

[On the letterhead of the Minister of Environment, Maciej Nowicki]

Warsaw, 31 January 2008

Ref.: DGe-4770-5/842/08/MO

DECISION

Acting pursuant to Article 155 of the Code of Administrative Procedure and Articles 16.1.2, 16.4 and 16.5a of the Geological and Mining Law of 4 February 1994 (Journal of Laws of 2005 no. 228, item 1947, as amended) upon the application of Energia Zachód Sp. z o.o. based in Warsaw, having obtained the opinions from the competent commune heads, mayors and presidents of cities,

I hereby decide to

amend the concession No. 4/03/p of 19 February 2003, in its wording set forth in the decision of 10 December 2003, ref. DGn/BB/487-8834/2003 and the decision of 16.12.2005, ref. DGe-4770-3/8978/05/AP, issued by the Minister of Environment for the benefit of Energia Zachód Sp. z o.o. based in Warsaw, in respect of exploration and appraisal of crude oil and natural gas deposits within the area of the concession block No. 207, located in the territory of the communes of Czerwonak, Łubowo, Dominowo, Kleszczewo, Nekla; the towns and communes of Czerniejewo, Kostrzyn, Pobiedziska, Swarzędz, Września, and the towns of Poznań and Kórnik; located in the territory of Wielkopolskie Voivodeship, as follows:

1. after Clause 5 of the concession, clause 5a shall be added and have the following wording:

“5a. The additional scope of work provides for use of 3D seismic imaging of the area of the concession block 207 covering the surface of 300 km². The allowed change in the quantity the above-described scope of work shall not exceed 10%.”

Grounds:

On 19 February 2003, the Minister of Environment granted a concession for exploration and appraisal of crude oil and natural gas deposits within the area of the concession block 207 to Energia Zachód Sp. z o.o.

Upon an application from the entrepreneur the concession was then amended by the decision of 10 December 2003, DGn/BB/487-8834/2003 and the decision of 16.12.2005, ref. DGe-4770-3/8978/05/AP in relation to the change of the term of the concession and the time schedule of the prospecting work.

On 17 January 2008 Energia Zachód Sp. z o.o. submitted an application to the concession authority requesting an amendment of the scope of the prospecting work with a view to carrying out, in addition, 3D seismic imaging of the area of the concession block 207 covering the surface of 300 km².

According to the Environmental Protection Law (Journal of Laws of 2006, No. 129, item 902, as amended) and the ordinance of the Council of Ministers of 9 November 2004, *concerning definition of the types of projects with potentially significant environmental impact and detailed conditions in relation to applicability of the requirement to prepare an environmental impact assessment* (Journal of Laws No. 257, item 2573, as amended), the contemplated activity, with respect to the geological work programme, is not deemed to be a project with potentially significant environmental impact, which would be subject to obligatory environmental impact assessment.

In the view of the above, no proceedings in respect of environmental impact assessment of the contemplated project was undertaken by the competent environmental authority, and the entrepreneur was not required to obtain the decision on the environmental conditions for permission to proceed with a project.

It should also be noted that in the area to be covered with the planned 3D seismic surveys, or within their potential impact, there are no areas of the European Ecological Network Natura 2000.

Pursuant to Articles 16.4 and 16.5a of the Geological and Mining Law and the Code of Administrative Procedure, the concession authority consulted the competent commune heads, mayors and presidents of cities, who expressed their positive opinions on the proposed draft of this decision.

In the course of the procedure, the Minister of Environment ascertained, as required under Article 155 of the Code of Administrative Procedure, that the amendment of the decision with respect to exploration and appraisal of crude oil and natural gas deposits in the area of the concession block 207 is in the interest of the party, and is not in conflict with any specific regulations nor in breach of the public interest.

In consideration of the above, it was ruled as hereinabove stated.

This decision is final.

When not satisfied with this decision, a party may submit, within 14 days of its receipt (appeal regulations applying accordingly) a request to the Minister of Environment to reconsider the case.

Signed by authorisation of the Minister

Undersecretary of State
Chief National Geologist

Henryk Jacek Jezierski, Ph.D.

Recipient:

Energia Zachód Sp. z o.o.
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00-060 Warszawa

Cc:

1. Municipality of Poznań
2. Municipality of Kórnik
3. Municipality and Commune of Czarniejewo
4. Municipality and Commune of Kostrzyn
5. Municipality and Commune of Pobiedziska
6. Municipality and Commune of Swarzędz

7. Municipality and Commune of Września
8. Commune of Czerwonak
9. Commune of Lubowo
10. Commune of Dominowo
11. Commune of Kleszczewo
12. Commune of Nekla
13. District Governor's Office in Gniezno
14. District Governor's Office in Poznań
15. District Governor's Office in Środa Wielkopolska
16. District Governor's Office in Września
17. Voivodeship Marshal's Office in Poznań
18. Regional Mining Authority in Poznań
19. National Environmental Protection and Water Management Fund in Warsaw
20. ad acta