

**[DENR MEMORANDUM ORDER NO. 99-03,
February 19, 1999]**

**PROCEDURAL GUIDELINES IN THE PROCESSING AND ISSUANCE
OF SPECIAL QUARRY PERMIT AND SAND AND GRAVEL PERMIT
TO EXTRACT SAND AND LAHAR MATERIALS IN THE MINERAL
RESERVATION ESTABLISHED AND DECLARED UNDER
PROCLAMATION NO. 66 AND OTHER LAHAR-AFFECTED AREAS IN
THE PROVINCES OF PAMPANGA, TARLAC AND ZAMBALES**

In order to provide a mechanism in the proper and effective implementation of Presidential Proclamation No. 66 and its implementing rules and regulations, Department Administrative Order (DAO) DAO 99-03, in consonance with Republic Act No. 7942 and its implementing rules and regulations, DAO 96-40, and so as not to hamper government infrastructure projects including desilting activities in lahar-affected river channels, and to alleviate the economic condition of the people affected by sand and lahar materials, the following guidelines for the processing and issuance of permit are hereby promulgated for the guidance of all concerned:

Section 1. Eligibility of Special Quarry or Sand and Gravel Permit Applicant. — Any Filipino individual, with legal capacity to enter into contract, cooperative, partnership and corporation duly organized and registered with the Securities and Exchange Commission (SEC) and other appropriate government agency for the purpose of engaging in mining/quarrying may apply for Special Quarry Permit within the mineral reservation and Sand and Gravel Permit outside of the mineral reservation but within the quarry zone.

Section 2. Maximum Area per Application. — The maximum area that an applicant may apply or hold at any one (1) time in any one (1) provide shall be as follows:

- a. Special Quarry Permit filed with the Mines and Geosciences Bureau Regional Office No. III (Regional Office) — One (1) meridional block of five seconds (5") longitude and ten seconds (10") latitude or approximately four and one half (4.5) hectares more or less.
- b. Industrial Sand and Gravel Permit filed with the Regional Office — Four (4) meridional blocks or eighteen (18) hectares more or less but shall not be less than two (2) meridional blocks or nine (9) hectares more or less.
- c. Commercial Sand and Gravel Permit filed with the Local Government Units (LGU) — Five (5) hectares or its meridional block equivalent.

Provided, that in cases of application for Commercial Sand and Gravel Permit covering the applicant's titled property where the applied area is impractical to conform with the meridional blocks then the boundaries of the applied area shall be defined by specific technical descriptions in geographical coordinates. Provided, that

it will not exceed the maximum area allowed under this guidelines. Provided further, that in the survey plan, the applied area should be indicated on what meridian block/s of 5" longitude and 10" latitude it falls.

Section 3. Acceptance of Application. — An application for Special Quarry Permit or Industrial Sand and Gravel Permit shall be filed with the Regional Office in five (5) sets upon payment of the following fees:

- a. Filing fee — P10.00
- b. Processing fee — P500.00
- c. P.D. 1856, as amended for a and b — P 20.00

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

An application for Commercial Sand and Gravel Permit shall be filed with the Provincial/City Provincial Mining Regulatory Board (P/CMRB) upon payment of fees to be prescribed by the said Board.

Section 4. Mandatory Requirements for Permit Application. — The application for Special Quarry Permit (MGB Form No. ____) shall be filed with the Regional Office either personally or through its duly authorized representative, accompanied by the following mandatory requirements:

- a. Survey Plan of the applied area, prepared and signed by a licensed Geodetic Engineer;
- b. Area Clearance from the concerned Government agencies/LGU(s) that maybe affected by the permit application or written permission from the landowner(s) and surface owner(s) of the applied area;
- c. Certification from the Natural Resources Development Corporation (NRDC) that the applied area is within the identified and delineated Quarry Zone as provided under Section 5 of DAO-99-03 and the same is free of any conflict;
- d. Quarry Operational Plan prepared by a licensed Mining Engineer or Geologist and duly approved by the NRDC;
- e. Environmental Compliance Certificate (ECC) issued by the Department of Environment and Natural Resources Regional Office No. III (DENR Regional Office) or a commitment to submit an ECC prior to the approval of permit in the absence of programmatic Environmental Impact Statement (EIA);
- f. Proof of technical competence of the personnel who shall undertake the activities in accordance with the submitted and approved Work Program/ Quarry Operational Plan;
- g. Photocopy of Articles of Incorporation/Partnership/Cooperation, By Laws and Certificate of Registration, duly certified by the SEC or concerned authorized Government agency(ies), for corporations/ partnerships/ cooperatives; and