

PORT AUTHORITY OF TRIESTE

DELIBERATION No. 15/2013

Subject: Gas Natural Rigassificazione Italia S.p.A. - LNG regasification terminal located in the Port of Trieste, area of Zaule. Evaluations of the Commission appointed with Decreto APT (Decree of the Port Authority of Trieste) No. 1427, dated May 6th, 2013.

THE PORT COMMISSION

IN SIGHT OF law No. 84 of January 28th, 84, and successive amendments and integrations, in particular, Articles 8, 9 and 10 of the same law;

IN SIGHT OF the Decree of the Minister of Infrastructures and Transport , dated January 20th, 2011 concerning the appointment of the President of the Port Authority;

IN SIGHT OF the Deliberation of the Port Commission No. 7 dated May 19th, 2009, to adopt the port master plan, consisting in the annexes of the present deliberation;

RECALLING the previous Deliberation of the Port Commission No. 1 dated January 1st, 2013, with which the same Commission:

- shares the views expressed in text "Porto di Trieste - compatibilità della domanda di trasporto al 2020" (Port of Trieste - compatibility of the demand for transport in 2020) dated December 2012;

- because of the reasons deliberations at point 1, the Commission considers the LNG regasification terminal project presented by Society Gas Natural - located in the area of Zaule - is not compatible with the envisioned development of the Port of Trieste as already outlined in the Master Plan of the Port that has already been adopted by the Port Commission in May 2009;

- has authorized the President of the Port Authority - or their delegate - to express a negative opinion on the project of the regasification terminal presented by Society Gas Natural during the decisional process of competent agencies that is taking place at the Ministry of Economic Development as well as in all, successive, decision centers;

- has approved the beginning of the actions in defense of maritime and patrimonial State Properties of the Port Authority, against the proceeding of pre-established confiscation constraint on these areas;

IN SIGHT OF the Decree of the Ministry of the Environment and Protection of Land and Sea and the Ministry of Cultural Goods and Activities, protocol No. 0000 dated April 18th, 2013 and suspending the efficacy of Decree No. DSA-DEC-2009-0000808 of July 17th, 2009 on environmental stability concerning the project of the regasification terminal and related facilities to be realized in the industrial Port of the City of Trieste, in the area of Zaule.

IN SIGHT OF articles 1 and 2 of the above mentioned Decree, in particular, which rule the suspension of the efficacy of measure DSA-DEC-2009-0000808 of July 17th, 2009 until an alternate location for the regasification plant, compatible with the Port Master Plan of the Port of Trieste is found and undergoes the Environmental Impact Assessment, which means until the new calculation of the envisioned development expressed in the same PMP, making these compatible with the regasification plant.

IN SIGHT OF the Decree of the President of the Port Authority of Trieste No. 1427 dated May 6th, 2013, which has established a Commission in charge of expressing a possible redefinition of the possibilities of development that had been expressed in the Port Master Plan of the Port of Trieste, as referred to in Article 2 of the above mentioned Decree;

IN SIGHT OF the evaluations of the above mentioned Commission dated July 2nd, 2013, stating - as written in the annexed record which is part of the present deliberation - the Commission itself *«does not consider useful nor possible the redefinition of the Port Master Plan of Trieste to make it compatible with the regasification terminal proposed by Society Gas Natural. As for the requirements of Article 2 of the Decree of the Ministries, the Commission thinks that the envisioned development expressed in the Port Master Plan cannot be determinate again without causing serious damages to the development of the traffics of the Port itself. The Commission does also consider that any other location of the regasification terminal within the area of the port of Trieste would be incompatible with it for the same reasons and due to the same critical points that have been underlined if the terminal were located in Zuale »*;

IN SIGHT OF the document review of the person in charge of the proceeding

UPON HEARING the acting Secretary-General

UPON PROPOSAL by the President

DELIBERATES

1 that it shares the views expressed on July 2nd, 2013 by the Commission that had been established with Decree of the Port Authority of Trieste No. 1427 on May 6th, 2013;

2 in consideration of what has been deliberated at point 1, to the Port Master Plan that has been adopted with Deliberation of the Port Commission No. 7 dated May 19th, 2009 unchanged and, therefore, not to take action to rearrange that to make it compatible with the regasification terminal proposed by Gas Natural Rigassificazione Italia S.p.A..

The present deliberation is effective immediately.

Trieste on (hand written: JUL. 25th, 2013)

The President
(Doctor Marina Monassi)
[signature]