



**Implementation Committee
of the Convention on Environmental
Impact Assessment in a
Transboundary Context**

In reply to your request of 24 December 2014 to provide information on the progress of the transboundary environmental impact assessment procedure regarding planned construction of nuclear reactors 3 and 4 at the Khmelnytskyi Nuclear Power Plant in Ukraine, I submit the following information.

In the previous letter, dated on 14 February 2014 we informed you about our communication with the Ukrainian party relating to the lack of fulfilment of the Polish proposals put forward during the transboundary consultation in Kiev in 2013. In the letter of 28 January 2014 addressed to the Minister of Ecology and Natural Resources of Ukraine Poland sustained its position and expressed its willingness to receive all requested information.

On 13 March 2014 Mr. O.Tarasenko, the Focal point of Ukraine shared a link 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 fulfill the requirements of the Espoo Convention* (hereinafter referred to as the "Summary Report"). Publication of the "Summary Report" in opinion of the authors of the document has completed the procedure of informing neighboring states in accordance with the Espoo Convention.

On 25 March 2014 we received a response to the Polish comments and remarks, contained in the letter of 28 January 2014 (Annex 1). The Ukrainian party informed, that documents, which Poland was asking for, will be available at the later stage of the investment process.

With regards to the provided Summary Report and clarification Poland informed the Ukrainian party in the letter of 17 April 2014 (Annex 2), that it could not agree with the statement of the "Summary Report" that all requests made by the affected states had been provided with answers and information. Polish party took note, that the documents postulated under proposals No 1, 2, 3, 4, 5, 7 are to be developed at the project preparation stage. However Polish party requested also specific information about external emergency plans for

existing units 1 and 2 as well as provisions of the legal regulations concerning the content of emergency plans. None of these documents has been submitted (proposal No 8). Moreover the Polish party noted, that it was looking forward to communicating the results of analyses and documents, to which the Ukrainian party declared access during the consultations held in Kiev.

In the letter of 18 July 2014 the Ukrainian party provided additional clarification referring the proposals put forward during transboundary consultation in Kiev and proposed a meeting with experts from SE NNEGC "Energoatom". Unfortunately only the explanations concerning postulate No 6 - information concerning potential usage of the existing construction elements – were found to be sufficient (Annex 3).

In the face of the above, in the letter of 3 September 2014 the Polish Party sustained its position that until the declared documents would be transferred, the process of transboundary consultations is regarded as uncompleted. Having received and gotten acquainted with the documents, applied for in Kiev, there would be an opportunity to exchange information and discuss the matter of concern with Ukrainian experts.



Zastępca Dyrektora Departamentu
Ocen Oddziaływania na Środowisko
Joanna Zarzecka

To the attention of:

Ms. Aneta Mach, Deputy Director of Department of Sustainable Development in the Ministry of the Environment

Ms. Anna Barbarzak, Deputy Director of the Department of Economic Cooperation, the Ministry of Foreign Affairs

Ms. Małgorzata Twardowska, Director of the Eastern Department, the Ministry of Foreign Affairs

Ms. Elżbieta Bodio, Deputy Director of the Department of Promotion and Bilateral Cooperation, the Ministry of Economy

Mr. Zbigniew Kubacki, Director of the Department of Nuclear Energy, the Ministry of Economy

Annex

1. Response to the Polish comments and remarks, contained in the letter of 28.01.2014
2. Letter of 17 April 2014 to the Ukrainian party
3. Letter of 3 September 2014 to the Ukrainian party