

Environmental Impact Assessment Report
for the Decommissioning of Units 1 to 4
at Kozloduy Nuclear Power Plant

CHAPTER 7

**STATEMENTS AND OPINIONS EXPRESSED
BY THE AFFECTED PUBLIC, AS WELL AS
THE AUTHORITIES INVOLVED IN DECISION
MAKING FOR EIA AND THE OTHER
SPECIALIZED AUTHORITIES OR
INTERESTED STATES IN TRANS BOUNDARY
CONTEXT, AS A RESULT OF THE
CONSULTATIONS HELD**

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7. Statements and opinions expressed by the affected public, as well as the decision making authorities for EIA and the other specialized authorities or interested states in transboundary context, as a result of the conducted consultations

7.1 Statements and opinions of the competent authorities and the specialized organizations

7.1.1 List of the natural and legal persons, to who letter for consultations on the Terms of Reference on the scope of the Environmental Impact Assessment Report has been sent.

In accordance with the requirements of art. 95, para. 3 of the Environmental Protection Act and art. 9 of the *Regulation on the terms and procedures for implementation of Environmental Impact Assessment*, the Contracting authority has conducted consultations with the competent authority (MEW) and with the interested and specialized departments, as he has been sending the necessary information as follows:

Notification on the Investment Proposal

1. Sender “NPP Kozloduy” EAD:

- Notification of the Investment Proposal for Decommissioning of Units 1 to 4 of Kozloduy Nuclear Power Plant, ID No.977-IE*06.03.2008.

2. Sender State Enterprise (SE) “RAW”:

- Notification, according art.4 (1) of the Regulation on the terms and procedure of implementation of EIA (EIA Regulation adopted by DCM 59/2003, amended SG 80/2009) related to the SE RAW issuance of license by the NRA for operation of the Units 1 and 2 of Kozloduy NPP as RAW management facilities via the Specialized Department “Decommissioning – Kozloduy”.

3. Notification to Republic of Romania about the Investment Proposal

- Notification to an affected party of a proposed activity under art.3 of the Convention on Environmental Impact Assessment in a Transboundary Context about decommissioning of units 1 to 4 at Kozloduy NPP – sent by MEW letter 26-00-939/01.07.2010

4. Decision of the Council of Ministers (DCM) No1038 from 19 December 2012 (attached in relation with the determination of the Investment Proposal Proponent (Employer)

- DCM declaring Units 3 and 4 of Kozloduy NPP as installations for management of radioactive waste, declaring Units 3 and 4 of KNPP together with the necessary assets as private state property and entrusting their management to State Enterprise Radioactive Waste with simultaneous decrease of the BEH EAD capital.

Submission of scoping ToR for the Environmental Impact Assessment as per art.95 (2) of the Environment Protection Act (EPA)

The ToR for defining the scope of the EIA was submitted for consultations with MEW as Competent Authority, in accordance with the provisions of art 10(5) of the EIA Regulation (last amended SG 94/30.11.2012)

The IP Proponent (Employer) has sent a letter with attached Terms of Reference for the scope, content and form of the EIA-Report, for conducting consultations, including expression of standpoints, statements, recommendations and necessary actions during its elaboration and probable measures to be applied in the course of the IP implementation, to the following specialized institutions and local authorities:

1. Ministry of Environment and Waters, Letter No 48870-CB/21.11.2008.
2. RIEW – Vratsa, Letter No 1450/17.11.2008.
3. President of Nuclear Regulatory Agency, Letter No D «B & K» No 1449/17.11.2008.
4. Ministry of Economic, Energy and Tourism, Letter No 4780-CB/18.11.2008.
5. Ministry of Health, Letter No 4781-CB/18.11.2008.
6. Chairman of the Municipality Council of Kozloduy, Letter No 4782-CB/18.11.2008.
7. The Mayor of Kozloduy Municipality, Letter No 4783-CB/18.11.2008.
8. Bulgarian Nuclear Society, Letter No D «B & K» No 1454/18.11.2008.
9. Ministry of Environment and Waters, Letter No 1473/09.11.2009.
10. Ministry of Environment and Waters, Letter No 5459-CB/07.12.2009.
11. Ministry of Environment and Waters, Letter No GU-OK-018/15.01.2010.
12. Ministry of Environment and Waters, Letter No 1316/16.03.2010.
13. Ministry of Environment and Waters, Letter No 5082/12.08.2011.
14. Ministry of Environment and Waters, Letter No 1405/04.10.2011.
15. Ministry of Environment and Waters, Letter No P-04-11-521/02.05.2012.
16. Ministry of Environment and Waters, Letter No P-04-11-711/31.05.2012 and through it to Republic of Romania according to the EIA Convention in Transboundary Context.
17. Ministry of Environment and Waters, Letter No OVOS-289/20.12.2012 from SERAW for submission of the EIA documentation on the IP “Decommissioning of Units 1 to 4 at Kozloduy NPP” for quality assessment.

7.1.2 List of the natural and legal persons, who have given their statement on the Investment Proposal

Until the present moment are received statements, recommendations or necessary actions for the preparation of EIA and the realization of the investment proposal, from the following interested specialized institutions:

1. Ministry of Environment and Waters, Letter No 26-00-770/22.04.2008.
2. RIEW – Vratsa, Letter No 2695/02.12.2008.
3. Ministry of Health, Letter No 26-00-798/10.12.2008 г.
4. Municipality Council of Kozloduy, Letter No BI-109-1/27.11.2008. and Municipality Council of Kozloduy, Letter No BI-133/19.12.2008.
5. Ministry of Environment and Waters, Letter No 26-00-770/05.01.2009.
6. Bulgarian Nuclear Society, Letter No 11/10.01.2009.
7. Ministry of Environment and Waters, Letter No 26-00-770/04.02.2010.
8. Ministry of Environment and Waters, Letter No 26-00-939/02.07.2010.
9. Romanian Ministry of Environment and Forest, Letter No 5850/15.09.2010, received with MEW Letter No 26-00-939/19.10.2010 for agreement to participate in the EIA procedure in transboundary context.
10. Ministry of Environment and Waters, Letter No 2722/30.09.2011.
11. Ministry of Environment and Waters, Letter No 26-00-939/20.10.2011.
12. Ministry of Environment and Waters, Letter No 26-00-693/22.05.2012.
13. Water Basin Directorate Danube Region, Letter No 3072/14.05.2012.
14. Romanian Ministry of Environment and Forest Letter No 2830/31.07.2012, received with MEW Letter No 26-00-693/24.08.2012 concerning the ToR for scope and content of EIA.
15. Ministry of Environment and Waters, Letter No OVOS-289/09.01.2013 on the EIAR quality assessment.
16. Ministry of Environment and Waters, Letter No OVOS-289/28.03.2013 on the EIAR quality assessment.

Copies of the letters sent for consultation and the received statements, opinions and references on the ToR for defining the scope and content of the EIA Report, as also publication in a local newspaper are presented Appendix 11.7 to the present EIA Report. Currently no statements from the rest of the organizations mentioned above, to whom have been sent the EIA ToR have been received.

Summary of the conducted consultations on the ToR for the scope and content of the EIA Report is given in Table 7.1.2-1 and in table 7.1.2-2 are given the answers of EIA experts to the letter of MEW as Competent Authority on the EIAR quality assessment.

Table 7.1.2-1 Summary of the conducted consultations on the ToR for the scope and content of the EIA Report with reasons for the accepted and not accepted comments, statements, opinions and references

No	Conducted consultations (municipality/ department/ organization, etc.)	Given statements/recommendations/comments, etc.	Accepted/ Not accepted	Reason
1.	Ministry of Environment and Water (MEW)	<p><u>Letter No 26-00-770/22.04.2008</u></p> <p>I. In consideration of the provisions of the Chapter six of the Environmental Protection Act (EPA):</p> <p>1. The investment proposal shall be related to item 2 of Appendix 1 of EPA and according art. 92, item 1 of the Act it is subject to compulsory EIA with competent authority for issuing of EIA Decision the Minister of Environment and Water. For the conduct of the EIA procedure the following action shall be undertaken:</p> <ul style="list-style-type: none"> - By virtue of art. 10 (1) of the Regulation on the EIA you shall assign the development of ToR for the scope of the EIA, which shall contain the information, indicated in art. 10 (3) of the same Regulation. The subject of the assessment shall cover the investment proposal in its completeness, including, as per art. 82 (3) of EPA, the study of all auxiliary facilities and activities used in the process and also study the possible cross-border impact. - You shall organize consultations including with the competent authorities of the Ministry of health, the public concerned and the NGOs as well as with MEW and RIEW – Vratsa discussing the definition of the assessment scope and the proposed by you ToR... <p>II. In consideration of the provisions of art.31 of the Biodiversity Act:</p> <p>According the submitted information, the investment proposal does not belong to the protected areas in terms of the Biodiversity Act.</p> <p>The nearest protected areas are: Kozloduy islands, BG0000533 - Natural habitats and wild flora and fauna protection; “Zlatiata”, BG0002099 – Wild birds protection.</p>	The recommendations were taken into account and implemented.	The recommendations were accepted due to their legal conformity and environmentally friendly character

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		<p>According to the provisions of art. 2 and art. 3 of the <i>Regulation on the terms and procedure for accomplishment of Assessment for compatibility of plans, programs, projects and investment proposals with the subject and objectives of the protected areas conservation</i> (promulgated with CMD 201/31.08.2007) the Compatibility Assessment is applied also for investment proposals out of the borders of the protected areas when included in the EPA scope.</p> <p>The provided information is not sufficient for make judgment about the probability of negative impact of the investment proposal on the above mentioned protected areas. In this regard and by virtue of the provisions of art. 10 (3) of the Regulation, MEW will give its opinion at the stage of submission of the ToR for the EIA scope.</p>		
2.	Regional Inspectorate of Environment and Water (RIEW)- Vratsa	<p>Letter No 2695/02.12.2008</p> <ul style="list-style-type: none"> - EIA Report shall be elaborated for the whole investment proposal. - Review the alternatives. - Prepare a reference list of the consultations carried out. - Use up to date data for the preparation of the EIAR. - Provide an appropriate summarized map with up to date information for the whole territory concerned by the project implementation. - Adhere to art. 14 (1), item5 from the Regulation. - Correct the title of item 1.4 to “Hazardous chemical substances”. 	The recommendations were taken into account and implemented for the respective items of EIAR, and in the respective parts of the EIAR are pointed the assumptions made for the preparation of the assessment.	The recommendations are accepted and implemented in the EIAR, given the specifics of the implementation stage of the investment proposal.
3.	Ministry of Health (MH)	<p>Letter No 26-00-798/10.12.2008</p> <p>In relation to the letter to Ministry of Health (MH), asking for consultation on the scope and content of the EIAR we inform you of the following:</p> <ul style="list-style-type: none"> - We consider as unnecessary the development of sections from 1.5 to 1.9; - From sections 2.2 and 4.2 we propose the description of the Spent Nuclear Fuel drops out. - In section 2 specify everywhere in the text that the values of the doses are prognosticated. - In section 4 indicate the criteria for assessment of the expected impact on people. - Correct the content of section 4.3 in correspondence to the title. - In section 8 set up the requirement that the methodologies and software used has to be validated. 	The recommendations were taken into account and implemented in an appropriate way in the EIAR.	The implementation of the recommendations is important and will contribute to raise the quality and achieve the goals of the EIAR.

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4.	MEW	<p><u>Letter No 26-00-770/05.01.2009</u></p> <p>1. We take just for the sake of information the submitted by you ToR for decommissioning of Kozloduy NPP Units 1 to 4, as it is not the document required by virtue of art.10 (3) of Regulation on the terms and procedure for Environmental Impact Assessment, which presumes our statement on it.</p> <p>2. At a session of the Council of Ministers, held 18.12.2008, was taken a decision to set up Units 1 and 2 of Kozloduy NPP as facilities for RAW Management and their ownership to be defined as private state property. The property will be assigned for management to the RAW State Enterprise. Considering this clarify what will be the modification in the scope of activities and facilities in comparison with the initially declared and which enterprise will possess the quality of Proponent by virtue of item 20 of § 1 of the supplementary provisions of EPA</p>	<p>The recommendations were taken into account and implemented at later stage. Proponent of the Investment Proposal for Decommissioning of Units 1-4 at KNPP are KNPP together with RAW SE on the basis of written Agreement signed 11 May 2010, pursuant to MEW instructions</p>	<p>The recommendations were accepted due to legal conformity</p>
5.	Bulgarian Nuclear Society (BNS)	<p><u>Letter No 11/10.01.2009</u></p> <p>Most of all we would like to thank you for your request for our statement regarding art. 95 (3) of the Environmental Protection Act. The experts from the BNS, after examining it closely, comparing it with the requirements of the national and European legacy and on the basis of already gained experience from similar projects, they have the following comments and proposals:</p> <p>1. The presented document does not fully correspond to the requirements for the volume and content of ToR for EIA Report. We introduce to your attention an exemplary content of ToR, which already has been ratified by MEW within the legally fixed terms.</p> <p>2. The investment proposal is a subject of public discussion both on the territory of Republic of Bulgaria and the territory of Republic of Romania in a relation to an assessment of the cross-border effect. In connection to this, please have in mind the fact, that to this requirements are subjected all investment intentions finding place in Attachment 1 of EPA, which also are a subject of Compatibility Assessment considering the EU Directives on the biodiversity and habitats and in relation to the nearness and belonging of the investment intention in the areas of NATURA 2000. Attachment: Exemplary content of ToR for EIA.</p>	<p>The recommendations are taken into account in the EIAR</p>	<p>The recommendations were accepted due to their legal conformity and environmentally friendly character</p>

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6.	MEW	<p><u>Letter No 26-00-770/04.02.2010</u></p> <p>I. Concerning the requirements stated in Chapter 6 of the Environmental Protection Act:</p> <p>1. Concerning the scope of activities which shall be considered and assessed under the EIA procedure.</p> <p>For the decommissioning of Units 1-4 the single unified EIA procedure shall be followed, covering all the Units, in view of the nature of the processes and the necessity of assessment of all impacts, including the cumulative ones.</p> <p>In case that the Plasma melting facility for incineration, treatment and conditioning of RAW will treat only low and middle activity RAW, it implementation shall be classified as regulated by item 3 of the EPA Attachment No2. As per art.93 (1), Item 1 of the EPA, the same project as autonomous activity is subject to evaluation of the necessity for EIA development. On the ground of art. 82(3) of the EPA, because of its bound nature to the decommissioning processes in Kozloduy NPP it shouldn't be considered as a standalone project and shall be included in the main subject of the already started EIA procedure of the Decommissioning of Units 1-4 of Kozloduy NPP.</p> <p>On the same ground, in the scope of the assessment shall be included all projects, connected to the preparation and decommissioning of Units 1-4 of Kozloduy NPP, including the implementation of the Heat-generation Plant.</p> <p>In Attachments No1 and No2 to the EPA there are special provisions related to the treatment, storage and ultimate disposal of RAW. In this connection the transformation of Units 1 and 2 of Kozloduy NPP in RAW management facilities shall be subject to a procedure in accordance with Chapter 6 of the EPA. At this stage the precise procedure cannot be set up because in the submitted information there are data missing concerning the RAW activity level.</p> <p>Regardless of this, taking into account the sequence of the processes and the future purpose of Units 1 and 2 of Kozloduy NPP, as per art.82 (3) of the EPA the EIA procedure on this investment proposal shall be associated to the already started EIA procedure for the Decommissioning of Units 1-4.</p>	<p>The recommendations were taken into account and partially implemented, supplementary information was submitted and supplementary ToR, as it is proposed</p> <p>Regarding the Plasma melting facility for incineration, treatment and conditioning of RAW supplementary information has been submitted and a statement of MEW was made that separate EIA Report should be prepared for this IP together with Compatibility Assessment (Appropriate Assessment) on the PA, presented in a separate attachment to the EIAR. The CAR reference is addressed in EIAR</p>	<p>The recommendations were accepted and partially implemented in the present EIAR procedure. Because of the specifics and the implementation stage of the investment proposal, the rest of the recommendations refer to separate EIA procedures</p>
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	<p>It is necessary that the ToR for the scope and content of the EIA of the investment proposal for decommissioning of Units 1 to 4 of Kozloduy NPP has to be re-worked (revised), aiming to include all attendant activities to the decommissioning and the establishment of units 1 and 2 as RAW management facility.</p> <p>For all individual investment proposals the concerned public is notified at due time. For the needs of the consultancies carrying out according art. 95 (3) of EPA it is necessary to carry out consultancies with MEW, Ministry of Health and the specialized competent authorities, other institutions and the concerned public with respect of the revised ToR for the scope and content.</p> <p>2 Concerning the quality of “Contracting party for the investment proposal” according Item 20 of § 1 of the EPA supplementary provisions. Taking into account the ownership of the units, respectively Units 1 and 2 – RAW SE and Units 3 and 4 – property of Kozloduy NPP EAD and the lack of documents certifying the lease of Units 1 and 2 to Kozloduy NPP by the RAW SE according art.19 (2) of the State Property Act, the quality of Contracting party (proponent) of the investment proposal in its whole scope, shall be assigned to both legal persons.</p> <p>II. Concerning the requirements stated in art 31 of the Biodiversity Act:</p> <p>According the provisions of art.2 and art.3 of the <i>Regulation on the terms and procedure for development of Assessment for compatibility of plans, programs, projects and investment proposals with the subject and purposes of the protected areas</i> (Compatibility Assessment Regulation, adopted by DCM 201/31.08.2007) the compatibility assessment is applied also for the investment proposals outside of the protected areas if they are in the EPA scope. Because of the necessity for revision (supplement) of the ToR and based on the provisions of art. 10 (3) of the Compatibility Assessment Regulation, MEW will state at the stage of submittal of the ToR for the EIA scope and content.</p> <p>III. Concerning the requirements of the Convention for EIA in cross-border context</p> <p>From one hand the projects for decommissioning of nuclear power plants are part of Attachment 1 of the Council Directive 97/11/EC, amending Directive 85/337/EEC and according article 7 of the Directive, Republic of Bulgaria is bounded by the obligation to</p>	<p>As it is proposed agreement was signed between the two legal entities and the necessary document were submitted to prolong the procedure on the behalf of the two legal persons in their quality of Proponent of the IP for the EIA Report, namely NPP Kozloduy and RAW SE.</p> <p>The recommendation on the appropriate assessment is taken into account for the scope of the EIA</p> <p>The requested information on the notification of the Romanian side has been prepared and submitted to MEW.</p>	
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		<p>notify the country which is considered as affected. As the Kozloduy NPP site is in immediate proximity to the border with Romania there is an assumption for significant impact of the above described activities on the neighbour territory.</p> <p>From the other hand, item 3 of the Attachment I to the Convention the EIA in cross-border context includes “Installations, dedicated only to production or enrichment of nuclear fuels, spent nuclear fuels regeneration or storage, disposal and treatment of RAW”.</p> <p>In consideration of the above mentioned and the MEW obligations, arising in connection with the Convention and of the Directive, on the ground of art.98 (1) of the EPA, it is necessary to prepare and submit to MEW without delay information (in English language) within the limits of your competency in the form adopted with Decision I/4 during the First meeting of the parties on the Convention for EIA in cross-border context.</p> <p>In case of declared agreement of Republic of Romania to take part in the EIA procedure, besides the results from consultations in R. of Bulgaria you have to take into account their expressed opinion for the elaboration of the final version of the ToR and in the EIA-R elaboration process.</p>		
7.	MEW	<p><u>Letter No 26-00-939/02.07.2010</u></p> <p>I. The structure of the ToR is prepared in compliance to the requirements of the regulations, but regarding to its content there are considerable lapses, which imposes its supplementing:</p> <ul style="list-style-type: none"> • The essence of item 1.3 has not been touched upon and has not been defined the type and the quantity of the expected wastes; emissions in the waters, air and soils; noise levels; vibrations and radiations as a result of the committed actions, subject of the investment proposal. The notion “liquid wastes” is used incorrect for the spent oils and the waste water flows from the part "Non-radiation wastes"; • The essence of item 3 has not been touched upon, a characteristic of the environment has not been presented and a prognosis of the expected impacts has not been done also; • The proposed structure of the EIA Report does not correspond to the requirements of art. 96 (1) of the EPA. 	<p>The recommendations were taken into account and implemented for the respective items of the EIAR. Regarding the other references, because of the specifics of the investment proposal and its relation to a number of preliminary projects, which have to be realized before the beginning of the activities subject of the investment proposal, in the respective parts of the EIAR are pointed the</p>	<p>The recommendations are accepted and implemented in the EIAR, because of the specifics and the implementation stage of the investment proposal.</p>

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		<p align="center">II. Concerning the requirements stated in art. 31 of the Biodiversity Act.</p> <p>The investment proposal for decommissioning of Kozloduy NPP Units 1 to 4 (actions related to dismantling of the facilities, management of the dismantled materials, deactivation of RAW and management of non-radioactive and radioactive wastes at the time of the separate stages of the decommissioning of Units 1 to 4) is going to be executed on the territory of the site of NPP Kozloduy.</p> <p>According to the submitted documentation of the investment proposal and the following verification it was found that the site does not affect protected territories under the PTA and does not cross the boundaries of any Protected Areas under the Biodiversity Act. The investment proposal “Decommissioning of Kozloduy NPP Units 1 to 4” is a subject to its Compatibility Assessment with the object and aims for protection of the protected areas: Kozloduy islands, BG0000533; River Ogosta BG0000614 and River Skat BG0000508 for natural habitats and wild flora and fauna protection and in close proximity to the industrial site is the protected area “Zlatiata” BG0002099 for wild birds protection.</p> <p>After a review of the presented information and under art. 39 (3) of the Compatibility Assessment Regulation, the opinion for the possible degree of the negative impact is that the investment proposal is likely to have significant negative impacts on the natural habitats, the populations and habitats of species, subject to protection of the above mentioned protected areas.</p> <p>By virtue of art. 34 (1) of the Compatibility Assessment Regulation, in the EIAR as a separate Attachment shall be included the Compatibility Assessment, as it has to be consistent with the provisions of art. 23 (2) of the Compatibility Assessment Regulation.</p>	<p>assumptions made for the preparation of the assessment.</p> <p>The references were taken into account and implemented and in the EIAR as a separate Attachment is included the Compatibility Assessment. (appropriate assessment)</p>	
8.	MEW	<p><u>Letter No 26-00-939/19.10.2010</u></p> <p>“Please find in attachment the answer received from R. Romania on the Notification form of affected parties according the EIA Convention in transboundary context. R. Romania expresses its intention to participate in the EIA procedure and has addressed its considerations and suggestion on the scope of the EIA report. The considerations shall be addressed in the supplemented ToR and to be taken into account in the course of the EIAR development.</p>	<p>The instructions are accepted. The EIA will treat the transboundary aspects of the impact on the environment, pursuant to the EIA Convention in transboundary context</p>	<p>Compliance to the international legislation provisions and especially the EIA Convention in Transboundary Context</p>

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		Based on our statement sent to you by letter No.26-00-939/02.07.2010 and the Romanian requirements we are expecting your supplemented ToR on the EIA scope (one copy in Bulgarian language), which shall address all statements and standpoints expressed till now on the Investment Proposal)”	<i>(The remarks and suggestions on the scope of the EIAR from Romanian side are separately considered in standalone document IP Transboundary Aspect in attachment to the EIAR)</i>	
9.	MEW	<p><u>Letter ref. No 26-00-2722/30.09.2011</u></p> <p>«In reference of the current stage of the EIA procedure and in accordance with the requirements set up in our letter ref. No26-00-939/19.10.2010 we are expecting the submission of a supplemented ToR on the scope of the assessment (one copy in Bulgarian language) with addressed all standpoints and statements expressed until now on the Investment Proposal.</p> <p>The next stage of the EIA procedure is the submission in MEW of the EIA Report with attached as appendix the Appropriate Assessment Report (Assessment on the degree of impact on the protected areas) elaborated in accordance with the instructions given by us in our letter ref. No26-00-939/02.07.2010»</p> <p>«Only when a positive assessment on the quality of both reports is given as per art.16 of the EIA Regulation, the Competent Authority – the Minister of the Environment and Water (or an officer duly authorized by him) define the concerned municipalities, regions and/or mayors together with which you as Proponent of the Investment proposal shall organise public hearing of the EIAR and its appendices.</p> <p>After positive assessment of both reports MEW has a duty to sent the EIA documentation (translated in English) to the Romanian side, which has expressed this demand. In compliance with the EU legislation and the Convention for EIA in Transboundary Context R. Romania (through its Ministry of Environment and Forest) shall point out if it intends to hold public hearing (s) of the EIAR on its territory. They shall indicate the place, date and. the hour for this meeting (s)</p> <p>Any other action from our side is outside the Environmental Protection Act regulation and cannot be considered as part of the EIA procedure under the direction of the Minister of the Environment and Water... ..»</p>	The instructions are taken into account	Accepted in execution with the legal duties arising from the started EIA procedure

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<p>10.</p>	<p>MEW</p>	<p><u>Letter ref. No 26-00-939/20.10.2011</u></p> <p>«Concerning the Terms of Reference for the Determination of the Scope and Content of the Environmental Impact Assessment of the above mentioned Investment Proposal, submitted to the Ministry of Environment and Water, we express the following statement:</p> <p>The ToR is not fully compliant with our requirements expressed in letter. No26-00-939/02.07.2010. The considerations are as follows:</p> <p>“1. Up to page 19, p.3, the content of the document is identical to the previous one, on which we have made our remarks. There are some insignificant changes which do not ameliorate its quality and do not set the document in compliance with the provisions of art.10 (3) of the EIA Regulation (....)”</p> <p>«2. The dates, indicated in the TOR and related to the project activities are not updated (p.9, 18), which make the TOR not updated to the present moment.</p> <p>3. Section 1.3 has not been touched to the point again and the type and quantity of the expected waste to be generated is not specified; the emission (effluents) in the water, air and soils; noise levels; vibrations and radiations generated in result of the activity-subject of this IP are also not defined.</p> <p>4. Section 3 “Environment characteristics” is supplemented somehow but the inherent information about the state and the quality of the environmental components and factors (atmospheric air, surface and ground water, soil etc are specified only with partial data from the Kozloduy NPP monitoring). There are included subsections related to the population, to current and future land users, natural resources consumption, which are not part of the environmental characteristic. They are positions of Appendix 2 of the EIA Regulation).</p> <p>The proposed structure of the EIA-Report is not rectified in compliance with the requirements of art.96 (1) of the EPA.</p> <p>Based on the above listed incompliance with the national regulatory EIA legislation and taken into account art.25, section 3 and 4 of the EIA Regulation we could not sent this ToR revision to the Romanian side for consultation. In this relation and in order to assure the continuation of the current procedure it is imperative all</p>	<p>The recommendations are addressed in the revision of the Scoping ToR and the EIAR Content</p>	<p>Accepted in execution of the legal duties arising from the started EIA procedure</p>
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		incompliances to be removed at due time and we are expecting to have a revised ToR in the shortestest time		
11.	MEW	<p><u>Letter ref. No26-00-693/22.05.2012 r</u></p> <p>«In reference of the revised ToR for EIA of the above mentioned Investment Proposal submitted to MEW we would like to inform you for the following:</p> <ol style="list-style-type: none"> 1. The ToR submitted by you is elaborated in compliance with the regulatory framework and with our statement forwarded via our letter ref. No 26-00-939/20.10.2011 of MEW. In the supplemented ToR have been addressed the inconsistencies and omissions in its content mentioned for the previous revision. 2. In consideration of paragraph 6 of the Transitional and Final Provisions of the EIA Regulation, the supplemented ToR was forwarded to the Director of the Danube Region Water Basin Directorate – Pleven centre for standpoint in compliance with their competences as per art 4a (2) of the EIA Regulation. In this connection, according to the received answer in MEW by letter ref. No22-00-1302/15.05.2012 the Investment Proposal is consistent with the environmental objectives and measures for achieving of good water condition, of the water bodies and their sanitary protection areas, as identified in Danube River Basin Management Plan» <p>«In consideration of the above mentioned and given the expressed intention of R. Romania to participate in the EIA procedure in transboundary context, we are expecting to receive in shortest term the last revision of the scoping ToR for the EIA in English language in order to conduct consultations with R. Romania as an affected party according the Convention on EIA in Transboundary context.</p> <p>In case that R. Romania express a statement containing additional remarks on the assessment scope they shall be addressed in the final revision of the ToR for EIA and to be taken into account in the EIA elaboration.</p> <p>The next necessary steps connected with the EIA procedure to be undertaken upon the fulfilment of the above mentioned are indicated in our letters ref. No26-00939/02.07.2010 and 26-00-2722/30.09.2011 in compliance with the provisions of art.11 and art. 12 of the EIA Regulation and which remain <u>currently in force</u></p>	The recommendations are taken into account	Accepted in execution of the legal duties arising from the started EIA procedure

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12.	Water Basin Directorate - Danube Region	<p>Letter ref. No 3072/14.05.2012</p> <p>“ Substantiated evaluation of the significant impact on water and water ecosystems</p> <p>The realisation of the investment project entitled Decommissioning of KNPP Units 1-4 will have no negative impact on water and water ecosystems and is acceptable in terms of the environmental objectives and measures for achieving of good water condition, as identified in the Danube River Basins Management Plan, on condition that action is taken to prevent any direct or indirect pollution of surface or underground water. It is necessary to foresee strict monitoring of the radiation and non-radiation status of the surface or underground water in the area surrounding the IP site, as well as of the underground, rain and waste water on the IP site.”</p>	<p>The conclusion and the recommendations are taken into account in the elaboration of the EIAR. The information provided by the Basin Directorate is taken into account.</p>	<p>The recommendations are accepted because of their environmentally friendly nature and their compliance with the regulatory provisions.</p>
13.	MEW	<p>Letter ref. No26-00-693/24.08.2012</p> <p>«In consideration of the received revised Scoping ToR for EIA of the above mentioned IP we inform you that consultation with R. Romania in its quality of affected party under the IEA Convention in transboundary aspect was conducted. In this regard in MEW was received an answer from the Ministry of Environment and Forest of R. Romania copy of which you can find here attached. These considerations shall be taken into account in the final version of the EIA ToR and in the EIAR elaboration»</p>	<p>The instructions are taken into account <i>(The remarks and suggestions on the scope of the EIAR from Romanian side are separately considered in standalone document IP Transboundary Aspect in attachment to the EIAR).</i></p>	<p>Accepted in execution of the legal duties arising from the started EIA procedure</p>

Table 7.1.2-2 Summary of MEW letters concerning assessment of EIA R quality with accepted or not accepted comments, opinions and recommendations

No	Conducted consultations (municipality/ department/ organization, etc.)	Given statements/recommendations/comments, etc.	Accepted/ Not accepted	Reason
1	MEW	<p><u>MEW letter № OBOC-289/09.01.2013. and MH Reference:</u> Quality Assessment of the EIA Report and the attached to it Compatibility Assessment Report for the investment proposal for the Decommissioning of Units 1 – 4 of Kozloduy NPP Plc.</p>		
		<p><u>I. With regard to the Employer of the investment proposal.</u> Considering the documentation you submitted with inc. № OBOC-289/20.12.2012 to the MEW, we accept that SE “RAW” should be deemed as the only employer for the investment proposal for Decommissioning of Units 1 – 4 of Kozloduy NPP Plc., whereas in this relation the whole further correspondence on the procedure for environmental impact assessment (EIA) would be lead with them.</p>	Considered in Introduction, chapter 1, chapter 11 and CAR	Alignment to the regulatory requirements considering the identification of the IP Пропонент предложение
		<p><u>I. Concerning EIA R</u> After review of the submitted documentation, in line with article 14, paragraph 4 of the <i>Regulation for the Conditions and the Order for Implementing Environmental Impact Assessment</i> (Regulation on EIA, accepted with CMD № 59/2003, later modified SG, issue 94/2012), the quality assessment for the above mentioned EIA Report is negative, whereas the information presented is incomplete and insufficient for the taking of decision, moreover, a written motivated negative statement by the Ministry of Health Care was received. In relation to the gaps found during the review of the documentation and on the basis of article 15, paragraph 2 of the mentioned Regulation, we return the Report back for revision and addition, whereas the following should be considered:</p>		

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No	Conducted consultations (municipality/ department/ organization, etc.)	Given statements/recommendations/comments, etc.	Accepted/ Not accepted	Reason
		<p>1 – On the Atmospheric Air and Atmosphere component 1.1 We consider necessary that all applicable measures specified in article 70 of Ordinance №1 on the norms for admissible emissions of adverse substances (pollutants) released in the atmosphere by units and activities with stationary sources of emissions (SG, 64/2005) be listed in the EIA Report for the reduction of the fugitive emissions of adverse substances in the atmospheric air which would be emitted during the decommissioning of the units.</p>	<p>Considered in chapter 4 section 4.1 and 4. 2, also in chapter 6 – measures, allowing the IP implementation</p>	<p>Conservation of the atmospheric air quality and minimization of the impacts to the other environmental factors</p>
		<p>1.2 For the selection of the emission factors used in determining the emissions of adverse substances, the revision of the “Updated calculation methodology under balance methods of the emissions of adverse substances (pollutants) released in the atmospheric air” (as per EMEP/CORINAIR 1997 and 2000, 3rd edition as of September 2004) is incorrectly attached. To the date of the present letter there is another revision of the specified methodology in force, which has been approved with Order № ПД-40/22.01.2008 by the Minister of Environment and Waters and can be received electronically by the Executive Environment Agency..</p>	<p>Considered in chapter 5 section 5.1.1 and 5.2.7 Chapter 4 section 4.2</p>	<p>Application of the legislation in force and the applicable impact assessment methodology</p>
		<p>2. With regard to the Waters component In chapter 8, p. 4, i.8.3 Surface and Ground Waters, refine the conclusion for the underground waters, considering what has been specified in Chapter 3 – page 55.</p>	<p>Considered in chapter 8 p. 8.3 page 5</p>	<p>Refine and make more specific the wording on the environmental impact</p>
		<p>3. With regard to the Biological Diversity component The measures proposed under item 6.1.15. Measures for minimization and mitigation of the harmful impact on the biodiversity – fauna, should be reworded or should be dropped out as unrealistic.</p>	<p>Considered in chapter 6 p. 6.1.giving more precise explanation</p>	<p>Conservation of the biological diversity</p>

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No	Conducted consultations (municipality/ department/ organization, etc.)	Given statements/recommendations/comments, etc.	Accepted/ Not accepted	Reason
		<p>4. Radiation protection The submitted EIA Report for the investment proposal has been developed on the basis of the experience of the current activities on decommissioning of the four units of the same type – WWER - in Greifswald NPP – Germany. On observance of the technology and monitoring of the decontamination and dismantling processes, the decommissioning can be performed safely and would not have negative impact on the population and environment. For the implementation of this goal, we recommend that the following be envisaged: 4.1 Installation of reliable filtering ventilation system which would provide effective protection from the spread of radioactive aerosols in the environment of the Size Reduction and Decontamination Workshop for the dismantled equipment of reactor building and the transportation;</p>	<p>These comments are considered in chapter 6 in section - proposed measures Considered in p. 6.1.2</p>	<p>Protection of the public health and of the environmental components</p>
		<p>4.2. Qualitative and quantitative assessment of the emitted radioactive aerosols on the basis of the type, quantity and the level of contamination of the materials which would be reduced in size, the level of size-reduction, the methods used for size-reduction and decontamination, etc.;</p>	<p>Considered in p. 6.1.2</p>	<p>Protection of the public health and of the environmental components</p>
		<p>4.3 performance of continuous monitoring over the Active Drainage Pipe work in order to avoid leakages of radioactively contaminated waters</p>	<p>Considered in p. 6.1.4</p>	<p>Protection of the public health and of the environmental components</p>
		<p>4.4 performance of monitoring over the quantities and the processes of treatment of the liquid and solid radioactive waste resulting from the dismantling of the facilities, as well as monitoring of the sites for temporary storage of the containers with waste</p>	<p>Considered in p. 6.1.6</p>	<p>Protection of the public health and of the environmental components</p>

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No	Conducted consultations (municipality/ department/ organization, etc.)	Given statements/recommendations/comments, etc.	Accepted/ Not accepted	Reason
		4.5 observance of the regulated values of radiation and the dose exposure of the staff and population through continuous monitoring of the gamma radiation background, whereas the investigation admissible levels for gamma-radiation equivalent dose rate should be either preserved or reduced in the respective zones set at the site.	Considered in p. 6.1.1	Protection of the public health and of the environmental components
		4.6 Update of the Kozloduy NPP Emergency Plan, where the new activities and processes during decommissioning should be included, since during the implementation of the various activities there is a possibility of accidents, reviewed in the report as limitation accidents from the point of view of the risk for the personnel, the population and the environment.	Considered in p. 6.1.20 and section 6.4	Protection of the public health and of the environmental components
		4.7 Preparation of Radiological Monitoring Program, derived on the basis of the principle of conservatism during sampling of aerosols and waste waters with periodic update of the sampling points and, if necessary, inclusion of new ones, consistent with the location of the decommissioning activities.	Considered in p. 6.1.2 and section 6.3.	Protection of the population health and environmental components
		<p>5. With regards to the “wastes” factor During the preparation of the Report the MEW approved Terms of Reference for specification of the scope and content of the environmental impact assessment of the investment proposal in the part related to the non-radioactive waste has not been observed, whereas the expected generated waste have not been set out in codes and no qualitative and quantitative assessment has been made for the generated waste. In this relation, it is necessary that the report be revised with the observance of the abovementioned Terms of Reference, whereas the following requirements should be taken into account:</p> <p>5.1 On the 13 July 2012 in State Gazette a new Waste Management</p>	<p>The recommendation is taken into account and the assessment of the factor “waste” has been entirely revised to meet the EIA ToR and the regulatory requirements</p> <p>Addressed in all chapters of</p>	Ecologically friendly waste management and minimization of the impact on the environmental components impact.

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No	Conducted consultations (municipality/ department/ organization, etc.)	Given statements/recommendations/comments, etc.	Accepted/ Not accepted	Reason
		Act (WMA) was promulgated, therefore all texts and analyses in the report should be in compliance with it.	EIA R.	
		5.2 The waste storage sites should be in compliance with the provisions of the relevant regulations under article 13, paragraph 1 and article 43, paragraph 1 of the WMA.	Considered in chapter 1 , section 1.12, chapter 3, section 3.12.1 and chapter 4 section 4.13. The quantity characteristic is presented.	Respect of the legislation requirements and minimization of the impact on the environmental components impact
		5.3 The waste generated during the process of decommissioning of Units 1 – 4 should be classified under the terms of the regulation under article 3 of the WMA for waste classification.	Considered in chapter 1, section . 1.12.2, also in chapter 6 section 6.1.10.	Respect of the legislation requirements and minimization of the impact on the environmental components impact
		5.4 The management of construction waste generated during the process of decommissioning of Units 1 – 4 should be in compliance with the provisions of the Regulation on construction waste management and inclusion of recycled construction materials (prom. SG, 89/13.11.2012).	Considered in chapter 1, section . 1.12.2, also in chapter 6 section 6.1.10...	Respect of the legislation requirements and minimization of the impact on the environmental components impact
		5.5 Ensure the separation and transportation of the demolition waste and not allow mixing of such waste. Preliminary storage of construction waste should only be done at separately individuated sites.	Considered in chapter 1, section . 1.12.2, also in chapter 6 section 6.1.10..	Respect of the legislation requirements and minimization of the impact on the environmental components impact
		5.6 The waste generated at the unit should be separately collected according to their type and origin with regard to their further utilization or disposal. It is necessary not to allow mixing of recyclable with non-recyclable waste, as well mixing of hazardous with non-hazardous waste.	Considered in chapter 1, section . 1.12.2, also in chapter 6 section 6.1.10.	Respect of the legislation requirements and minimization of the impact on the environmental components impact

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No	Conducted consultations (municipality/ department/ organization, etc.)	Given statements/recommendations/comments, etc.	Accepted/ Not accepted	Reason
		5.7. The waste generated from the activities at the unit should be handed over on the basis of written contracts to persons owning the respective document under article 35 of the WMA	Considered in chapter 1, section . 1.12.2, also in chapter 6 section 6.1.10.	Respect of the legislation requirements and minimization of the impact on the environmental components impact
		5.8 Waste treatment should be performed in line with the provisions of the WMA and the secondary legislation on its application.	Considered in chapter 1, section . 1.12.2, also in chapter 6 section 6.1.10.	Respect of the legislation requirements and minimization of the impact on the environmental components impact
		5.9 According to the WMA it is no longer necessary to develop a Programme for waste activities management	Considered. The proposed measure dropped from chapter 6 section 6.1.10.	Respect of the legislation requirements concerning waste management (WMA July 2012)
		<p>6. With regard to the analysis and assessment of the significance of the positive and negative impacts on men and the possible health risk due to the construction and operation of the investment proposal made in the EIA Report.</p> <p>According to a statement received by the Ministry of Healthcare (MH), the EIA Report has gaps and weaknesses, as follows:</p> <p>6.1 In section 1.14 <i>Risk of accidents</i>, the information presented in relation to the radiation impact of the facility and the human health risk is incomplete, unclear and with significant gaps or inaccuracies. The model for dose calculation as a result of an accident has not been described; the values in Tables 1.14-1 <i>Effective dose by inhalation to an individual of the critical group of the population resulting from the rupture of a HEPA filter</i> and 1.14-2 <i>Results from the analyses of the limiting initiating events during decommissioning of KNPP Units 3-4</i> cannot be objectified. The references to the above mentioned document [58] do not contain description of the methods used, the</p>	Integrally addressed in chapter 1 section 1.14 - new version of the section is given including description of the methodology and computer codes used for calculations, description of the accidents, input data, initiating and limiting conditions and obtained results. /	Protection of the occupational and public health and minimization of the health risk in case of accidents.

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No	Conducted consultations (municipality/ department/ organization, etc.)	Given statements/recommendations/comments, etc.	Accepted/ Not accepted	Reason
		output data, software codes, etc. and are insufficient for the preparation of independent assessment on the report conclusions		
		6.2. In the report there are names of areas with specialized status and purpose used which do not correspond to the ones specified in the Safe Use of Nuclear Energy Act.	Considered in chapter 1, section 1.1.2 page 15	In accordance with the legislation requirements
		6.3 Terms have been used in the Report which differ from the terminology generally accepted in the field of radiation protection and radioecology (as for example $H^*(10)$ is not <i>dose rate</i> , but ambient dose equivalent; and similar etc.)	Considered in chapter 1, page 17	In accordance with legislation requirements and terminology
		6.4 The section <i>Contents of the EIA Report</i> does not correspond to the actual content of the EIA Report which strongly hampers the review of the report.	The comment is addressed.	For more easy text perception
		6.5 The references to the literature used do not always correspond to the content of Chapter 9 of the report – References. For example, in chapter 1 the <i>Decommissioning Safety Analysis Report for Units 1&2 Kozloduy NPP, KPMU, 2008</i> [58] has been mentioned; in chapter 9 References, under № 58 there is <i>Decommissioning Technical Safety Report¹ for Units 1&2 Kozloduy NPP, KPMU, 2008</i> , and the document mentioned in chapter 1 was not found.	Considered in chapters 1 and 9.	For more easy text perception
		6.6 A number of technical mistakes have been made at numerous locations in the Report, especially in the numerical values of different quantities (as for example in the sentence [...] “ <i>is much lower than the limits of acceptability for this critical group of 13 mSv for one year or 5 mSv for five consecutive years after the accident.</i> ”, instead of 13 mSv it should probably be 1 mSv?).	Considered in chapter 1 section 1.14 and also in chapter 3 and 4..	Elimination of editorial mistake

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No	Conducted consultations (municipality/ department/ organization, etc.)	Given statements/recommendations/comments, etc.	Accepted/ Not accepted	Reason
		7. The EIA Report should contain topical data on the regulatory basis, including the dates of modification and promulgation.	Considered in chapters 5 and 9..	In accordance with legislation requirements on components and factors of impact
		<p><u>III. Concerning CAR</u> After analysis of the information set out in the CAR and on the basis of the quality assessment criteria under article 24, para. 3 of the <i>Regulation on the conditions and order for performance of plans, programs, projects and investment proposals compatibility assessment with the subject of the goals of preservation of protected areas (Regulation on CA, prom. SG, issue 73/2007, mod. and am. SG, issue 94/2012)</i>, the following was ascertained: Regardless of the fact that as a whole the CA Report structure is in compliance with the provisions of art. 23, para. 2 of the <i>CA Regulation</i>, we consider that the information provided in it does not provide a possibility for definite conclusions, due to the following: 1. The cumulative effect is considered only in relation to investment proposals, where the comparative analysis of the features of the former enables the authors to derive a conclusion for the lack of “additional adverse effect” over the subject of protection in the protected areas. The sole and only fact that the assessed investment proposals differ in nature from the current one does not provide grounds for the EIA Report authors to motivate the lack of additional impact. It is necessary that the EIA Report be amended with cumulative effect analysis both from the similar in nature projects as well as from the investment proposals of different nature, where the conclusion needs to be derived not only on the basis of similarity or difference in the characteristics of the individual investment proposals.</p>	The remark is accepted and addressed in sections 2 and 3 of CAR	Cumulative impact assessment concerning biological diversity
		2. Information is missing in the CA Report on the performed terrain studies: duration, time scale (field seasons), observation point	Considered in section 11.1 of CAR	In accordance with legislation requirements and methodology

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No	Conducted consultations (municipality/ department/ organization, etc.)	Given statements/recommendations/comments, etc.	Accepted/ Not accepted	Reason
		coordinates. In page 64 only there is a mention of field observation performed on 29.10.2009.		for assessment
		<p>3. In the part on the “Investment proposal impact assessment over the subject of preservation of the birds protection area BG0002009 Zlatiyata”, it is assessed that the impact on the Eurasian Bittern would be in a small extent and with total table factor of 1.8, and the impact on the Long-legged Buzzard would be in an average extent and again with a table factor of 1.8. Considering the identical factors, it remains unclear what gives rise to the difference in the level of impact. On the other hand, the assessment for the Long-legged Buzzard is contradictory, since on p.64 of the report the authors claim that “no negative impact is expected” on the species, and later on p.70 they determine “average extent”.</p> <p>All conclusions for small degree of impact or absence of adverse impact on the subject of conservation in all protected areas are not substantiated with the relevant convincing evidences and are not deducted by expert analysis and quantitative results of field investigation. There was also found inconsistency in the terminology used: for instance: the mention of the magnitude of impact 1,8 tis “low magnitude” and the legend for the respective value shows “ small impact” which is different from the legend with the respective value from the Information on the methods used”</p> <p>The following effects: fragmentation, disruption of the species composition, chemical changes, hydrological changes and geologic changes are only listed in the text as separate items, but the only text part of the respective item is "not expected". This statement has no substantiation and it has not been proven by the authors.</p>	<p>Considering the Eurasian Bittern and the Long-legged Buzzard there was an editorial mistake being removed.</p> <p>Considering the statement that there are no substantiation by evidences and expert analysis we would like to point out TM that all bird species were subject to qualitative assessment by 6 indicators in tables 5.1.2 and 5.1.3. Within this exercise were selected 10 species with adverse impact which were additionally submitted to quantitative assessment. Fore each of then is given information on their nesting population in Bulgaria (Yankov, 2007) and on their number in the protected area (Natura standard form) and for their number during breeding and wintering (our own monitoring data). The</p>	<p>In accordance with legislation requirements</p>

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No	Conducted consultations (municipality/ department/ organization, etc.)	Given statements/recommendations/comments, etc.	Accepted/ Not accepted	Reason
			<p>conclusion considering the quantitative mention of the magnitude of adverse impact is based on the above data. We assume that small magnitude is equal to small impact.</p> <p>The impacts fragmentation, disruption of the species composition, chemical changes, hydrological changes and geologic changes were completed with explanatory text in sections 5.1.3 to 5.1.18.</p>	
		<p>4. In the CA Report fig. 8.1-2 is missing with regard to the ornithological environment in the region of the bird protection area BG0002009 Zlatiyata, mentioned on p.74.</p>	<p>The maps is presented in section 8.2 in both variants: location of the ex-Kozloduy marshland and with the ornithological situation around KNPP</p>	<p>Information visualization</p>
		<p>5. On p.74 there is a summary that the impact on the birds species preserved in the birds protection area BG0002009 Zlatiyata, "will be in the form of disturbance of the species". There is no rationale why such type of impact is expected and no mitigation measures have been envisaged for this impact.</p> <p>In the "Proposals for measures" part only 2 measures have been proposed, one of which is to inform the people working for the objectives and the subject of conservation of the protected areas, and</p>	<p>Considered in chapter 6 section 6.1. with complementary measures between them the recommendation to conduct synchronous monitoring (with the Romanian ornithologists) annual</p>	<p>Biological diversity Protection</p>

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No	Conducted consultations (municipality/ department/ organization, etc.)	Given statements/recommendations/comments, etc.	Accepted/ Not accepted	Reason
		the second is to observe the requirements of the Kozloduy NPP Emergency Plan in case of an accident. The so proposed 2 measures could not mitigate the expected disturbance of the birds in BG0002009 Zlatiyata. In this relation it is necessary to set out specific applicable measures corresponding to the expected impact.	monitoring of the breeding and wintering birds on both sides of Danube River between Dolni Tzibar and Somovit as well as at Asparuhov val dam reservoir. The obtained results will be used for monitor the adverse trends, their analysis as for clarification campaign among the Bulgarian and Romanian population.	
		6. We draw your attention to the fact that the information presented in the CA Report on the protected areas falling within the scope of the investment proposal located on Romanian territory should be a subject to the EIA Report in the part concerning the impacts in transboundary aspect	From CAR are removed the Natura 2000 protected area on Romanian territory. Table is added with the number of birds in the section Tzibar –Somovit for a period 1977-1999 r.(in section 5.1). Table is added for Bulgarian and Romanian protected area in the considered region -13 PA. In section 11.1 is presented GPS scheme from the field work down of Bistrect marshland on 10 and 11 July 2009.	Biological diversity protection

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No	Conducted consultations (municipality/ department/ organization, etc.)	Given statements/recommendations/comments, etc.	Accepted/ Not accepted	Reason
		As per article 14, paragraph 8 of the EIA Regulation and article 24, paragraph 6 of the CA Regulation, the compatibility assessment report, under article 34, paragraph 1 of the latter regulation, is returned back for amendment and rework in line with the above comments.	CAR is supplemented and revised again in accordance with presented comments.	In accordance with the environmental protection legislation
2.	MEW	<p><u>MEW letter. № OBOC-289/28.03.2013.</u> Regarding abovementioned supplemented EIA report and its attachments submitted to MEW for quality assessment we would like to inform you about the following:</p> <p><u>I.:Concerning EIA R</u> After review of the presented documentation, according to art. 14, para.3, point 1 of the Regulation for the Conditions and the Order for Implementing Environmental Impact Assessment (EIA Regulation, adopted with Decree of Council of Ministers No 59/2003, last amended in State Gazette No94/2012), the quality assessment of the above mentioned supplemented EIA report is positive, without omissions namely:</p>		
	Comments 1	<p>1. <u>1.Regarding “wastes” factor:</u> We would like to emphasize on the following 1.1_Regulation No 9 from 28.09.2004 on the Procedure and Formats, used to Submit Information on Waste Activities, as well as the Procedure for Keeping a Public Register of the Issued Permits, Registration Documents and the Closed Installations and Activities (promulgated in State Gazette 95 from 26.10.2004 , last amended State Gazette 113 from 28.12.2004) is abrogated. The other regulation which is valid is Regulation No 2 from 22.01.2013 on the Procedure and Formats, used to Submit Information on Waste Activities, as well as the Procedure for Keeping a Public Registers (promulgated in State Gazette 10 from 05.02.2013).</p>	Considered in chapter 5 section 5.2.9 Waste and in chapter 9	In accordance with the environmental protection legislation

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No	Conducted consultations (municipality/ department/ organization, etc.)	Given statements/recommendations/comments, etc.	Accepted/ Not accepted	Reason
		<p>1.2_Regulation on the Requirements for Treatment and Transportation of Waste Oils and Waste Oil Products, adopted with Council of Ministers Decree No 230 from 1.11.2005, promulgated in State Gazette 90 from 11.11.2005, last amended State Gazette 53 from 10.06.2008 is abrogated. The valid regulation is Regulation of the Waste Oils and Waste Oil Products (adopted with Council of Ministers Decree No 352 from 27.12.2012, promulgated in State Gazette 2 from 08.01.2013).</p>	<p>Considered in chapter 5 section 5.2.9 Waste and in chapter 9</p>	<p>In accordance with the environmental protection legislation</p>
		<p>1.3 Regulation on the Requirements for Treatment of Waste from Motor Vehicles, valid from 01.01.2005 (adopted with Council of Ministers Decree No 311 from 17.11.2004 , promulgated in State Gazette 104 from 26.11.2004, last amended State Gazette 45 from 16.06.2009; amended State Gazette 29 from 08.04.2011) is abrogated. The valid regulation is Regulation of the Obsolete Motor Vehicles (adopted with Council of Ministers Decree No 11 from 15.01.2013, promulgated in State Gazette 7 from 25.01.2013, valid from 25.01.2013).</p>	<p>Considered in chapter 5 section 5.2.9 Waste.</p>	<p>In accordance with the environmental protection legislation</p>
	<p>Comments 2</p>	<p>2. <u>Regarding analysis and assessment of the significance of the positive and negative impacts on the human being and possible health risk from the construction and operation of the investment proposal, performed in EIA Report:</u> According to the statement received by the Ministry of health (MH), the necessary corrections according to the comments expressed and recommendations in this part of report, regarding health and hygiene aspects of the environment and risk for the human's health, are made in the supplemented EIA Report. Considering the last mentioned, as well as observing analyses, conclusions and assessments made in the report, MH gives a positive assessment of the submitted supplemented EIA Report, as it pays attention to the most likely technical mistakes</p>		

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No	Conducted consultations (municipality/ department/ organization, etc.)	Given statements/recommendations/comments, etc.	Accepted/ Not accepted	Reason
		in the report, which shall be corrected, namely:		
		2.1 On page 142, in the sentence “The load transformation factors DCFi while breathing in and absorption are according to ICRP-51 [58] and are presented in table 1.14.2.1-3”, the abbreviation “ ICRP-51 ” shall be replaced with “ ICRP-68 ”.	Considered in chapter 1 page 142	Inconsistency elimination
		2.2 On page 143, in the sentence “Absorbed dose rate as result of absorption 146 mSv/h”, the stated value shall be corrected to “ 0,146 mSv/h ” (it is clear from the presented real data in the report).	Considered in chapter 1 page 143.	Editorial mistake elimination
		II. Concerning CAR: After analysis of the presented information in the supplemented CAR report and on the basis of the criteria for quality assessment, under article 24, para. 3 from the <i>Regulation on the terms and procedure for the compatibility assessment of certain plans, programs, projects and investment proposals with the subject and purposes of protected areas preservation (Regulation on compatibility assessment, promulgated in State Gazette 73/2007, amended and supplemented in SG 94/2012)</i> , was founded the following: The analysis of the reviewed CAR shows that instructions given by the MEW with a letter outgoing No OBOC-289/09.01.2013, containing remarks on certain amendments and modifications in the report, in the prevailing part are not observed , namely:		
		1. The part of CAR, considering the cumulative impact, according to the MEW requirements, is not revised. The text arrangement is only changed, but not its essence. The cumulative impact is considered only in relation to the investment proposals, the comparative analysis of their characteristics allows a conclusion to be made that there is a lack of “ <i>additionally adverse impact</i> ” on the subject of protected areas preservation. Only the fact, that the assessed investment proposals are with different essence from this of the current investment proposals,	Considered in Chapter 2 and in chapter 5 p. 61, 66 and 67	Added

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No	Conducted consultations (municipality/ department/ organization, etc.)	Given statements/recommendations/comments, etc.	Accepted/ Not accepted	Reason
		does not give reason a lack of additional impact to be motivated in the CAR. The analysis is necessary to be more convincing and unambiguously to prove the conclusions of experts.		
		<p>2. In the revised CAR the MEW comment was not taken into account, that in the part “<i>Description and impact analysis of the investment proposal on the protected area for birds- BG0002009 “Zlatiyata” are discrepant data and respectively conclusions.</i> For example on page 49 the experts are written that “<i>the negative impact is not expected</i>” on the <i>buteo rufinus</i>, and on page 53 is written that impact on this species is expected to be “<i>of average degree</i>”. This conclusion does not coincide also with the conclusion from page 94, where in a table is specified, that there are no species on which realization of the investment proposal shall lead to the average impact degree. In the revised CAR there are still divergent assessments, as for instance the tabular assessment of the degree of impact on <i>Buteo rufinus</i> is of value 2.2 of a conclusion for an “<i>average degree</i>” of impact, and for the <i>Alcedo atthis</i> also a value 2.2 is specified, but the conclusion is for a “<i>low degree of impact</i>”. By considering the equal coefficients, it is not clear what produces the difference in the impact assessment.</p> <p>All conclusions for a low degree of impact or a lack of negative impact on the subject of protection in all assessed protected areas are not supported by the respective strong evidence. It is mentioned a database of various authors of the years 2001, 2003, 2007 and 2008, the limitation of which discredits the conclusions made.</p> <p>It is not entirely addressed the comment that the impacts: fragmentation, disbalance of the species, chemical, hydrological and geological changes are only listed in the text as separate items, but the only text included in the respective item is “<i>not expected</i>”. The statement is not supported and proven by the authors. Only for</p>	Considered in chapter 5 section 5.1 pages 56 and 57	Inconsistency elimination

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No	Conducted consultations (municipality/ department/ organization, etc.)	Given statements/recommendations/comments, etc.	Accepted/ Not accepted	Reason
		protected area BG0002009 “Zlatiyata” the conclusion is reasonable.		
		3.. On p. 58, a conclusion is made that the negative impact on the bird species preserved in protected area for birds BG0002009 “Zlatiyata”, “will occur by disturbing of species”. The revised CAR doesn’t address the MEW comment for a lack of justification, why such a type of impact is expected and that no mitigation measures are planned for it. In the part “Proposals for measures”, only the following 3 measures are mentioned: the employees to be informed of the objectives and subject of protection of the protected areas; the requirements of the Kozloduy NPP Emergency Plan in case of accident to be complied with; the employees to be informed and instructed in the objectives and subject of protection of the areas. These 3 measures are proposed specifically to mitigate the “disturbance” impact, but they do not correspond to its nature and could not lead to mitigation thereof. The MEW comment that specific and applicable measures corresponding to the expected impact need to be specified is not taken into account.	Considered I chapter 6 section 6.1.	Correction and explanation
		4. On pages 67, 70, 73, 76 and 78, it is specified that for the respective protected area, a destruction of the particularly protected natural habitats and populations of the particularly protected flora, is not expected. It should be clarified why.	Considered in chapter 5 in appropriate sections.	Correction and added.
		In consideration of the above and pursuant to Art. 24, para. 24 of the <i>Environmental Regulation</i> , the quality assessment of the presented revised Compatibility Assessment Report of the investment proposal, is again negative . In accordance with Art. 14, para. 8 of the <i>Regulation on Environmental Impact Assessment</i> and Art. 24, para. 6 of the <i>Environmental Regulation</i> , the impact assessment report under Art. 34, p. 1 of the latter is returned for supplement and revision in accordance with the above comments .		

7.2 Statement and opinions of the public in the region during consultations with the Proponent on the ToR for the scope and content of the EIA Report

No	Conducted consultations (municipality/ department/ organization, etc.)	Given statements/recommendations/comment, etc.	Accepted/ Not accepted	Reason
1	Municipality Council- Kozloduy	<p><u>Letters NoVI-109-1/27.11.2008 and NoVI-133/19.12.2008</u></p> <p>Notification to the Contracting party that there is set a date for a session of the commission for spatial planning, construction and ecology, where may take part interested citizens, with a request to ensure the presence of competent representatives, who will answer the questions.</p> <p>There is attached copy of the Decision No 210 from the session of the Municipality Council held on 15.12.2008.</p> <p>In compliance with the Decision it is recommended extending the scope and content of the EIAR in some particular aspects.</p>	The recommendations are taken into account and implemented in the EIAR.	The recommendations are of great importance for the quality of the prepared assessment.

7.3 Status of the EIA procedure in transboundary context with Republic of Romania

The decommissioning of Nuclear Power Plants is listed in Appendix I of the Espoo Convention [175]. The Romanian Government decided after being notified for the Investment Proposal to participate in the EIA process. The EIAR general and specific Romanian requirements are considered in the EIA Report on the Decommissioning of Units 1 to 4 at Kozloduy NPP.

In this regards, with letter 5850/15.09.2010, forwarded by MEW letter 26-00-939/19.10.2010 Romania has formulated its general and specific requirements concerning the Scope and Content of the EIAR which should be taken into account in the elaboration of the EIAR.

In the table below are summarized the general and specific requirements concerning the Investment Proposal and the EIA procedure on the definition of the EIA scope and content, formulated by the Ministry of Environment and Forest of Romania.

No.	General Requirements
1.	Presentation of possible alternatives referring to decommissioning of nuclear reactors and description of the methods and the techniques of treatment, neutralization and final disposal of waste resulting from decommissioning activities
2.	Description of measures to prevent and limit the effects and potential impact caused by radioactive pollution.
3.	The manner of guarantee and assurance of financial resources necessary for ensuring the means of preventive treatment and subsequent treatment of situations of radioactive contamination that may occur in the environment in Romania (the potential impact of radioactive contamination on animal and vegetable bodies from the Project range of action) and also the radioactive decontamination costs, incurred, damage compensation and remediation brought to the environment and consequently to the population.
4.	Presentation of the monitoring and management programs of decommissioning activities and also, elaboration of a program to monitor the degree of radioactivity contamination in the situation of producing such phenomena.
5.	Presentation of possible sources and causes of radioactive pollution, radiation monitoring and characterization of possible radioactive effluents, methods, means and measures or actions needed for decontamination in order to comply with the permitted limit values (in terms of radioactive contamination) when they are discharged into natural receivers.
6.	Compliance with the Community regulations in force relating to nuclear security measures imposed by the International Atomic Energy Agency standards and norms in force on this issue.
7.	Description of the way of assuring the means to inform, educate and aware the affected public or likely to be affected by this project.
8.	It is also necessary that during the decommissioning works, the Bulgarian side should inform the Romanian side upon the schedule of that works, so that the population from the affected area or likely to be affected to be informed, educated and aware in time.
9.	It is also necessary that the Bulgarian party to inform Romanian party on any technical incident/accident produced during the decommissioning works and because of which radionuclides or radiations are issued in environment, giving rise to radiation level or raise the level of radioactive contamination of the animal and vegetal organisms. In this respect, correct and concrete measures and actions must be taken in time for preventing contamination.

10.	A special chapter on the impact of environmental factors on the Romanian territory.						
11.	On both banks of the Danube sector comprised around Kozloduy city (Bulgaria) there are Nature 2000 sites and natural protected areas. On the Romanian bank there are the following Natura 2000 sites protected under the Habitats and Birds Directives, respectively: <table border="1" data-bbox="381 394 812 520"> <tr> <td>RQSPA001Q</td> <td>Bistret River</td> </tr> <tr> <td>RO.SPA0023</td> <td>Jiu River-Danube River Confluences</td> </tr> <tr> <td>ROSCI0045</td> <td>Corridor of Jiu River</td> </tr> </table>	RQSPA001Q	Bistret River	RO.SPA0023	Jiu River-Danube River Confluences	ROSCI0045	Corridor of Jiu River
RQSPA001Q	Bistret River						
RO.SPA0023	Jiu River-Danube River Confluences						
ROSCI0045	Corridor of Jiu River						
12.	The proposed decommissioning project may have a negative impact on protected natural areas located on both banks, both nearby and also in the closest vicinity that is why an appropriate assessment must be carried on according to the Habitats Directive.						

No.	Specific requirements
1.	A comparison between the analyzed decommissioning strategies taking into account criteria of impact on the population and the environment, -with reference to the transboundary effects.
2.	The justification of the selected period for the implementation of decommissioning activities (2012-2035) through immediate dismantling and the identification of the risk factors which can affect the deployment of the decommissioning in this period or even-to stop the activity.
3.	The identification- of the decommissioning stage (stages) which would raise a maximum risk for the radiological safety if the decommissioning activity would be suspended and if, in this case, a transboundary risk for the population and environment could occur.
4.	A summary of the financing arrangements after 2013, when the UE financial support will cease, taking into account that the decommissioning is planned to be completed by 2035. It should be analyzed: the consequences of the lack of money after 2013, the-effects of the costs increasing on the nuclear safety and on the management of radioactive waste removed from the NPP area and the proposed measures-1 in this case.
5.	The project management, including the measures taken in order to use the proper decommissioning technologies and to ensure the most competent staff, to get a maximum efficiency in the decommissioning activities and to reduce as much as possible the potentially consequences on the environment. It should be identified those operations which, during the decommissioning, could lead to the release of toxically effluents with environmental impact and to present the measures to minimize their occurrence and consequences.
6.	A presentation of the facilities, including their location, and of the radioactive waste management steps (decontamination, pre-treatment, treatment, conditioning, storage, and disposal) for all ILW and HLW. Which is the up-dated commissioning schedule for radioactive waste management facilities, how is it correlated with the decommissioning activities and which are the proposed measures for the management of radioactive waste in the case of delay or even impossibility to put into operation the necessary facilities (for instance, treatment and conditioning plant – “Plasma Melting Facility” – or the National Repository for Low and Intermediate Level Waste).
7.	A presentation of the purification systems for the radioactive gases and other chemicals which can be harmful for population and environment. How these systems behave in normal and abnormal conditions (high concentrations of effluents with possible transboundary effects can occur).

8.	Information about the release and control of radioactive liquid or harmful effluents from the decommissioning area and from the radioactive waste management facilities, in normal and abnormal conditions, and if such liquid effluents can reach the Danube river in certain circumstances;
9.	Taking into consideration that there is the possibility that the aquatic environment may be contaminated on long or temporary term, what is the effect of harmful effluents on aquatic biological components.
10.	What is the impact of contamination with radioactive and non-radioactive substances of the aquatic ecosystem.
11.	What measures should be taken not to affect on short/long term the biological components and the water quality.
12.	Assessments to prove that in normal operating conditions, the release of the gaseous and liquid effluents will not cause an exposure which can affect the human health from another member state.
13.	Which are the internal; risk factors (human errors, technical disturbances) or external that can initiate undesirable events in decommissioning activity and in the operation of radioactive waste management facilities, leading to the release of-gaseous and liquid effluents with transboundary effects and which are the proposed' measures to minimize their negative effects. In this respect, it should be noted if a safety assessment of the decommissioning activity has been performed, by considering the individual elements that can affect the safety of decommissioning, by analyzing the radiological risks which can occur and the measures to prevent and diminish their effects and also the transboundary effect at, short, medium and long distance.
14.	The assessment and analyze of some scenarios for the situation in which emissions of radioactive effluents will occur following an incident (e.g. equipments failure, electricity switch-off, fires caused by electrical faults, etc),or a severe accident (major fire, floods, earthquake, strong storm, lightening, explosion). The dozes which can affect the Romanian population health should be mentioned. The probability of a severe accident should be established and a simulation of such severe accident and its consequences should be performed, using a validate computer code (COSYMA, - RODOS, etc). An example of severe accident which should be assessed is that of an airplane crash on the decommissioning area or on the radioactive waste management area, leading to the physical destruction of the structures followed by the initiation of a major fire, resulting in radionuclide spreading and their deposition on the Romanian territory. The nature of spread radionuclide and the doze caused by radiological exposure should be determined and the radiological hazard should be established.
15.	Information regarding the levels for releasing from the license conditions of the field, buildings, materials and equipments considered as conventional waste, to be recycled or reused according the criteria required by the fundamental safety norms (Directive 96/29./Euratom).
16.	Information regarding radioactive waste management released from the regulatory control, if this is the case.
17.	The manner of treatment, conditioning and storage of highly radioactive wastes (less of burned fuel), during decommissioning and especially after its closing.
18.	Non-radioactive and radioactive liquid waste treatment and their impact on water, especially on the Danube River.
19.	Management of hazardous substances used during decommissioning activities.
20.	Information, regarding the spent fuel storage and the time when a geological

	repository (Landfill) will be available.
21.	Which are the discharge derived limits of the radioactive effluents under normal conditions and which are the corresponding doses of these limits for the Romanian population.
22.	<p>We must stress further upon the requirements of the Romanian Ministry of Health, as follows:</p> <p>A. Establishment of a Romanian-Bulgarian monitoring program for the radioactive component in the air, water and soil in the areas possible affected. Such a program must include both the environmental authorities and the health authorities on the both sides of the Danube (Romanian and Bulgarian). The program must be targeted to:</p> <ul style="list-style-type: none"> - a quick announcement of the exceeded permitted dose, and - an increase in the frequency determinations as compared to the number of determinations done usually. <p>B. Romanian side should be informed of the proposed emergency actions for the Romanian affected population, foreseen in case-of an accident/incident Also, Romanian authorities require receiving the emergency plan-issued for radiological accidents/incidents situations, with proposed actions for both sides.</p> <p>C. To make available as soon as possible, a -more detailed schedule of decontamination activities at Kozloduy.</p>

The Romanian general and specific requirements are considered in the EIAR based on the required and provided input information [175 – 179].

After the submission of the ToR on the Scope and Content of the EIAR, the Romanian side expressed additional recommendations concerning the EIAR scope and content, (letter No 2830/ 31.07.2012 forwarded by MEW letter No26-00-693/24.08.2012).

1.	<p>The transboundary impact chapter of the EIA report must comprise the radiological impact study on human health. This study must estimate the individual and population risk in excess using estimated levels of exposure and data on excess risk according to ICRP 103, for diseases associated with exposure to ionizing radiation (incidence and mortality from malignant disease, birth defects, and developmental defects). This appraisal must cover both the situation of normal development of activities and the „worst case scenario”.</p> <p>Given the significant levels of non-radiological contamination of the environmental factors (air, groundwater, surface water) it is necessary that the EIA report to be completed by the synergic effects of their action on the population within the area of influence of the NPP.</p>
2.	Description of the treatment, conditioning and storage of highly radioactive waste from decommissioning. It is necessary to explicitly include the impact analysis of liquid waste on the Danube.
3.	EIA report must contain a description of the mitigation measures to reduce as much as possible the environmental impact, including measures for protection of terrestrial and aquatic fauna and flora and biodiversity. The document must specify the place and the transport mode for high active waste as well as preventive measures in case of accident during dismantling and transport.
4.	Taken into account the Romanian communities existing within the 30-km area we consider of great importance the effects of the project to be well addressed in the EIA report.

The answers to the question and recommendations are referenced to the appropriate chapters of the EIAR and are summarized in separately elaborated volume in appendix to the EIAR: “Transboundary aspects of the Investment Proposal”.