

Romania's experience in the application of the Espoo Convention to nuclear energy-related activities: The planned construction of nuclear reactors 3 and 4 at the Cernavoda Nuclear Power Plant in Romania

Mihaela Măcelaru

Ministry of Environment, Romania (mihaela.macelaru@mmediu.ro)

Romania participated in this transboundary EIA procedure as a Party of Origin. This project is listed in Appendix 1 point 2 of the Espoo Convention, as it represents the extension of the existing activities of CNE Cernavoda U1 and U2 Units through construction of a new nuclear power units, Unit 3 and 4 on the Cernavodă nuclear power plant (NPP) site.

A decision was taken to notify the neighboring Parties during the screening, according to article 3 of the Espoo Convention. In that respect, the risk of severe accidents and long range impact were some of the important criteria taken into consideration.

Thus, in September 2006, Romania transmitted the notification regarding the planned construction of Units 3 and 4 of the NPP to the following potentially affected Parties: Ukraine, Republic of Moldova, Republic of Bulgaria and Republic of Hungary, as well as Austria. The notification was accompanied by a non-technical summary, and by „Guidelines for the scoping stage of the Unit 3 and 4 from Cernavoda NPP”, both documents being in English. The notification included general information regarding the procedure for public participation, according to the national legislation.

During October 2006 – August 2007, Bulgaria and Austria, informed Romania that they wished to participate in the procedure, and after the submission of the EIA documentation in August 2007, the Republic of Moldova, Bulgaria and Hungary renounced to continue the EIA procedure. During this period, the Ministry of Environment has received comments to the EIA documentation by the institutions from Bulgaria and Austria, as well as from NGOs, comments and questions to which the proponent has responded in a comprehensive way.

The most active NGOs were Greenpeace Austria (Mr. Jan Haverkamp), Women Against Nuclear Power - movement, No More Nuclear Power-movement, Women For Peace-movement who submitted comments, questions and requested clarifications during the all transboundary procedure. Also, the project of Units 3 and 4 has attracted the attention of a world-class specialists, such as Prof R. Thompson.

The consultation with the affected Parties, under art. 3.8 of the Espoo Convention, the public debates on the EIA Report with Bulgaria were held in November 2007 at Silistra and Dobrich. The project proponent and its experts provided extensive and well-documented answers to the questions and comments of the attending public.

The consultations between the Romanian and Austrian environmental authorities under art. 5 of the Espoo Convention, took place in March 2008, in Bucharest. During these consultations, after visiting the project site, the Austrian Party requested details on certain information contained in the EIA Report. The topics under discussion related to the current state of the work on Units 3 and 4, the reactor core, seismic risk, reactor containment and nuclear safety assessment. The discussions were attended by representatives of the Ministry of Environment, National Commission for Nuclear Activity Control and “Nuclearelectrica” S.A. National Company as well as Austrian experts from the Federal Ministry of Agriculture, Environment and Water Management, the Federal Environment Agency and Austrian Institute for Applied Ecology.

The final opinions of Austria and Bulgaria representing the proposed conditions to be included in the environmental agreement were transmitted to Romania in April and August 2008, respectively.

In March 2012, the proponent presented the „Adequate assessment of the environmental impact of Units 3 and 4 of Cernavoda NPP-Impact on biodiversity”. In this documentation, no significant adverse impact on the biodiversity from the area of the project was identified in the transboundary context.

In September-October 2012 we submitted to Bulgaria and Austria the answer proposals to the issues raised by them in 2008. These proposals were fully accepted by Bulgaria and Austria, and integrated in the final decision on the project. **The final Decision** on the Cernavoda NPP – Units 3 and 4 project is represented by the environmental agreement. According to the national legislation provisions, the final decision is taken by the Ministry of Environment, after consultation with representatives of other national authorities which have connected responsibilities to the environment protection area. On 14th October 2013 the environmental agreement was issued and was promoted through a Governmental Decision no. 737/14.10.2013, the interested public being able to consult.

In accordance with Article 6 of the Espoo Convention, the transboundary procedure ends with transmission of the final Decision (environmental agreement), to the two states. Thereby, Romania as a Party of Origin provided to the Affected Party the final Decision on the proposed activity along with the reason and consideration on which it was based.

Keywords: *Espoo Convention, Bucharest Agreement, multilateral agreement, South-Eastern Europe*