

**REGULATION
OF
THE COMPLEX
OF
TUBARÃO
AND
PRAIA MOLE
PORTS**

SUMMARY

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CHAPTER I

General Rules

Art. 1º – The Regulation of the Complex of Tubarão e Praia Mole Ports intends to regulate, discipline and organize operations, activities and services performed at the Complex of Tubarão e Praia Mole Ports (hereinafter called “Port Complex”), under the terms of the Law no.12.815/13, the ANTAQ authorization for the Port Complex operation and the respective Adhesion Agreement with the Public Power for exploitation of the Terminal for Private Use.

Art. 2º – For the purposes of this Regulation, the following definitions are applied:

I – Port Complex Administration: Vale S/A, as duly authorized operator of the Port Complex, acting within its authorization limits;

II – Maritime Authority: Brazilian Navy;

III – Adhesion Agreement: the instrument which formalizes the authorization for indirect exploitation by Vale S/A of the port facilities in the Port Complex;

IV – DES: Abbreviation of Special Drawing Rights, the monetary unit of the International Monetary Fund;

V - ETA: Estimated Time of Arrival.

Art. 3º – The Port Complex Administration must:

I - comply with the laws, regulations and the Adhesion Agreement and ensure that they are complied with;

II - pre-qualify service providers in the area of the Port Complex;

III - collect charges related to Terminal’s activities;

III - perform surveillance of the port operation, assuring the performance of the activities according to the legal principles and the Adhesion Agreement regarding regularity, efficiency, safety and respect to the environment;

IV - authorize or determine the entrance and exit, including mooring and unmooring, anchoring and traffic of vessels in the Port Complex area, consulting, if applicable, other competent authorities;

V - authorize or determine the movement of the cargo, excepting the competence of the Maritime Authority in situations of assistance to and salvage of vessels and wreck removal , consulting, if applicable, other competent authorities;

VI - under coordination of the Maritime Authority, maintain and operate the beaconing of the access canal and the evolution basin, as well as the dragging of the docking cribs in the Port Complex;

VII - under coordination of the Maritime Authority, establish and disclose the maximum draft of operation of the vessels;

VIII - under coordination of the Maritime Authority, establish and disclose the maximum deadweight and the maximum size of the vessels that will be in traffic, due to limitations and characteristics of the access to the Port Complex and its docking facilities;

IX - arrange for the removal of vessels or vessels hulls that may hinder the access to the Port Complex;

X - suspend the port operations that may hinder the functioning of the Port Complex, except for the aspects of interest of the Maritime Authority;

XI - establish the functioning hours of the Port Complex, under legal and regulatory provisions;

XII - apply the penalties provided in this Regulation; and

XIII - organize the safety of the Port Complex.

Art. 4º – The Terminal Administration, in light of its duties and legal assignments for provision of port services, is the port authority in exercise at the geographic area of the Port Complex, and the vessels, clients and users are subject to its resolutions.

Art. 5º – The use of the Port Complex facilities inside the limits of the Terminal area shall be authorized by the Terminal Administration upon request of shipowners, operators, charterers or shipping agents of the vessels and shall be paid for by its users in accordance with the Port Complex's charges.

CHAPTER II

Information about the Complex of Tubarão and Praia Mole Ports

Section 1 Introduction

Art. 6º – Information contained in this Regulation is destined to provide guidance to the shipowners, operators, charterers, masters and shipping agents of the vessels regarding facilities and general conditions of the Port Complex, and do not replace or change any of

the provisions defined in Brazilian or international official publications destined to the seafarers. Other information regarding conditions of the Port Complex may be obtained upon consultation with the Port Complex Administration.

Art. 7º – The Port Complex Administration is not responsible for delays, expenses, costs, prejudices, losses, accidents or damages arising from errors in using this information or from omission in consulting other national or international publications that may be needed.

Section 2. Panoramic View of the Port Complex

[INSERT IMAGE]

Section 3 Location

Art. 8º – The Complex of Tubarão and Praia Mole Ports is located on the north margin of Vitória Bay, in the city of Vitória, Estate of Espírito Santo, which is linked by motorway and railway systems.

It is located in the geographic coordinates:

Port of Tubarão

Pier 2: Latitude: 20° 17'35" South Longitude: 040° 14' 51" West

Pier 1 North/South: Latitude: 20° 17' 23" South Longitude: 040° 14' 42" West

Terminal of General Cargo – Terminal of Grains

Pier 3: Terminal of Grains - Latitude: 20° 17' 32" South Longitude: 040° 14' 46" West

Pier 4: Terminal of Container and General Cargo - Latitude: 20° 17' 27" South Longitude: 040° 14' 37" West

Terminal of Liquid Bulk Cargo

Pier 5: Latitude: 20° 17' 16" South Longitude: 040° 14' 40" West

Port of Praia Mole (Terminal of Coal)

Latitude: 20° 17'52" South Longitude: 040° 14'12" West

Section 4 Nautical Charts

Art. 9º – The access canal, evolution basin, anchoring areas and berths are represented in the following Nautical Charts:

- Charts no. 1410 and 1401 issued by the Brazilian Directorate of Hydrography and Navigation (DHN);

- Charts no. 521 of the British Admiralty.

Section 5 Meteorological Conditions

Art. 10 – About meteorological conditions:

- the weather in the region is of tropical type , humid and saline, with uniform relative humidity of the air throughout the year varying within 80% and 90%.
- rain season: from October to April, with minimum rainfall level of 100mm per day;
- dry season: from May to September, with rainfall level between 30 to 100mm per day;
- the average annual rainfall level: 1.238,5 mm. Maximum daily rainfall level: 147,7mm;
- the seawater density in the Port of Tubarão area is of 1,025Kg/l;
- the predominant direction of the winds is northeast.

Section 6 Currents, Tides and Waves

Art. 11 – On currents, tides and waves:

- the currents inside the protected waters of Port of Tubarão are governed by the water recirculation caused by the tide variation;
- the values of the currents can vary in 0,5m/s in the longitudinal and transversal region of the port affecting ships berthed at Piers 1 and 2;
- in the access canal, the speed of the transversal current goes up to 0,5 knot;;
- waves in the region are produced by local winds. At the evolution basin and its extension, waves of up to 1.20 (Hs) meters may occur at intervals (Tp) of 10 seconds.

Section 7 Communications

Art. 12 – Communications in VHF channels are as follows:

- general call, CHANNELS 16 and 70 DSC;

- Control Station, CHANNELS 16 and 11;
- Pilots Station, CHANNELS 14 and 74;
- Ship Maneuvering/Port Complex/Pilots, CHANNELS 10, 12 e 13;
- Ships e Port Complex Inspectors, CHANNELS 06, 67 and 68.

Section 8 Pilotage and Tugboats

Art. 13 – The use of pilots and tugboats in the maneuvers of vessels in the Port Complex is mandatory under the Brazilian Maritime Authorities Rules (NORMAM 12) and under the State of Espírito Santo Maritime Authorities Rules and Procedures (NPCP-ES) and the clients and users of the Terminal are responsible for hiring such services.

Section 9 Anchoring

Sub section 9.1 Internal Anchoring Area

Art. 14 – The evolution basin can be used as internal anchoring area only in emergency situations or to safeguard human life at sea and upon authorization to be granted by the Port Complex Administration and by the Maritime Authorities.

Sub section 9.2 External Anchoring Area

Art. 15 – Anchoring Area no. 2: designated preferably to ships or vessels with normal waiting time, programmed to operate at Pier 3 (TPB 3), Pier 4 (TPD 4) and Pier 5 (TPB 5) of the Complex of Tubarão and Praia Mole Ports and at Berths 1 and 2 of the Terminal of Coal of the Praia Mole Port.

The Area is delimited by the following geographical coordinates:

A) Latitude: 20° 19 36" South Longitude: 040° 13' 00" West

B) Latitude: 20° 17' 42" South Longitude: 040 13' 00" West

C) Latitude: 20° 17' 42" South Longitude: 040° 08' 30" West

D) Latitude: 20° 19' 36" South Longitude: 040° 08' 30" West

Art. 16 – Anchoring Area no. 3 – designated preferably to ships or vessels with normal waiting time, programmed to operate at the Terminal of Iron Ore of the Tubarão Port, Pier 1 North Side, Pier 1 South Side and Pier 2.

The Area is delimited by the following geographical coordinates:

- A) Latitude: 20° 23' 54" South Longitude: 040 13' 00" West
- B) Latitude: 020° 21' 42" South Longitude: 040° 13' 00" West
- C) Latitude: 20° 21' 42" South Longitude: 040° 10' 24" West
- D) Latitude: 20° 23' 36" South Longitude: 040° 10' 24" West

Art. 17 – Anchoring Area no. 4 – designated preferably to ships or vessels expecting Naval Inspection, Federal Police Inspection (NEPOM), Health and Safety Inspection (ANVISA), Customs Inspection (Alfândega) and/or any other competent authority inspection.

The Area is delimited by the following geographical coordinates:

- A) Latitude: 20° 18' 48" South Longitude: 040° 13' 42" West
- B) Latitude: 20° 18' 12" South: 040° 13' 42" West
- C) Latitude: 20° 17' 54" South: 040° 13' 12" West
- D) Latitude: 20° 19' 18" South: 040° 13' 12" West

Art. 18 – Anchoring Area no. 5 - designated preferably to ships or vessels with normal waiting time, programmed to operate at the Terminal of Liquid Bulk Cargo, Pier 5 (TGL) of the Port of Tubarão.

The Area is delimited by the following geographical coordinates:

- A) Latitude: 20° 23' 30" South Longitude: 040° 09' 36" West
- B) Latitude: 20° 21' 42" South Longitude: 040° 09' 36" West
- C) Latitude: 20° 21' 42" South Longitude: 040° 08' 30" West
- D) Latitude: 20° 23' 24" South Longitude: 040° 08' 54" West

Section 10 Access Canal

Art. 19 - Porto de Tubarão – The access canal to the Port of Tubarão is delimited by five pairs of buoys and a maneuvering area made out of two evolution basin totaling an area of 5.522 meters of extension.

Operational Characteristics:

Length	4.422 meters
Breadth of Project	285,00 meters (350,00 meters between the buoys TU and nº 10)
Depth of Project	25,30 meters

Operational Restriction to the Ships:

Deadweight	405.000 MT
Maximum Length	365 meters
Maximum Breadth	66 meters

Maximum Depth: 22,30 plus tide, limited to 23 meters.

22,30 meters + tide	significant waves height of up to 1,00 meter
22,20 meters + tide	significant waves height of up to 1,10 meters
22,10 meters + tide	significant waves height of up to 1,20 meters
22,00 meters + tide	significant waves height of up to 1,30 meters
21,90 meters + tide	significant waves height of up to 1,40 meters
21,80 meters + tide	significant waves height of up to 1,50 meters

Art. 20 - Port of Praia Mole (Terminal of Coal)

The entrance to the Port of Praia Mole is partially through the same access canal for entrance to the Port of Tubarão. It is delimited by three pairs of buoys, an Evolution Basin and the Approximation Canal to the Berths, totaling an area of 5.300 meters of extension.

Approximation Canal to the Berths:

Length	Berth 1	1.200,00 meters
	Berth 2	900,00 meters
Breadth of Project		150,00 meters
Depth of Project	Berth 1	14,50 meters
Depth of Project	Berth 2	18,00 meters
Maximum Depth	Berth 1	13,50 meters + tide
	Berth 1	16,00 meters + tide without any ship at berth 2
	Berth 2	16,00 metros + are, limitado a 17,20 metros

Restriction to the Ships:

Maximum Deadweight		250.000 metric tons
Maximum Length		300,00 meters
Maximum Breadth		50,00 meters
Maximum Depth	Berth 1	13.50 meters + tide
	Berth 1	16.00 meters without ship at Berth 2
	Berth 2	16.00 metros + tide limited to 17,00 meters

Section 11 Evolution Basin

Art. 21 – Port of Tubarão – The Evolution Basin of the Port of Tubarão has the following particulars and restrictions:

South Evolution Basin

Center	Latitude: 20° 17 40" South Longitude 040° 15' 07" West
Diameter	730,00 meters
Radius	365,00 meters
Depth of Project	13,20 meters

Restriction to the ships

Maximum Deadweight	405.000 metric tons
Maximum Length	365,00 meters
Maximum Breadth	66,00 meters
Maximum Depth	11,20 meters

North Evolution Basin

Center	Latitude: 20° 17 34" South Longitude 040° 15' 08" West
Diameter	730,00 meters
Radius	365,00 meters
Depth of Project	18,00 meters

Restriction to the ships

Maximum Deadweight	405.000 metric tons
Maximum Length	365,00 meters
Maximum Breadth	66,00 meters
Maximum Depth	15.50 meters plus tide

Art. 22 – Port of Praia Mole - The Evolution Basin of the Port of Praia Mole has the following particulars and restrictions:

Evolution Basin

Center of the basin	Latitude: 20° 18 05” South Longitude 040° 14’ 40” West
Radius	300,00 meters
Depth of Project	18,00 meters

Restriction to the Ships

Maximum Deadweight	250.000 metric tons
Maximum Length	300,00 meters
Maximum Breadth	50,00 meters
Maximum Depth	15,50 meters plus tide

Section 12 Mooring Areas

Art. 23 – Particulars of Pier 2 of Port of Tubarão:

Operational Characteristics:

Operational Length	456,25 meters
Length over all	210,00 meters
Depth of Project	25,30 meters

Restrictions to the Ships:

Deadweight	405.000 metric tons
Maximum Length	365,00 meters
Maximum Breadth	66,00 meters
Maximum Depth	23,00 meters

Restrictions to Ship’s Maneuverability:

For the maneuvers of mooring and unmooring of ships with a total length of more than 350.00 meters, it should be observed the restriction related to the necessity of Pier 5 (TGL) being unoccupied.

Art. 24 – Particulars of Pier 1 – North Side

Operational Characteristics:

Operational length	LOP 1 – 323,40 meters LOP 2 – 353,70 meters
Length over all	353,70 meters

Depth of Project	LOP 1 – 18,00 meters LOP 2 – 16,20 meters
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Restrictions to the Ships:

Maximum Deadweight	200.000 metrics tons
Maximum Length	LOP 1 – 301,00 meters LOP 2 – 320,00 meters
Maximum Breadth	50,00 meters
Maximum Depth	LOP 1 – 17,00 meters + tide LOP 2 – 15,20 meters + tide

Restrictions to Ship's Maneuverability:

Excepted when determined by the Port Complex Administration, ships with depth longer than 17,00 meters shall be subject to those procedures imposed on the Contingency Plan for Pier 1 North Side, which is part of the Resolutions of the Tubarão Port.

Art. 25 - Particulars of Pier 1 South Side:

Operational Characteristics:

Operational Length	LOP 1 - 323,40 meters LOP 2 - 340,30 meters
Length over all	340,30 meters
Depth of Project	LOP 1 - 17,00 meters LOP 2 - 14,00 meters

Restrictions to the Ships:

Maximum Deadweight	170.000 metric tons
Maximum Length	LOP 1 - 285,00 meters LOP 2 - 285,00 meters
Maximum Breadth	LOP 1 - 43,50 meters LOP 2 - 45,00 meters
Maximum Depth	LOP 1 - 16,00 meters LOP 2 - 13,00 meters

Restrictions to Ship's Maneuverability:

Ships with over 242,00 meters of length must be berthed at the starboard side.

In case of a ship or ships berthed at Pier 3 (TPD 3) and/or Pier 4 (TPD 4), independently on their individual length, then, mooring must be at the starboard side.

While maneuvering the ships, it must be observed the restrictions related to the result of the sum of ships' breadths which cannot exceed 76,00 meters on the interface between Pier 1 South Side and Pier 3 (TPD 3) and/or Pier 4 (TPD 4).

Art. 26 - Particulars of Pier 3 (TPD 3) – Terminal of Grains

Operational Characteristics:

Length of the Pier	350,00 meters
Length over all	280,00 meters
Depth of Project	16,00 meters

Restrictions to the Ships:

Maximum Deadweight	150.000 metric tons
Maximum Length	280,00 meters
Maximum Breadth	43,50 meters
Maximum Depth	15,00 meters

Restrictions to Ship's Maneuverability:

While maneuvering the ships, it must be observed the restrictions related to the result of the sum of ships' breadths which cannot exceed 76,00 meters on the interface between Pier 3 (TPD 3) and Pier 1 South Side.

Ships with over 242,00 meters of length must be berthed at the portside.

In case of a ship or ships berthed at Pier 1 South Side and/or Pier 4 (TPD 4), independently on their individual length, then, mooring must be at the portside.

Art. 27 - Particulars of Pier 4 (TPD 4) – Terminal of Container and Diversified Cargo

Operational Characteristics of the Pier:

Operational Length	306,25 meters
Length over all	230,00 meters
Depth of Project	13,00 meters

Restrictions to the Ships:

Maximum Deadweight	90.000 metric tons
Maximum Length	245,00 meters
Maximum Breadth	32,50 meters
Maximum Depth	12,00 meters

Restrictions to Ship's Maneuverability:

While maneuvering the ships, the masters must observe the restrictions related to the result of the sum of ships' breadths which cannot exceed 76,00 meters on the interface between Pier 4 (TPD4) and Pier 1 South Side and/or Pier 3 (TPD 3).

Ships with up to 200,00 meters of length can be berthed at the starboard side, provided that the ship observes the restrictions related to the necessity of Pier 1 South Side and Pier 3 (TPD 3) being unoccupied.

Ships with over 200,00 meters of length can be berthed at the starboard side, provided that the ship observes the restrictions related to the necessity of Pier 1 South Side and Pier 3 (TPD 3) being unoccupied.

While maneuvering the ships it must be observed the restriction related to the necessity of Pier 1 South Side or Pier 3 (TPD 3) being unoccupied.

For the mooring maneuvers, ships with total length superior than 230,00 meters and equal or smaller than 245,00 meters, it must be observed the restriction related to the necessity of Pier 3 (TPB 3) being unoccupied.

Art. 28 - Particulars of Pier 5 (TGL) – Terminal of Liquid Bulk Cargo

Operational Characteristics:

Operational Length	226,25 meters
Length over all	124,50 meters
Length of Project	12,50 meters

Restrictions to the Ships:

Maximum Deadweight	40.000 metric tons
Maximum Length	181,00 meters
Maximum Breadth	30,00 meters
Maximum Depth	11,35 meters

Restrictions to Ship's Maneuverability:

For the mooring maneuvers during night time, it must be observed the restriction related to the necessity of Pier 1 North Side or of Pier 2 being unoccupied, for ships with over 170 meters of length.

For entrance/mooring maneuvers, it must be observed the restriction related to the necessity of not existing any ship moored at Pier 2 with maximum breadth of over 60,00 meters.

Operational Characteristics:

Operational Lengths	226,25 meters
Length over all	124,50 meters
Depth of Project	12,50 meters

Restrictions to the Ships:

Maximum Deadweight	40.000 metric tons
Maximum Length	181,00 meters
Maximum Breadth	30,00 meters
Maximum Depth	11,35 meters

Restrictions to Ship's Maneuverability:

For the mooring maneuvers during night time, it must be observed the restriction related to the necessity of Pier 1 North Side or of Pier 2 being unoccupied, for ships with over 170 meters of length.

For entrance/mooring maneuvers, it must be observed the restriction related to the necessity of not existing any ship moored at Pier 2 with maximum breadth of over 60,00 meters.

Art. 29 – Particulars of the Tugboats Quay and supply boats**Operational Characteristics:**

Operational Length	137,00 meters
Length over all	137,00 meters
Depth of Project	6,35 meters

Restrictions to the Ships:

Maximum Deadweight	10.000 metric tons
Maximum Length	137,00 meters
Maximum Breadth	25,00 meters
Maximum Depth	5,35 meters

Terminal of Tugboats

Part of the Terminal of Tugboats is for use of small ships, small crafts, supply vessels, floating boats, tugboats and other similar vessels used for carriage of passengers and logistic and supply services.

Art. 30 - Particulars of Port of Praia Mole – Terminal of Coal

Operational Characteristics:

Operational Length	Berth 1	316,92 meters
	Berth 2	400,00 meters
Length over all	Berth 1	305,67 meters
	Berth 2	400,00 meters
Depth of Project	Berth 1 e 2 (LOP 2)	17,00 meters
	Berth 2 (LOP 1)	18,00 meters

Restrictions to the Ships:

Three Ships Operating Simoultaneously

Maximum Deadweight		90.000 metric tons
Result of the Sum of all Ships Lengths		600,00 meters
Maximum Total Lengths		300,00 meters
Each Ship Maximum Breadth		40,00 meters
Maximum Depth	Berth 1 e 2(LOP 2)	16,00 meters
	Berth 2 (LOP 1)	17,00 meters

Two Ships Operating Simoultaneously

Maximum Deadweight		250.000 metric tons
Result of the Sum of all Ships Lengths		600,00 meters
Maximum Total Lengths		300,00 meters
Each Ship Maximum Breadth		50,00 meters
Maximum Depth	Berth 1 e 2 (LOP 2)	16,00 meters
	Berth 2 (LOP 1)	17,00 meters

Restrictions to Ships Maneuverability at Port of Praia Mole (Terminal of Coal)

Ships with depth equal or superior to 15,50 meters must perform its maneuver only during day time, from sunrise to sunset.

For maneuvers of ships with depth superior to 13,50 metros plus tide, programmed for Berth 1, it must be observed the restriction related to the necessity of Berth 2 being unoccupied.

All ships programmed for Berth 1, with depth superior to 13,50 meters plus tide, must proceed to Berth 2 (berthing parallel to the pier, without mooring) moving along the pier towards Berth 1.

CHAPTER III

Working Hours of the Terminal

Art. 31 – The working hours in the Port Complex facilities is fixed by the Port Complex Administration, under the legislation in force.

CHAPTER IV

Use of the Anchoring Areas and Docking Facilities

Art. 32 – Authorization for docking in public facilities, as well as definition of priorities, shall be granted by the Port Complex Administration.

Art. 33 – Clients and users of the Port Complex shall accept promptly the resolutions of the Port Complex Administration and competent authorities regarding the priority of service to vessels.

Art. 34 – Clients and users of the Port Complex shall provide all documentation and information required by legal rules and the rules of the Port Complex Administration, subject to the penalty of not being authorized to enter or exit, and also mooring or unmooring and moving/shifting of vessels in the Port Complex area.

Art. 35 – The Port Complex Administration may suspend or cancel any activity or operation which is not in compliance with the current legislation and with this Regulation or which may otherwise hinder the functioning of the Port Complex causing failure to comply with its obligations as authorized by the Public Power.

Sole Paragraph – The resolutions of the Port Complex Administration for exit or unmooring of the vessel must be complied with, except in special situations, at the first tide or at the subsequent tide.

Art. 36 – Vessels anchored or moored shall not perform repairs in its main engine and/or equipment preventing them from moving, except in special situations previously authorized by the Port Complex Administration and, if applicable, as instructed by the Maritime Authority.

Art. 37 – In case of vessels transporting hazardous cargo, the shipowner, operator, charterer, shipping agent or master must provide the following data at least 48 hours in advance:

I - the technical name of the cargo, in Portuguese language, according to the classification code of the International Maritime Organization (IMO), the flash point,

when applicable, and its UN number (identification number established by the United Nations Committee);

II - the quantity of hazardous cargo on board, indicating the amount that must be unloaded at the port and the amount that will remain on board the vessel, located on deck or inside the holds;

III - the type of package;

IV - the status of the hazardous cargo and the likelihood of a potential incident to occur;

V - information of whether the vessel has or not any insurance certificates for carriage of hazardous cargo;

VI - other relevant information regarding precautions while handling the cargo and concerning appropriate PPEs.

Art. 38 – Vessels and their crew members are subjected to the present regulation, during the time in which they remain in the Port Complex area.

Art. 39 – Vessels moored in the dock must readily fulfill the orders given by the Port Complex Administration, especially in case of abnormal situations which may compromise the safety of the personnel, facilities and the vessels themselves or which may hinder the good functioning of the port.

Sole paragraph – If adverse weather or sea condition whatsoever, including, without limitation, rain, tide, waves or swell and winds arises during the berthing, mooring, loading or discharging operations and the vessel is unable to remain securely moored by its own means, the master of the vessel must request pilotage and towage services in order to immediately remove the vessel from berth. In the event master fails to proceed accordingly, the terminal shall request the pilotage and towage services in order to avoid any risk to the terminal, ship and/or crew of the vessel, in which case all costs related to such pilotage and towage services shall be for the account of and paid directly by the vessel/ship-owner.

Art. 40 – The master must perform loading and/or unloading operations as programmed and immediately unmooring the vessel after the completion of the operations.

Art. 41 – The master must follow the best marine and shipping practices during the mooring period and while loading minerals, including, but not limited to:

I - perform the proper mooring arrangements for his vessel, following, as a minimum, the mooring schemes included in this Regulation;

II – installation of the Micro Drainage System for Vessel - MDSV included in art. 44 of this Regulation.

Art. 42 – In case of rainfalls during the loading or unloading operation, the master of the vessel must keep closed all hatches which are not being operated by the Port Complex.

Sole paragraph – In case of hard rainfalls, the Port Complex Administration may establish that all hatches, without exception, must be closed.

Art. 43 – The vessels' wells must be completely drained before mooring for loading, in order not to add humidity to the cargo that will be loaded and to enable the drainage as from the loading operation.

Sole Paragraph – The drainage of wells is not allowed in the mooring areas.

Art. 44 – For loading of mineral fines in the Port Complex, vessels must have installed, for navigation safety reasons, the MDSV.

§ 1 – The Port Complex Administration shall arrange for the installation and/or maintenance of the MDSV after anchoring of the vessels and before the beginning of the loading. Installation costs shall be negotiated with the shipowners and/or shippers, as applicable.

§ 2 – If the vessel already has the MDSV on board, the Port Complex Administration shall perform a previous maintenance and re-installation of the equipment. The maintenance and re-installation costs of the equipment shall be negotiated with the shipowners and/or shippers, as applicable.

Art. 45 – Masters of the vessels programmed to operate in the Port Complex must provide to the Port Complex Administration, within a minimum of seven (7) days prior to the ETA:

a) his acceptance in respect to the installation on board of the MDSV and must precisely provide all technical information needed for installation of the system, according to the Attachment I of this Regulation; or

b) his confirmation that the MDSV device is already available on board and that they agree with its maintenance and re-installation by the Port Complex Administration.

Art. 46 – Removal of the MDSV after the completion of mineral fines transportation is responsibility of the vessel's master, and the equipment may be preserved in case of future shipments of mineral fines in the Port Complex.

Art. 47 – The Port Complex Administration will be entitled, at its sole discretion, to reject the nomination and to start loading operation of any vessel which:

a) is not, in all aspects, ready to receive the cargo in the Port Complex; or

b) has not been approved by the vetting system of the Port Complex or of the shipper; or

c) has not followed the provisions in this Regulation regarding the installation of the MDSV on board or which have previously refused the permission for its installation or re-installation;

d) does not meet operational requirements related to vessel's capability to timely unballast compatibly with loading rates;

e) does not meet the specifications for the lashing cables which are recommended considering the deadweight (DWT) of the vessel and the characteristics of the Pier.

Art. 48 – The Port Complex Administration shall not be responsible for any losses, damages, harms and/or expenses arising from ineffective operation of the MDSV due to incorrect information provided by the ship's master under the terms of art. 45 "a" of this Regulation.

Art. 49 – If the master refuses to proceed with or complete the loading operation as scheduled, the Port Complex Administration, at its own discretion, as Local Port Authority, under the provisions of art. 35, may determine the immediate unmooring of the vessel and its shifting to one of the anchoring areas of the Port Complex or any other indicated area, until the impasse determining the refusal is solved, in order to prevent prejudice to the regularity, effectiveness and safety of port operations.

§ 1 – Another refusal by the master in readily complying with the order for shifting/moving the vessel to the anchoring area or to any other indicated area shall subject the shipowner, operator or charterer to a daily fine for interruption of the berth's usage, applicable as from the unmooring order, at the amount equivalent to 58,000 (fifty eight thousand) DES, without prejudice to their civil liability for damages arising from the master's refusal.

§ 2º – In case of refusal to comply with the shifting/moving order to anchoring area or any other indicated area, the Port Complex Administration may judicially request the fulfillment of its determination.

CHAPTER V

Price of Port Services

Art. 50 – The prices for the port services shall be informed by the Port Complex Administration upon consultation, except when they are already included in the official Internet website of Vale S.A.

Art. 51 – Port Services with specific characteristics, adjusted to attend the particular need of the clients and users of the Port Complex, as well as its charges/prices, are to be agreed between them and the Port Complex Administration.

Art. 52 – The Port Complex Administration is not responsible for services hired by clients and users of the Port Complex with third parties. Prices shall be negotiated by clients and users of the Port Complex directly with such third parties.

CHAPTER VI

Port Security

Art. 53 – The Port Complex operates according to international safety standards and rules of ISPS (*International Ship and Port Facilities Security Code*).

CHAPTER VII

Environment Protection

Art.54 – Vessels, their masters and crew must observe, during their permanence in the Port Complex, the rules of harmonious relationship with and preservation of the sea environment contemplated in the applicable legislation.

Art. 55 – Vessels shall not release oil, residues, garbage or any other materials that may harm or contaminate the waters in the Port Complex area.

Art. 56 – Diving services to clean vessels' hulls or propeller are not allowed in the Port Complex area.

Art. 57 – Release of ballast water is allowed within the Port Complex area provided that the requirements of competent authorities are complied with in order to prevent environmental pollution and/or changes in the balance of the fauna and flora of the sea.

Art. 58 – Disposal of sanitary sewage directly into the waters is prohibited, and the ship must keep in operation an effluent treatment system during the permanence in the Port Complex.

Art. 59 – The Port Complex authorizes, through registered companies, a waste collection service (for garbage, sediments and oily residues), that must be performed exclusively during day time. Exceptions shall be assessed by the Port Complex Administration.

Sole Paragraph – The list of companies providing the waste collection service can be obtained upon consultation to the Port Complex Administration.

CHAPTER VIII

Ballast Water Management (BWM)

Art. 60 – Vessels shall always be in compliance with the International Convention for the Control and Management of Ships' Ballast Water and Sediments (“BWM Convention”) and any and all applicable implementing measures. Should the vessel be accepted by the Port Complex Administration and subsequently be found to not comply with the terms of the BWM Convention applicable to it and any and all applicable implementing measures, Port Complex Administration shall have the right to reject the berthing and ship owners shall be responsible for and indemnify the Port Complex Administration for all costs and any time lost as a result of such non-compliance. Shipowners, upon written request from Port Complex Administration, shall provide as promptly as possible electronic copy of a valid International Ballast Water Management Certificate for the nominated ships.

Art. 61 – Vessels shall always have sufficient ballasting/deballasting capability in relation to loading/unloading capacity. Master to ensure that the loading/unloading and ballast/deballasting are adequately synchronised at all times to maintain the vessel within her limits of stress and stability. In case loading/unloading has to be interrupted or delayed continuously for more than six (6) consecutive hours due to insufficient deballast capacity in relation to cargo loading capacity, noncompliance to the BWM Convention or to any other reason attributable to the vessel, the Port Complex Administration shall have the right to order the vessel to vacate the pier and shift from and back to the berth, at the shipowners' responsibility, time and expenses.

CHAPTER IX

Final Provisions

Art. 62 – All clients, users, service providers and their representatives and agents must comply with the rules of:

- a) this Regulation;
- b) safety and operation standards established by the Port Complex;
- c) regulatory, customs, hygiene, environmental protection, safety and other standards established by the legislation in force.

Art. 63 – Conditions for entrance, movement, permanence or storage of cargo shall be established by the Port Complex Administration, according to the particulars of the cargo.

Art. 64 – Entrance and flow of vehicles, equipment, cargo or personnel in the Port Complex are conditioned to previous authorization by the Port Complex Administration. Clients, users, service providers and their representatives and agents must check with the Administration regarding applicable rules reasonably in advance before performing any operation.

Sole paragraph – Vehicles must be in conformity with the traffic and transportation current legislation.

Art. 65 – Clients and users of the Port Complex are aware that the Port Complex Administration shall inform the competent governmental authorities about the conditions of services provided and operational data, notably regarding the removal of wastes and omissions of the vessels.

Art. 66 – In case of incident involving a foreign vessel causing damages to the Port Complex or prejudicing its activities, the Port Complex Administration may require from the respective shipowner and/or operator without assets in Brazil a bank guarantee or any other guarantee at the Port Complex's sole discretion that ensures full compensation of all sorts of damages, including but not limited to loss of earnings and applicable fines.

§ 1 – The bank guarantee must be presented within forty eight (48) hours after its request by the Port Complex Administration, however always before the departure of the vessel from the Port Complex.

§ 2 – In case of refusal or failure to provide the bank guarantee, the Port Complex Administration may judicially request the seizure/arrest of the vessel until the guarantee is provided.

Art. 67 – The Port Complex Administration shall not be responsible for any delays, expenses, costs and damages to shipowners, operators, charterers, ship masters due to their failure to comply with the provisions of this Regulation.

Art. 68 – Shipowners, operators, charterers, ship masters are responsible before the Port Complex Administration and shippers for the failure to comply with the provisions of this Regulation.

Art. 69 – Cases not included herein shall be resolved by the Port Complex Administration.

Art. 70 – This Regulation is issued in two versions, one in Portuguese language and another in English language. In case of any inconsistency among them, the version in Portuguese shall prevail.