

REPUBLIC OF BULGARIA
MINISTRY OF ENVIRONMENT AND WATER

99-00-200

10 June 2024, Sofia

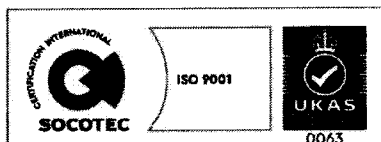
Subject: Neptune Deep project for the extraction of natural gas in the Black Sea on the territory of Romania with developers OMV Petrom S.A. and RomGaz Black Sea LTD

Dear Minister FECHET,

Hereby, I would like to acknowledge the receipt of your letter № DGEIECPSC/19988 dated from 28th May 2024 (received electronically) with the written statement of the developers concerning the proposals, recommendations, comments and objections resulting from the public consultation on the Environmental Impact Assessment Report (EIA Report) and its annexes for the Neptune Deep project for the extraction of natural gas in the Black Sea on the territory of Romania`

We would like to inform you that in accordance with Article 17, paragraph 5 of the Ordinance on the Procedure and Conditions for Environmental Impact Assessment (EIA Ordinance), the Municipality of Kavarna has provided public access to the statement to all interested persons, organizations and submitters of proposals, recommendations, opinions and objections resulting from the public consultation through the website of the Municipality of Kavarna for a period of 7 days (from 28.05 to 04.06.2024).

H.E. Mr. Mircea FECHET
Minister of Environment, Waters and Forests of Romania
12 Libretti Blvd.,
Sector 5, Bucharest, Romania



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According to the official information received from the Municipality of Kavarna, during the 7-day period, there are not received any opinions in the Municipality as a result of the public access to the statement of OMV Petrom S.A and RomGaz Black Sea LTD on the proposals, recommendations, opinions and objections as a result of the public consultation on the Environmental Impact Assessment Report and its annexes for the Neptune Deep project.

The Ministry of Environment and Water of Bulgaria has also not received any written comments on the statement of the developers under Article 17, paragraph 5 of the EIA Ordinance, nor have received any other proposals, recommendations, opinions and objections from the interested public and/or competent authorities and institutions on the EIA report for the Neptune Deep project, other than those presented during the public consultation (in a 30 days public access to the EIA report and the public consultation meeting).

In view of the above, and taking into account that as a result of the public consultation no other possible ways of implementing the investment proposal for the Neptun Deep project and/or new information based on expert assessment that differs from that presented in the EIA Report, including information on the subject matter and objectives of protected areas and/or the expected degree of damage to them, have been proposed in writing, we find no reason to disagree with the conclusion of the developers that there is no need to supplement the EIA Report for the Neptun Deep project, respectively, new public consultation.

In this regard, we would like to inform you that the Ministry of Environment and Water of Bulgaria considers that in accordance with the requirements of the EIA Convention in a transboundary context (Espoo Convention) Romania has fulfilled its obligations under the transboundary EIA procedure for the Neptune Deep project and it is possible to proceed to issuing of the final EIA decision.

With regard to the protection of the environment and minimisation of the probability of a transboundary health risk, mainly related to chemical contamination and deterioration of bathing water quality along the Bulgarian coast, especially in case of emergency situations and possible exposure to harmful chemical substances, we request that the following conditions to be included as mandatory in the forthcoming administrative act which will be issued by the competent Romanian environmental authorities for the Neptune Deep project:

- 1. In the event of imminent threat of environmental damage or in the event of environmental damage caused on the territory of the Republic of Bulgaria by the activity(ies) of the Neptune Deep project for the extraction of natural gas in the Black Sea, carried out in the exclusive economic zone of Romania, the competent authority of the Republic of Romania under Directive 2004/35/EC of the European Parliament and of the Council of 21 April 2004 on Environmental Liability with regard to the Prevention and Remedying of Environmental*

Damage shall provide the Minister of Environment and Water of the Republic of Bulgaria with the information relating to the imminent threat of environmental damage or to environmental damage caused (the location, territorial extent and type of environmental damage caused or imminently threatened; the causes of the imminent threat or of the environmental damage; the presumed consequences of the environmental damage; recommendations for preventive or remedial measures; the preventive or remedial measures taken to date; other circumstances and facts relating to the environmental damage caused or the actions taken to prevent the environmental damage from being caused), as well as information on the relevant national procedures of the Republic of Romania.

2. To comply with the requirements of Chapter VIII "Transboundary Impacts" of Directive 2013/30/EU of the European Parliament and of the Council of 2013 on the safety of oil and gas activities offshore and amending Directive 2004/35/EC, where the circumstances described in the said provision of the Directive are present, the Contracting Authority should provide relevant information in full to Bulgaria in a timely manner with a view to identifying Bulgarian measures to address the damage.

3. Prior to the implementation of the investment proposal, the Republic of Bulgaria shall obtain the disaster and emergency plans of all contractors on the offshore part of the site who will transport or work with the reagents, drilling solution and marine fuel envisaged in the technology. The plans shall include a detailed description of the specific measures and preventive actions in emergency and disaster situations, as well as the allocation of duties, responsible structures and legal entities for the implementation of the envisaged safety measures.

4. In order to monitor the potential impact of the project implementation on the status of the marine waters of the Republic of Bulgaria through relevant monitoring it is necessary to notify the Ministry of Environment and Water of Bulgaria /Basin Directorate for Water Management "Black Sea Region" - Varna about the commencement and duration of the drilling activities and construction of the associated infrastructure.

5. In order to monitor the potential impact of the project implementation on the state of the marine waters and bathing areas in the Republic of Bulgaria:

- to provide for a procedure according to which the Republic of Bulgaria will regularly receive from the official Romanian authorities the results of the planned periodic monitoring of the seawater quality in the area of the drilling platforms during drilling, construction and operation of the site;

- the Republic of Bulgaria to be informed in a timely manner of any accident or incident/contamination during the drilling, construction and operation of the technical facility, which has the potential to contaminate the marine waters.

In accordance with the provision of Article 6, para 2 of the Espoo Convention, we expect you to send us the EIA decision for the Neptune Deep project for the extraction of natural gas in the Black Sea on the territory of Romania in due time after its issuance.

In addition, in view of the requirements of Article 6, para 3 of the Espoo Convention, please inform us of any additional information on the significant transboundary impact of the Neptune Deep project that was not previously available and could significantly affect the environment and health of the Bulgarian population.

Please accept, Mr. Minister, the expression of my highest consideration and readiness for successful future cooperation.

Yours sincerely,

Petar Dimitrov
Minister of Environment and Water