

[14.2.14]

Secretariat of the Espoo Convention

Implementation Committee of the Espoo Convention

“Notification on the targeted activity” (notification) about the construction of power blocks №3,4 at Khmelnitsky Nuclear power plant was sent to the Hungarian, Poland, Slovakian, Belarussian, Moldavian Parties in 2010.

Above mentioned document was sent to the Ministry of the Foreign Affairs by the letter of 02.09.2011 №16600/10/10-11 for delivering to the Austrian Party.

To pursue the provisions of the Article 4 of the Espoo Convention the Ministry of Ecology and Natural Resources of Ukraine all the data concerning environmental impact assessment were included and sent by following documents: –“Volume 13. Environmental impact assessment. Part 14. Assessment of the transboundary impact in the condition of normal and abnormal mode” (hereinafter referred as “Document 1”) and “Background report on review of the materials “Khmelnitsky Nuclear Power Plant. Technical and economic indicators of justification for construction of the power blocks №3,4” were sent to the Ministry of the Foreign Affairs for delivering to the Austrian, Hungarian, Poland, Romanian, Slovakian, Belarussian and Moldavian Party.

Upon the request of the Belarussian Party, all the data concerning environmental impact assessment and links to the web-site of the consumer which contains all the data concerning EIS and major of the chapters of the technology – economic justifications except the one contains confidential information were sent to the e-mail address of the agents of the Ministry of Natural Resources and the Environment Protection of the Republic of Belarus to the e-mail *luba_rb@mail.ru* on May 15,2012. Above mentioned address was named as official address for formal correspondence at the meeting of the representatives of Ukraine and Republic of Belarus that was held in the City of Minsk on April 9, 2012.

Taking into account the fact that Belarussian Party were given more than 20 month for the preparations the remarks and comments from the state body authorities and for collection of the remarks and comments from the public that lives at the territory of the Republic of Belarussian Ukrainian Party considered the procedures covered by the Article 2–4 of the Espoo Convention as accomplished.

To pursue the provisions of the Article 5 of the Espoo Convention the Ministry of Ecology and Natural Resources of Ukraine sent an invitation letter of 21.03.2013 № 4909/13/10-13 to the Belarussian Party for the participation in the preparatory negotiations about construction and operation of the power

blocks № 3 and № 4 at the Khmel'nitsk'ia Nuclear Power Plant. Unfortunately, our colleagues in Belarus did not devote the time for participation in it.

The other Parties submit the requests from the public of their countries within the period of August 2012 till December 2013. Disregarding the fact that the time given for accepting the remarks from the public of the above mentioned countries has gone, documents contained all the answers for the requests were sent in addition to the invitation letters for the preparatory negotiations to pursue the Article 5 of the Espoo Convention the Ministry of Ecology and Natural Resources of Ukraine during 13-24 May 2013.

The decision to postpone the negotiations to pursue the Article 5 of the Espoo Convention for the second-third decade of August, 2013 in Kyiv were made upon the request of the Austrian, Poland, Hungarian and Moldavian Parties.

Negotiations were held with Poland Party (22.08.2013), Austrian Party (28.08.2013) and Hungarian Party (02.09.2013); negotiations with Moldavian and Slovakian Parties are carried out in the form of correspondence.

Subsequently to the results of the negotiations that were carried out the State Enterprise "Energoatom" prepared the "questions and answers" brochure that is available by the following reference:

http://www.energoatom.kiev.ua/ru/buildon/public.htm?_m=pubs&_t=rec&id=36006

The Law of Ukraine № 5217 "On allocation, engineering and the construction of the power blocks №3 and № 4 at the Khmel'niskiy Nuclear Power Plant" was adopted on September 6, 2012. This Law does not provide the right for the construction, but empowers only for the performing of engineering activity.

In accordance with the paragraph "b" of the Annex II to the Espoo Convention the documents on the EIA should contain "A description, where appropriate, of reasonable alternatives (for example, locational or technological) to the proposed activity and also the no-action alternative"

Engineering project plan of the Khmel'niska Nuclear Power Plant made up the four power blocks (including block 3 and 4) was adopted by the order of Ministry of Energy of USSR on 28.11.1979 №150. As this decision was made long before the ratification of the Espoo Convention in Ukraine the provision "no-action alternative" cannot be considered as "acceptable", thus, paragraph "b" of the Annex II to the Espoo Convention does not obligates to consider it in the EIA materials. This is why this variant was not considered in the EIA materials.

[http://www.energoatom.kiev.ua/files/file/stenograma_diskus_ynih_chastin_gromadskih_sluhan_brif_ng_v_ta_kruglih_stol_v_provedenih_pri_gromadskomu_obgovorenn_sporudzhennya_energoblok_v_3_ta_4_hmelnicko_aes_\(1\).pdf](http://www.energoatom.kiev.ua/files/file/stenograma_diskus_ynih_chastin_gromadskih_sluhan_brif_ng_v_ta_kruglih_stol_v_provedenih_pri_gromadskomu_obgovorenn_sporudzhennya_energoblok_v_3_ta_4_hmelnicko_aes_(1).pdf)

Web-site of State Enterprise “Energoatom” contains stenographs of the disputes at the public meetings, briefings and “round tables”, that were held during the process of the public discussion of the construction of the power blocks №3 and №4 at the Khmelnitka Nuclear Power Plant by the following reference:

[http://www.energoatom.kiev.ua/files/file/stenograma_diskus_ynih_chastin_gromadskih_sluhan_brifng_v_ta_kruglih_stol_v_provedenih_pri_gromadskomu_obgovorenn_sporudzhennya_energoblok_v_3_ta_4_hmelnicko_aes_\(1\).pdf](http://www.energoatom.kiev.ua/files/file/stenograma_diskus_ynih_chastin_gromadskih_sluhan_brifng_v_ta_kruglih_stol_v_provedenih_pri_gromadskomu_obgovorenn_sporudzhennya_energoblok_v_3_ta_4_hmelnicko_aes_(1).pdf)

Subsequently to the results of the negotiations with public the State Enterprise “Energoatom” prepared the questions and answers brochure that is available by the following reference:

[http://www.energoatom.kiev.ua/files/file/kniga_zapitan_v_dpov_dey_schod_o_sporudzhennya_energoblok_v_3_ta_4_hmelnicko_aes_\(1\).pdf](http://www.energoatom.kiev.ua/files/file/kniga_zapitan_v_dpov_dey_schod_o_sporudzhennya_energoblok_v_3_ta_4_hmelnicko_aes_(1).pdf)

Report on the public negotiations concerning construction of the power blocks № 3 № 4 at the Khmelnitka Nuclear Power Plant is available by the reference:

<http://www.energoatom.kiev.ua/files/file/zkg.pdf>

The additional technical information which can provide you with the answers to the questions which can arise is also available by the following reference: http://www.energoatom.kiev.ua/ua/stroitelstvo/buildon/public/22527-dodatкова_tehnchna_nformatcya/

The Minister

Oleg Proskiryakov