



Ministry of Environment and Forests

Minister Cabinet



Nr:

5221 / LB / 21-11-2011

To:

Ministry of Environment and Water of Bulgaria

In attention of: Minister of Environment and Water of Bulgaria, Mrs. Nona Karadjova

Referring to: Answer to the notification for investment proposal "Energy Project Low Lignite"

Dear Mrs. Minister,

Following the Bulgarian notification letter dated 19th October 2011, and the attached ToR proposal for the project named "Energy Project Lom Lignite" we would like to inform you that Romania will participate in the transboundary environmental impact assessment procedure regarding this investment proposal.

Taking into consideration the ToR for the EIA report that you have already sent to us, we would like to further develop our comments and proposals on the scope and content of the mentioned EIA report:

- Analyzing the data provided (e.g. the map of the limits of the area covered by the project, Fig. 2.2.1.1. of the received ToR) one can see/observe the relatively small distance both of the exploitation and waste dumps from the Danube and its tributary Lom, as well as from the city Orsoya. Taking into account these considerations, the Bulgarian party must present the situation regarding the ground water and its pollution potential determined by starting this project, in conditions in which it is possible to have rocks with potential to generate ARD (acid waters) (section 3.3.1 Geological environment).
- The EIA report must evaluate/present the stability of the slope, the security measures that the Bulgarian authorities have in view in this respect, issues of



water drainage from waste dumps, the possibility of waste water treatment plants , etc.

- Considering that on the same site there will be built a Thermal Power Plant (TPP), there is not presented the location of the next ash dump and how it will be managed in terms of stability, water drainage, ensuring constant wetting of the surface to avoid the scattering of the ash.
- We require also the framing of the ashes resulted from the combustion of lignite, in accordance with European Waste Catalogue and European Waste List, approved by Decision no. 2000/532/EC.
- Taking into account the characteristics of the tailings resulted from the mining activity and the local weather conditions, the solutions regarding the wetting of the waste dumps must be presented.
- Section 3.5 (Soils) provide an overview of the soil local situation, but it's not evident the solution for stripped soil storage for later/subsequent use for closing purpose and greening activities of the career and dumps.
- The EIA report must refer to the obligation of the operator to provide a financial guarantee, in accordance with Article 14 of Directive 2006/21/EC.
- Taking into account that the location of the project is near the Danube river and on the both sides there are natural protected areas providing the necessary support for a rich diversity of fauna, especially for migratory species birds, the Bulgarian party must ensure that the investment proposal will not affect the existing natural capital and will not violate the provisions of the legislation regarding nature protection (eg. Birds and Habitats UE Directives, The Bern Convention on the Conservation of European Wildlife and Natural Habitats, The Hague Agreement on the Conservation of African-Eurasian Migratory Waterbirds, The Ramsar Convention on Wetlands of International Importance so.).



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- We consider that the impact environmental study should detail the geological and hydrogeological characteristics of the project site, the depth and technology of excavation and also the flow and characteristics of discharge waters, as well as the possible effects on the quality of Danube River and of the groundwater bodies delineated in the project area on Romanian territory, namely:
 - ROJI 06- shallow groundwater body hosted in the floodplain deposits of Danube;
 - ROJI 07- confined groundwater body hosted in porous and permeable deposits of Dacian age.

- Also, we kindly inform you that we did not receive the Attachments 1 and 2 named in the Notification at page 1. We are very much interested to see the map of the area of investment proposal and the coordinates of the area of the project (as per systems 1970).

In this respect, please be so kind and transmit to us, at your earliest convenience, the time schedule for the transboundary EIA procedure.

Please accept, Mrs. Minister, the assurance of my highest consideration and esteem.

Yours sincerely,

László BORBÉLY

MINISTER