

PRESS RELEASE ENEL GENERACIÓN CHILE

COURT RATIFIES ITS DECISION TO LIFT THE CLOSURE OF THE BOCAMINA DUMP

- *The Higher Court of Concepción rejected the appeal for reconsideration filed by Mayor Boris Chamorro.*
- *Enel Generación filed a complaint for contempt against the Mayor of Coronel, which has been declared admissible by the Coronel supervisory judge.*

Coronel, May 07, 2019.- Today the Concepción Court of Appeals ratified its decision to lift the closure of the Bocamina ash dump decreed by the Coronel Mayor, Boris Chamorro, rejecting the appeal for reconsideration filed *the Court's decision since it calls into question the legality of the municipal decree that we are reproaching. Now we hope that the Mayor will make this measure effective in order to continue with our operations in a normal way, without the operational restrictions that they are still trying to impose,*" said **Michele Siciliano**, Enel Generación's thermal generation manager.

Last Friday Enel Generación filed a criminal complaint for the crime of contempt against the Mayor Boris Chamorro, for not complying with the "no-innovation" order that obliges him to end the closure of the Bocamina ash dump. *"It is a serious situation, not only because of the administrative and civil liabilities derived from this attitude of contempt, but also because it illegally maintains the harmful effects and the operational, sanitary, and environmental risk of the closure of the ash dump which has all the environmental permits necessary to operate,"* the executive added.

The complaint was declared admissible by the Coronel supervisory judge, Jorge Henríquez Mora, who ordered the public ministry to begin its processing.

On April 25, the Mayor of Coronel ordered the closure of Bocamina's ash dump for allegedly having a facility located on its premises in an irregular manner, arguing a transgression of the Urban Planning and Construction Law. On April 26, Enel Generación filed a protection appeal with the Concepción Court of Appeals and to ensure the outcome of the constitutional action and partially mitigate the serious damages that the contested act is generating for Enel Generación Chile, on a daily basis, a no-innovation order was requested, which was issued by the Court on Tuesday, April 30. Since then, on four occasions, the mayor has been asked to comply with the Court's decision and to allow the development of unavoidable, unpostponable, and necessary activities for the fulfillment of the landfill obligations. Among these activities are the works that are part of the landfill closure plan. These works were already under development as authorized by the competent institutions and are now at risk of delays due to the closure decreed by the municipality.