



Our Ref :

Date : 13 August 2010

Subject: *Information regarding the implementation of procedures for environmental impact assessment in transboundary context*

Dear Mr. Sauer,

The Ministry of Environment of the Republic of Moldova avails itself of this opportunity to extend its compliments to the Implementation Committee of the Convention on Environmental Impact Assessment in a transboundary Context.

Please find below the answers to your questions regarding the procedure for transboundary environmental impact assessment .

- (a) **The date on which the State ecological expertise was completed for the oil terminal as originally foreseen (construction 1997-2000) and the date on which the final decision was taken to begin construction;**

The first State Ecological Assessment Report in regard to the oil terminal was issued on 20 August 1996, under number 05-5-410/508.

The second State Ecological Assessment Report was issued on 29 September 2006, under number 05-07/1580, in regard to the technical project of the oil terminal (taking into account the scaling down). The technical project was also agreed upon with other ministries, departments, including the Science and Practice Centre for Preventive Medicine (No. 06h-6/1/838 of 28 June 2006) and the Navigation Company Administration of the Lower Danube Galati (Romania) etc.

The Moldovan Government adopted Order No. 74-p of 28 August 2006, which included the "Plan of actions for ensuring the startup of oil terminal and Giurgiulesti International Free Port".

- b) **A description of the activities that were already authorized or underway at the Giurgiulesti Port in June 2006;**

Law No. 8 dated 17 February 2005 in relation to Giurgiulesti International Free Port was adopted in 2005. Under the provisions of the said Law, the port includes the following areas: oil terminal and refinery, dry cargo and passenger terminals.

In 2006 the construction works were carried out at the oil terminal in accordance with the "Plan of actions for ensuring the startup of oil terminal" (Government Order No. 74 dated 28 August 2006). .

To: Mr. Matthias Sauer

Chair, Implementation Committee, Convention on Environmental Impact Assessment in a Transboundary Context

(c) Identification of the activities that were covered by the notification sent by the Republic of Moldova to Romania and Ukraine in June 2006;

The facilities mentioned in the notification sent by the Republic of Moldova in 2006 are the following: oil terminal, dry cargo and passenger terminals, refinery.

In regard to the oil terminal, the environmental impact assessment was completed and agreed upon in 1994-1995 (The Report of Frederic R Harris was transmitted to Ukraine at the time when Ukraine was not a Party to the Convention). The state ecological assessment of the technical project was also completed (05-4-410/508 dated 20 August 1996). Following the agreement of the technical project by the relevant authorities, the decision regarding the construction of the oil terminal was taken (1996). The construction of the terminal started in 1997 and was suspended in 2000 on account of financial difficulties.

In 2005 new investors came and amendments were made to the project documentation (terminal capacity was reduced almost twice). Accordingly, such fact was mentioned in the Notification and, at the request of Ukraine, the environmental impact assessment in relation to oil terminal was resent to Ukraine.

In regard to the dry cargo and passenger terminals, in 2007 the Environmental Impact Assessment (EIA) documentation was elaborated for the dry cargo and passenger terminals and was presented to Ukraine and Romania (No. 03-06/1518 dated 01 October 2007). The comments related to EIA documentation were not presented by the established deadline. Therefore, the subsequent procedures related to environmental impact assessment were carried out at the national level.

In regard to the refinery – at present, the construction of such refinery is not planned; accordingly, no EIA documentation shall be elaborated

(d) The date on which the State ecological expertise was completed for the scaled-down oil terminal (construction 2006 onwards) and the date on which the final decision was taken to begin construction;

The positive State Ecological Assessment Report in relation to the adjusted technical project of the oil terminal was issued on 29 September 2006, under No. 05-07/1580.

(e) The date on which the State ecological expertise was completed for Giurgiulesti International Free Port and the date on which the final decision was taken to begin construction. Giurgiulesti International Free Port is a denomination that includes several independent facilities, namely the following ones: oil terminal, dry cargo and passenger terminals. Each of the facilities holds its own technical documentation.

(f) The date on which construction began of the dry-cargo terminal;

The State Ecological Assessment Report in relation to the EIA documentation for the dry cargo and passenger terminals was issued on 21 January 2008, under No. 03-07/65. The ecological assessment of the project documentation for the dry cargo terminal was also completed (No. 05-5-3168/2587 dated 28 October 2008). The construction of the dry cargo terminal started in 2008. The first jetty of the dry cargo terminal (grain) was put into operation in August 2009.

(g) The date on which construction began of the passenger terminal;

The State Ecological Assessment Report in relation to the EIA documentation for the dry cargo and passenger terminals was issued on 21 January 2008, under No. 03-07/65. Subsequently, the ecological assessment of the project documentation for the passenger port was carried out and the positive report was issued (No. 05-5-3114/2244 dated 15 August 2008).

The Moldovan Government adopted the Resolution No. 154 dated 14 February 2008 in relation to the construction of Giurgiulesti passenger port. The said Resolution also contained the

Plan of Actions for the construction of the passenger port for 2008. The passenger terminal was put into operation in March 2009.

(h) Whether the bio-ethanol production plant uses a biological or chemical process;

To date, the construction of the bio-ethanol production plant on the territory of the International Free Port is not foreseen.

(i) The date on which the State ecological expertise completed for the railway branch line Cahul-Giurgiulesti and the date on which the final decision was taken to begin construction;

The Ministry mentions that the construction of the railway branch line Cahul-Giurgiulesti does not fall within the scope of ESPO Convention since the length of such line is only 50 km and such activity is not contained in the Addendum 1 of the Convention. At the national level, the EIA documentation was elaborated for the railway branch line Cahul-Giurgiulesti and the positive State ecological assessment report was issued for such documentation (95-07/1402 dated 10 September 2007).

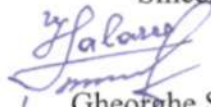
(J) Whether, and if so when and how, the Republic of Moldova provided the affected Parties with the final decision on Giurgiulesti International Free Port;

Giurgiulesti International Free Port – the ecological assessment was carried out in relation to the EIA documentation and the technical documentation of specific facilities (oil terminal, dry cargo and passenger terminals).

(k) Whether the Republic of Moldova has cooperated or will cooperate with Romania in carrying out post-project analysis, as requested by Romania and as provided for in article 7 of the Convention.

The Republic of Moldova is ready to cooperate with Romania in carrying out post-project analysis in regard to oil terminal. Even by this time, a hydrological station is available on the terminal territory and the State Hydrological Service performs samplings on a monthly basis for the analysis of the quality of surface water.

Sincerely,


Gheorghe SALARU
Minister