

Minister of the Environment

DGK-IV.4741.158.2018.BG

DECISION

Acting under Article 104 of the Act of June 14, 1960 – *Code of the Administrative Procedure* (Journal of Laws of 2018, item 2096, as amended) and Article 93 section 2 read in conjunction with Article 161 section 4 of the Act of June 9, 2011 – *Geological and Mining Law* (Journal of Laws of 2019, item 868, as amended), having examined the application of Baltic Gas Sp. z o.o. i Wspólnicy Sp.k. with its registered office in Gdańsk for approval of the *Geological-Investment Documentation of the B6 natural gas deposit*,

I hereby decide

1. To approve the *Geological-Investment Documentation of the B6 natural gas deposit* located in the offshore area of the Republic of Poland.
2. The documentation includes the condition of resources supposed economic determined as of December 31, 2018 in the amount of:

natural gas - 3,187.6 million m³ in category C.

The condition of recoverable resources as of December 31, 2018 is 2,390.1 million m³ in category C. Original resources of natural gas are estimated at 3,190 million m³ in category C, and original recoverable resources at 2,392.5 million m³ in category C.

3. The documentation includes the condition of industrial and non-industrial resources of a part of the deposit determined as of December 31, 2018 in the amount of:

natural gas:

industrial resources – **2,327.0 million m³ in category C,**

non-industrial resources – **778.9 million m³ in category C.**

Justification:

By application of October 30, 2018 (received on October 31, 2018), Baltic Gas Sp. z o.o. i Wspólnicy Sp. k. with its registered office in Gdańsk has submitted the *Geological-Investment Documentation of the B6 natural gas deposit* for its approval by a competent geological administration authority – the Minister of the Environment.

Pursuant to Article 93 section 2 of the Act of June 9, 2011 – *Geological and Mining Law* (Journal of Laws of 2019, item 868, as amended), the competent geological administration authority approves the geological-investment documentation for the hydrocarbon deposit referred to in Article 88 section 2 point 1a of the aforementioned Act by means of a decision. Pursuant to Article 161 section 4 of the Act of June 9, 2011 – *Geological and Mining Law*, the minister competent for the environment is the authority for matters related to approval of geological-investment documentation for the hydrocarbon deposit.

The *Geological-Investment Documentation of the B6 natural gas deposit* is a subsequent study relating to the B6 natural gas deposit. The resources of the B6 natural gas deposit were originally documented in the *Geological Documentation of the B6 gas condensate deposit*, adopted without any reservations by means of a notification of the Minister of the Environment of June 2, 2004 (ref. No.: DG/kzk/EZD/489-7520/2004).

Industrial and non-industrial resources of the B6 natural gas deposit were initially determined in the *B6 gas condensate deposit development project* (license No. 2/2006 of November 7, 2006), subsequently amended by *Addendum No. 1 to the B6 natural gas (gas condensate) deposit development project* (decision of December 5, 2014, ref. No. DGK-IV-4771-30/49227/14/AC) and *Addendum No. 2 to the B6 natural gas (gas condensate) deposit development project* (decision of July 25, 2017, ref. No. DGK-IV.4771.4.2017.BG).

The *Geological-Investment Documentation of the B6 natural gas deposit* sets out the boundaries of the B6 natural gas deposit, geological resources complete with the deposit appraisal category, conditions of occurrence and possibilities of hydrocarbon mining from the deposit. The documentation also specifies the manner of the B6 natural gas deposit development, recoverable resources and the optimum option of the reasonable use of the deposit resources, in particular through the comprehensive and reasonable use of the primary mineral and accompanying minerals, and the production technology ensuring reduction of the negative impact on the environment.

According to the *Geological-Investment Documentation of the B6 natural gas deposit*, only a part of the B6 deposit is planned to be developed. The geological condition of resources of natural gas supposed economic in the part of the deposit to be developed as of December 31, 2018 is 3,105.9 million m³ in category C, and the condition of recoverable resources is 2,328.8 million m³ in category C. Original resources of natural gas in the deposit part intended to be developed are estimated at 3,108.3 million m³ in category C, and original recoverable resources – at 2,331.2 million m³ in category C.

According to the wording of Article 93 section 3 of the Act – *Geological and Mining Law*, the geological administration authority – the Minister of the Environment in this case – refuses to approve the geological-investment documentation for a hydrocarbon deposit if the documentation does not comply with the requirements of the law or was drawn up as a result of illegal activities. The documentation in question (supplemented on May 28, 2019; July 31, 2019; September 16, 2019) meets the requirements provided for in the legal regulations, in particular in the Act of June 9, 2011 – *Geological and Mining Law* and the Ordinance of Minister of the Environment of July 1, 2015 *on the geological and investment documentation of hydrocarbon deposits* (Journal of Laws, item 968). Upon analysis of the *Geological-Investment Documentation of the B6 natural gas deposit*, the geological administration authority found that there are none of the aforementioned negative premises for approval of the submitted documentation in the case in question.

Pursuant to Article 8 section 2 of the *Geological and Mining Law* and Article 106 of the *Code of the Administrative Procedure*, the geological administration authority agreed on the draft decision concerning the case in question with the minister competent for maritime economy, who agreed on the draft decision within the statutory deadline.

Bearing in mind the entirety of the above circumstances, it was decided to approve the *Geological-Investment Documentation of the B6 natural gas deposit* submitted by Baltic Gas Sp. z o.o. i Wspólnicy Sp. k. with its registered office in Gdańsk.

Pursuant to Article 28 of the *Code of the Administrative Procedure*, a party to the pending proceedings shall be deemed each person whose legal interest or obligation the proceedings refer to. In the course of the proceedings, the geological administration authority ensured the party to the proceedings active participation at every stage of the proceedings, and prior to the issuance of this decision the authority made it possible for the party to present its opinion on the collected evidence and materials as well as the requests submitted in the case. The party did not have any reservations with respect to the pending proceedings.

Therefore, the decision was made as stated hereinabove.

The Party dissatisfied with the decision may, within 14 days from its receipt (by appropriately applying appeal regulations), apply to the Minister of the Environment for reexamination of the case.

A party may file a complaint against the decision with the Voivodeship Administrative Court in Warsaw within 30 days from the date of its delivery, without exercising the right to apply to the Minister of the Environment for reexamination of the case. The complaint shall be filed through the Minister of the Environment. The fixed court fee for the complaints concerning licenses, permissions and permits to conduct business activity in the field of geology and mining amounts to PLN 1,000. The party may apply for assigning the right to obtain aid, upon request submitted to the Voivodeship Administrative Court in Warsaw.

During the course of the period for filing the application for reexamination of the case, the party may waive the right to apply to the Minister of the Environment for reexamination of the case. As of the date of delivery of the representation on waiver of the right to apply for reexamination of the case by the last party to the proceedings to the Minister of the Environment, the decision becomes final and binding, which means that it is not possible for the party to appeal against it to the Voivodeship Administrative Court. It is not possible to effectively withdraw the representation on waiver of the right to apply for the case reexamination.

MINISTER OF THE ENVIRONMENT
p.p. SECRETARY OF STATE

Chief National Geologist, Government Plenipotentiary for National
Resource Policy

Piotr Dziadzio, PhD

To be received by:

1. Baltic Gas Sp. z o.o. i Wspólnicy Sp. k. with its registered office in Gdańsk + 1 copy of the aforementioned geological-investment documentation
2. to file

For the attention of:

1. National Geological Archives in Warsaw + 3 copies of the aforementioned geological-investment documentation
2. Maritime Office in Gdynia
3. Ministry of Maritime Economy and Inland Navigation