



REPUBLIC OF BULGARIA
MINISTRY OF ENVIRONMENT AND WATER

99.00-217
16, August 2016, Sofia

Subject: *EIA procedure for the investment proposal for construction of National Disposal Facility for Low and Intermediate Radioactive Waste (NDF) with proponent the State Enterprise "Radioactive Waste" – conducted public discussion in Craiova, Romania*

Your Excellency,

The Ministry of Environment and Water received (via e-mail) the documentation on the above-mentioned investment proposal which was sent by the coordinator of Romania on administrative matters under the Convention on Environmental Impact Assessment in a Transboundary Context (the Convention). The documentation contained lists from the public discussion in Craiova, Romania and comments of interested parties and further standpoints received at the Ministry of Environment, Waters and Forests of Romania after the public discussion meeting. In this regard, please find enclosed (in electronic format, translated in English) a standpoint of the proponent regarding the questions asked and the suggestions, recommendations, opinions and objections.

In connection with the questions raised regarding the investment proposal "Extension of Operation of the Fifth and Sixth Units of NPP "Kozloduy" for which it has been decided (by Decision № 6 - PR/2014 of the Minister of Environment and Water) not to carry out an EIA, it should be borne in mind that the Decision complies with item A6 of the adopted Declaration on activities related to the production of electricity from nuclear power plants, which was approved by the parties implementing the Convention (Document № ECE/MP.EIA/20.Add.3 – ECE/MP.EIA/SEA/4.Add.3). Pursuant to the quoted Declaration, only carrying out activities during the operation period of the facilities, which may lead to occurrence of significant negative impact on the environment, can be considered as subject to the Convention. I would like to note once again that the investment proposal envisages only the extension of the operation period of the

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existing and functioning 5th and 6th units of the NPP, without changes in the technological schemes and processes and without carrying out construction activities, which confirms the correctness of the procedure conducted regarding the assessment of the need of environmental impact assessment, as well as the issued Decision № 6 - PR/2014.

The operation of Units 5 and 6 of "Kozloduy" NPP was assessed cumulatively when evaluating the following investment proposals for which EIA procedures have been conducted independently and the conclusions in the EIA reports prepared by different expert teams are confirmed:

- "Decommissioning of Units 1-4 at Kozloduy NPP" with proponent the State Enterprise "Radioactive Waste";
- "Facility for Treatment and Conditioning of Radioactive Wastes with a High Volume Reduction Factor at Kozloduy NPP" with proponent Kozloduy NPP;
- "Construction of National Disposal Facility for Low and Intermediate Radioactive Waste (NDF)" with proponent the State Enterprise "Radioactive Waste";
- "Construction of a New Nuclear Unit of the Latest Generation at the Kozloduy NPP Site" with proponent "Kozloduy NPP – New Build EAD".

In accordance with the requirements of the Convention on EIA in a Transboundary Context, the Republic of Bulgaria has informed Romania (as a possible affected party) about the above-mentioned investment proposals and has provided Romania with the documentation regarding the conducted and the completed transboundary procedures. Standpoints on this documentation have been presented by the Romanian side. In this regard, the Ministry of Environment and Water has sent comments on the questions asked by the Ministry of Environment, Waters and Forests of Romania which are presented as an annex to letter № 99-00-217/19.01.2016. In particular, items 7, 35 and 37 contain answers also to the questions raised in your letter № 4639/GLG/30.07.2015.

With regard to your proposal to develop a bilateral agreement between Romania and Bulgaria concerning all investment proposals related to the "Kozloduy" NPP Site, which shall contain aspects related to the exchange of information on:

- urgent measures to mitigate the consequences of a possible accident;
- measures/actions to protect the population located in the emergency planning zones on the territory of Romania;
- the health of the population located in the zone of influence of "Kozloduy" NPP as a result of radioactive emissions into the air and water in case of a nuclear accident in the 7th unit;
- monitoring carried out at the site by the operator of the nuclear power plant, which is provided to the authorities within the project region when carrying out the activities,

I would like to inform you that letter ref. № 4639 / GLG / 30.07.2015 was provided, in accordance to its competence, to the Nuclear Regulatory Agency. The Council of Ministers of the Republic of Bulgaria, the Ministry of Energy, the Ministry of Foreign Affairs and the Ministry of Health were further notified, since under the Bulgarian legislation the Minister of Environment and Water of Bulgaria is the competent authority for conducting EIA procedures in transboundary context.

With regard to the appeal of Decision № 6 - PR/2014 of the Minister of Environment and Water to assess the need of environmental impact assessment of investment project "Extension of Operation of the Fifth and Sixth Units of NPP "Kozloduy" with proponent "Kozloduy" NPP, city of Kozloduy, I would like to inform you that the second instance of the Supreme Administrative Court (SAC) has maintained in force the Decision of the first instance, by which the appeal of the "Coalition for Sustainable Development" Association was rejected. With regard to the application for annulment of the Court's Decision, which was submitted by the National Movement "Ecoglasnost", represented by Peter Penchev, a third extraordinary instance shall pronounce.

In this regard, please send your final opinion on the documentation within two weeks of the receipt (via e-mail) of this letter. In case you think it is necessary, you may make proposals for conditions and measures to prevent or reduce adverse effects, which may be included in the EIA decision.

I would like to take this opportunity to express my highest consideration and readiness for fruitful cooperation.

Enclosure: according to text

Yours sincerely,

Ivelina Vasileva
Minister of Environment and Water