



GENERAL DIRECTOR FOR ENVIRONMENTAL PROTECTION

Michał Kieliżnia

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**Mr Andrii Mokhnyk
Minister of Ecology and Natural
Resources of Ukraine**

Your Excellency,

On 13 March 2014, the Ukrainian Contact Point to the Espoo Convention, Mr Oleksandr Tarasenko shared a link by email to the document in Russian, entitled *Report on informing the exposed parties about the possible impact in the transboundary context with respect to the construction of Units 3 and 4 of the Khmelnytsky Nuclear Power Plant, in order to fulfil the requirements of the Espoo Convention* (hereinafter referred to as the “Summary Report”). I kindly thank you for the information transmitted.

Subsequently, further clarifications on the letter of the Polish party of 21 January 2014 were received by email on 25 March 2014.

In accordance with paragraphs 5.1.5 and 6.2 of the “Summary Report”, all questions, remarks and comments reported by the exposed states have been provided with answers and information. Against this background, the authors of the “Summary Report” declare that the procedure of informing neighbouring states in accordance with the Espoo Convention has been completed with the publication of the “Summary Report”.

I would like to note that the Polish party stressed both during the consultations held in Kiev and in the letter of 5 September 2013 that it considers the transboundary consultation process open until it receives the documents requested at the meeting in Kiev held on 22 August 2013 and delivers an opinion thereon, as these documents are necessary to determine the environmental impact on the territory of Poland, including nuclear safety. Referring to clarifications sent by the Ukrainian party on 20 December 2013, the Polish party made it clear in the letter of 28 January 2014 that it is looking forward to making the requested documents available.

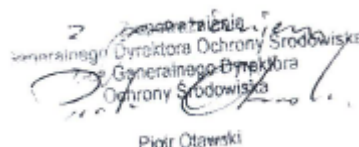
Referring to clarifications provided in the letter of 25 March 2014, the Polish party has taken note that the documents postulated in **paragraphs 1, 2, 3, 4, 5, 7** of the position of 5 September 2013 are to be

developed at the project preparation stage. However, the Polish party is willing to obtain them and deliver an opinion thereon.

Furthermore, please submit information postulated in **paragraph 6** once it is drawn up, in accordance with the declarations made in Kiev.

With respect to **paragraph 8**, I would like to note that once again the Polish party has been provided with the same graphics of the structure of the civil defense system of Ukraine and the scheme of cooperation of various state institutions and “Energoatom” organisational units in case of emergency together with the general description including references to three documents (*“Model plan of response to radiological emergencies in the district subsystems of the Unified Civil Defense System, the territories of which pertain fully or partially to the radiation-control area of NPP”, “Plan of response to radiological accidents”*) which, however, have not been made available. During the consultations and in subsequent letters (of 5 September 2013, 27 January 2013), the Polish party stressed its desire to obtain specific information about external emergency plans for existing Units 1 and 2, and the same plans for Units 3 and 4 once they are developed. Moreover, requirements for emergency plans adopted in Ukrainian legislation were supposed to be submitted as requested. Thus, the Polish party advocates for access to documents in accordance with the declarations made in Kiev.

Therefore, the Polish party cannot agree with the statement of the “Summary Report” that all requests made by the exposed states have been provided with answers and information. The Polish party is looking forward to communicating the results of analyses and documents, to which the Ukrainian party declared access during the consultations held in Kiev.



Generalny Dyrektor Ochrony Środowiska
Piotr Otawski

CC:

Mr Maciej H. Grabowski, Minister of Environment

Mr Janusz Włodarski, President of the National Atomic Energy Agency

Mr Jerzy Nawrocki, Director of the Polish Geological Institute

Mrs Ewa Figel, Director of the Eastern Department of the Ministry of Foreign Affairs

Mrs Beata Sielewicz, Regional Director for Environmental Protection in Lublin