CMP to the MGB RO concerned, copy furnished the MGB CO, subject to validation by the MGB RO concerned.

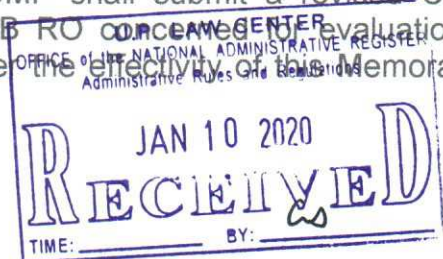
The implementation of the CMP shall be monitored at least once a month or as the need arises by the MGB RO concerned.

The CMP shall be reviewed and/or revised at a date not exceeding two (2) years after its approval and every two (2) years thereafter. The CMP may also be reviewed and/or revised whenever amendments are justified by changes in mining activities; the review and/or revision may be made on the Contractor's/Permit Holder's initiative or as required by the Director/Regional Director concerned. Any revision made in the CMP shall be subject to the approval of the MGB RO concerned.

### Section 13. Transitory Provision

All existing mining projects without CMP shall comply with this Memorandum Order including those with pending applications for renewal.

Contractors/Permit Holders currently under CMP shall submit a revised CMP in accordance with Annex A hereof, to the MGB RO concerned for evaluation and approval, within fifteen (15) calendar days after the effectivity of this Memorandum Order.



The MGB RO shall evaluate and approve the submitted CMP within fifteen (15) calendar days from receipt thereof. The MGB RO shall furnish the MGB CO a copy of the approved CMP.

The Contractor/Permit Holder shall continue to implement the activities provided under its existing CMP until approval of its revised CMP.

#### **Section 14. Penalties**

Failure of the Contractor/Permit Holder to comply with this Memorandum Order shall suffer the penalty prescribed in the Penal Provision of Republic Act No. 7942 and its Implementing Rules and Regulations and other pertinent environmental laws.

#### **Section 15. Separability Clause**

If any of these rules and regulations is declared unconstitutional or otherwise defective on any grounds, the remaining parts not affected thereby shall remain valid and in force.

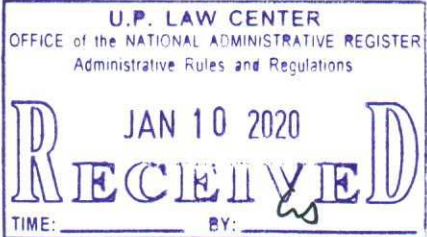
#### **Section 16. Repealing and Amending Clause**

All orders, circulars and issuances, which are inconsistent herewith, are hereby repealed and/or amended accordingly.

#### **Section 17. Effectivity**

This Memorandum Order shall take effect immediately. This shall be registered with the Office of the National Administrative Register and posted in the bulletin board/website of MGB Central Office and respective Regional Offices.

  
ATTY. WILFREDO G. MONCANO  
Acting Director



## SAMPLE FILLED-UP FORM ONLY

### CARE AND MAINTENANCE PROGRAM

BASIC INFORMATION	
Mining Tenement No.	MPSA 001-2010-CAR
Date Approved	January 1, 2010
Contractor/ Permit Holder	ABC Mining Co.
President	Juan Dela Cruz
Contact Details	09123456789
Authorized Operator, if any	XYZ, Inc.
Project Name	Benguet Gold Project
Contract/Permit Area (hectares)	500 Ha.
Location of the Contract/Permit Area	Itogon, Benguet
Commodity	Gold
Mining/Mineral Processing Method	<input type="checkbox"/> Surface <input checked="" type="checkbox"/> Underground <input type="checkbox"/> Offshore <input checked="" type="checkbox"/> Mineral Processing
Production Capacity	270,000 MT extracted ore per year and 750 MT mill feed per day
Environmental Compliance Certificate Control No.	8906-009-302
Certificate of Approval No. of EPEP	355-2017-003
Certificate of Approval No. of FMR/DP	299-2017-002
Certificate of Approval No. of SDMP	001-2017-01CAR-(1 <sup>st</sup> )

MINING/MINERAL PROCESSING EQUIPMENT	
Vehicles	Number
Load-Haul-Dump (LHD)	30
Low-Profile-Truck (LPT)	10
Excavator	5
Dump truck	10
Machinery	Number
SAG Mills	1
Ball Mills	1
Thickener	3
Classifier	3
Solution tanks	3

INFRASTRUCTURES TO BE MAINTAINED	
Infrastructures	Area (Ha.)
Tailings Storage Facility (TSF)	2 Ha
Wastes dumps	1 Ha
Siltation Ponds	10 Ha
Stockyards	10 Ha
Explosives Magazine	0.5 Ha
Subsidence Area	5 Ha
Portals/Entry Points	0.25 Ha
Power House	0.5 Ha
Laboratory	0.25 Ha
Road networks	1 Ha
Mechanical shops	0.5 Ha
Office buildings	0.5 Ha
Staff house	0.1 Ha
Others	
<b>Total Area</b>	<b>41.6 Ha</b>

WORKFORCE INFORMATION	
Total number of workforce before care and maintenance (including service contractors)	500
Total number of workforce needed during care and maintenance (including service contractors)	300
<b>Social Plan</b>	<b>Provision of alternative livelihood program; Provision of start-up capital</b>

STORAGE OF RESIDUAL ORES (TO BE FILLED UP PRIOR TO IMPLEMENTATION OF CMP)	
Amount of ore stockpiled (tons)	500 tons
Location of stockyard/s (Ha) (include existing stockyards in a map)	Stockyard 01, Stockyard 02
Area of stockyard/s (Ha)	Stockyard 01 – 5 Ha Stockyard 02 – 5 Ha

Chemical and Explosives Inventory (to be filled up prior to implementation of CMP)	
Chemicals	Quantity
Sodium Cyanide	10 kilograms
Nitric Acid	5 liters
Hydrochloric Acid	5 liters
Explosives	Quantity
ANFO	15 kilograms
Dynamite	5 kilograms
Ordinary Blasting Caps	20 pieces
Electric Blasting Caps	20 pieces

**CARE AND MAINTENANCE MATRIX**

AREAS	HAZARDS	MITIGATING MEASURES	SCHEDULE OF IMPLEMENTATION OF THE MITIGATING MEASURES			COST (Php)
			1	2	3	
Mine Components						
Mining Area	Unauthorized entry	Assignment of Perimeter Guards Temporary closure/protection of mine portals Establishment of bund walls Maintenance of all machineries.				XXXXXXXXXX XXXXXXXXXX XXXXXXXXXX XXXXXXXXXX
Processing Plant	Spillage/Leakage of hazardous materials  Fire	Conduct of regular fire safety inspection Monitoring of ground deformation and movement (e.g. use piezometer, seismometer, extensometers) etc.				XXXXXXXXXX XXXXXXXXXX
Tailings Storage Facility	Dam Failure	Installation of perimeter fence Establishment and maintenance of proper drainage				XXXXXXXXXX 50,000.00 XXXXXXXXXX
Siltation Ponds	Drowning					
Stockyards	Stockpile erosion/sediment transport					XXXXXXXXXX

					Installation of geotextiles for sediment control		XXXXXXXXXX
Explosives Magazine	Unwanted explosion				Implementation of standard operating procedures in handling/storage of explosives		XXXXXXXXXX
	Unauthorized Entry				Assignment of Roving Guards		XXXXXXXXXX
Subsidence Area	Fire				Conduct of regular fire safety inspection		XXXXXXXXXX
	Piping out/Development of sink holes				Establishment of monitoring scheme of ground deformation and movement.		XXXXXXXXXX
					Backfilling		XXXXXXXXXX
Portals/Entry Points	Unauthorized entry				Assignment of Roving Guards	XXXXXXXXXX	
Power House	Shock/electrocution				Implementation of Proper Lock-out-Tag-out procedures		XXXXXXXXXX
	Pilferage				Assignment of Roving Guards		XXXXXXXXXX
	Fire				Conduct of regular fire safety inspection		XXXXXXXXXX



Laboratory	Chemical spill	Installation of chemical spill kit				XXXXXXXXXX
	Exposure to chemicals	Installation of emergency eye shower and eye wash				XXXXXXXXXX
Road networks	Unsafe road conditions (e.g. slippery, soft ground, scouring)	Road maintenance				XXXXXXXXXX
	Pilferage	Assignment of Roving Guards				XXXXXXXXXX
Mechanical shops	Unauthorized entry	Assignment of Roving Guards				XXXXXXXXXX
	Fire	Conduct of regular fire safety inspection				XXXXXXXXXX
	Insurgent/Terrorist attack	Installation of security outpost				
Supply Vessel	Drowning	Installation of floating devices				XXXXXXXXXX
	Oil Spill	Installation of oil spill boom				XXXXXXXXXX
	Supply vessel Hijacking/insurgent attack	Assignment of vessel guards				XXXXXXXXXX
Ports	Drowning	Assignment of vessel guards				XXXXXXXXXX
	Port damage/collapse	Inspection of port				XXXXXXXXXX
Barges	Pilferage	Assignment of guards				XXXXXXXXXX
	Ore spill from barge	Provision of spill boom				XXXXXXXXXX

	Capsizing/sinking of barge	Inspection of barge			XXXXXXXXXX
Stakeholder (Internal)	Loss of income	Provision of information to mine workers on labor markets and job-openings or their transfer to other company projects.			XXXXXXXXXX
	Inadequate livelihood skills	Provision of job-related courses/training, in coordination with TESDA, focused toward a future career which shall vary from office skills to artisan multi-skills training, computer technology, mechanical trades and similar vocations.			XXXXXXXXXX
	Lack of start-up capital	Provision of capital through loans or grants.			XXXXXXXXXX
<b>Others</b>					XXXXXXXXXXXXXXXXXX
<b>Total Budget</b>					XXXXXXXXXXXXXXXXXX

Prepared by:

(Name of preparer)

Approved by:

(Name of highest official)

**Note: All inputs/data in red are samples only. The company shall identify the specific information applicable to their operations.**

**MGB RO Letterhead**

---

---

**CERTIFICATE OF APPROVAL**

No. **001-2019-XIII\***

This Certificate of Approval for the Care and Maintenance Program is hereby granted to (Contractor/Permit Holder), for its (Project Name), under (Contract/Permit) No. \_\_\_\_\_, covering an area of \_\_\_\_\_ (Ha.) located in \_\_\_\_\_.

This Certificate is issued pursuant to Mines and Geoscience Bureau (MGB) Memorandum Order (MO) No. \_\_\_\_\_, subject to the conditions as embodied therein.

Given this \_\_\_\_\_, at \_\_\_\_\_, Philippines.

By:

\_\_\_\_\_  
Regional Director

*\*Format for COA No.: Certificate No. – Year – MGB Regional Office No.*