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SUBJECT: Related to ANLA 2015051820-1-001 of October 20, 2015. Ruling request relating to the environmental license requirement. DPE3759-00-2015.

Dear Dr Garcia

In consideration of your ruling request in relation to if in accordance with the national environmental regulations, which appear in Regulatory Unique Decree 1076 of 2015, an environmental license is required for the use of the OSEII product on oil spills as part of the bio-remedy process, this Authority informs you of the following:

For the application of the OSEII product, two different scenarios can be considered. The first in the event of its use “*ex situ*” and the second “*in situ*”; with each scenario having its own control mechanism in accordance with the following:

Should the product be used “*ex situ*”, for its use, treatment and satisfactory disposal of the dangerous waste that it generates, a control and use mechanism is required by the relevant Competent Regional Autonomous Corporation, in accordance with numeral 10 of Article 2.2.2.3.2.3. of Decree 1076 of 2015 “*Competency of the Regional Autonomous Corporations*”, which establishes the following:

“

...

10. *The construction and operation of installations whose purpose is the storage, treatment, use, recuperation and/or final disposal of dangerous residue or waste (...)*”

That being said, should the product be used “*in situ*”, the provisions of use and control mechanism rules for the project, works, or the activity related to the spill should apply, in accordance with numeral 1 of Article 2.2.2.3.2.2. of Decree 1076 of 2015 “Competency of the Regional Autonomous Corporations (ANLA)”.

I hope that this reply satisfactorily answers your question.

Best regards

[Signature]

EDILBERTO PEÑARANDA CORREA

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