

Attachment 4

Decision No 26-PR/2010 of the Minister of MEW on evaluation of the need to perform an EIA of the “Facility for treatment and conditioning of solid radioactive waste with a high volume reduction factor at Kozloduy NPP”, Ref. No. 26-00-939/20.07.2010

Translation from Bulgarian

The REPUBLIC of BULGARIA
MINISTRY OF ENVIRONMENT AND WATERS

DECISION №26- PR /2010

on evaluation of the need to perform an environmental impact assessment

Pursuant to Article 93, paragraph 1 and paragraph 5 of the Environmental Protection Act (EPA), article 7, paragraph 1, and article 8, paragraph 1 of the Regulation on the Conditions and Procedures for Implementing of an EIA (RCPIEIA), article 31, paragraph 4 and paragraph 6 of the Biological Diversity Act (BDA), article 40, paragraph 4 and in connection with Article 2, paragraph 3 of the Regulation on the Conditions and Procedures for Evaluation of the Compatibility of Plans, Programmes, Projects and Investment Proposals Having as a Subject and Purpose the Preservation of the Protected Areas (RCPEC, published in SG Nr.73/2007), and submissions in writing of the Client on Annex № 2 to article 6 of RCPIEIA, and art. Article 10, paras 1 and 2 of RCPEC, I have made the

DECISION

that an environmental impact assessment be performed for the investment proposal entitled Plasma Melting Facility, Treatment and Conditioning of Radioactive Waste (RW) at the Kozloduy NPP, that is likely to exercise a significant adverse effect on natural habitats, populations and habitats of species that are subject of conservation in protected areas

Client: Kozloduy NPP Plc., town of Kozloduy, unique identification code № 106513772.

Brief description of the investment proposal:

The investment proposal for the construction of a plasma melting facility for low and intermediate level RW will include activities related to receiving of radioactive waste – uncompacted, pre-compacted or supercompacted RAW volume reduction through plasma melting, waste immobilizing in a container and transporting of waste to the KNPP long-term storage facility. The activity will take place on-site of KNPP.

According to the documentation presented about the investment proposal and the inquiries made it was found that the site does not impact any protected areas as defined in the Protected Areas Act, and does not fall into the boundaries of protected zones as defined by the Biological Diversity Act.

The closest protected zones are the Kozloduy Islands, ID code BG0000533, the Ogosta River, with ID code BG0000614 and the Skut River with ID code BG0000508, intended to protect the natural habitats and the wild flora and fauna included in the list of protected zones approved by the Ministerial Council with Decision № 122/2007 (SG nr.21/2007); in close proximity to the industrial site is located the Zlatiata protected zone with ID code BG0002009 for the purpose of preserving wild bird species, established with Order № ПД-548/05.09.2008 of the MEW (SG Nr. 83/23.09.2008). The investment proposal for the Implementation of a

Plasma Melting Facility, Treatment and Conditioning of Radioactive Waste on-site of KNPP is subject to assessment of its compatibility with the preservation object and purposes in the protected zones, pursuant to article 31, paragraph 4 in connection with paragraph 1 of the Biological Diversity Act, and article 2, paragraph 1, item 3, sub-item 'a' in connection with paragraph 3 of the RCPEC.

The investment proposal represents a change to the existing activity as per Annex № 1 (item 1) of the EPA, and according to article 93, paragraph 1, item 3 of this Act it is subject to evaluation of the need to perform an EIA.

MOTIVES:

I. Characteristics of the proposed construction, activities and technologies: scope, output, dimensions, interface and cumulation with other proposals, use of natural resources, waste generation, pollution, environmental disturbance, hazards risk:

1. The proposed SNF dry storage is a new method for our country. The documentation submitted does not contain sufficient proofs of the reliability of the method as regards the impact on the environment and the public.

2. In view of the purpose of the plasma melting facility on the KNPP site, it is necessary to consider and present a clear forecast of the interrelation and the cumulative effect on the public and the environment of all the activities performed on site of the nuclear power plant.

3. Generation of different emissions is possible (gaseous, liquid or solid) that pollute the environmental factors (soils, water, air, harmful physical factors such as noise, vibration and radiation) during all the operating modes, the decommissioning, occurrence of events or potential accidents on the facility that may significantly affect the population and the habitats and species that are subject to preservation in the four protected areas described above.

II. Location, including environmental sensitivity, current land use, relative availability of proper territories, quality and regenerative potential of the natural resources in the region

The site, foreseen for implementing activities such as receiving of radioactive waste, RW volume reduction through plasma melting, RW immobilization in containers and transporting them to the KNPP long-term storage facility, is located close to the following protected zones: Kozloduy Islands, code BG0000533, the Ogosta River, code BG0000614 and the Skut River, code BG0000508 for the habitats and the Zlatiata protected zone, code BG0002009, for wild birds conservation, therefore, indirect impact is possible as a result of anthropogenic pressure both during the receipt and the final storage of the radioactive waste.

III. The ecosystem assimilation capability within the environment:

1. Bearing in mind the long-term operating lifetime of the facility, namely 40 (forty) years, it is possible that its construction and operation may cause continued disturbance and adverse effect on the animal species distribution and numbers that are subject to conservation within the four protected zones.

2. Cumulative effect is likely to appear as a result of the implementation of all the future activities on the KNPP site, taking into account current and past activities performed on the plant site.

IV. The characteristics of the potential impacts – territorial scope, affected population including transborder impacts, essence, size, complexity, probability, duration, frequency and reversibility

Bearing in mind the nature of the activity, the expected effects can be described as continued, cumulative, covering a large territorial scope, or transborder ones taking into account the immediate proximity of the Republic of Romania. This necessitates a serious analysis to confirm or of the potential impacts.

V. Public interest in the proposal for construction, activities or technologies:

The Client has submitted a written notification to the Kozloduy Municipality Mayor (outg. № 717/13.06.2005), and through him the notification has been extended to the interested public, and the Municipality Information Centre has been provided information thereof. The opinion stated by the municipality administrative authorities is that in order to evaluate the potential impacts on the public and environment, an EIA has to be carried out.

VI. The compatibility evaluation report (CER) has to follow the structure required in article 23, para 2 of the RCPEC.

This evaluation has to be assigned to experts that meet the provisions set out in article 9, para 1 of RCPEC.

The information available on the object and purpose of preservation of the impacted protected zones is available at the following internet address: www.natura2000bg.org

This decision applies only to the specific proposal and within the scope announced.

This decision can be appealed against at the Supreme Administrative Court within 14 days of its disclosure to the stakeholders following the procedure of the Administrative Procedural Code.

MINISTER:
NONA KARADJOVA
(sgd.ill)