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ROMANIA

Reference number: 2024-0.908.731

Vienna, 12.12.2024

## **Espoo Convention, Cernavodă NPP (refurbishment of unit 1 and extension of intermediate dry spent fuel storage), Expert evaluation**

Dear Ms. Apreutesei,

On April 6, 2023, Austria received a notification according to Art. 3 Espoo Convention and Art. 7 EIA Directive concerning the Cernavodă nuclear power plant (refurbishment of unit 1 and extension of the intermediate dry spent fuel storage with MACSTOR - 400 modules) from Romania (Ref. No.: DGEICPSC/R/8363/06.04.2023). Austria is participating in the transboundary EIA procedure, since significant impacts on the environment in Austria by the implementation of the proposed project cannot be excluded.

Romania and Austria agreed to hold written consultations pursuant to Art. 5 Espoo Convention and Art. 7 EIA Directive. Austria would like to thank Romania for submitting the answers to the questions of the expert statement (forwarded with our letter dated October 7, 2024; Ref. No.: 2024-0.722.337) via e-mail on November 15, 2024. The answers were evaluated by experts. Please find their statement enclosed.

Unfortunately, it has not yet been possible for the experts to prepare a final statement. This is because, on the one hand, there are still open questions and, on the other hand, new questions have been raised by your response dated November 15, 2024. Accordingly, consultations need to be continued. Austria therefore kindly asks Romania to answer the questions listed in the expert evaluation. As soon as all questions have been clarified, a final expert statement will be sent to Romania.

Lastly, we would like to note that there are still open questions regarding the access of the Austrian public, including NGOs, to administrative litigation instruments in Romania. With our letter dated October 7, 2024, we thanked Romania for the information provided with your letter dated September 9, 2024 (Ref. No.: DGEICPSC/30911/09.09.2024). As already stated in our letter dated October 7, 2024, we are not quite sure how to interpret some of the provisions. Accordingly, we still have some open questions that we sent you via e-mail on September 12,

2024. It would be of great help for us, if you could answer these questions as soon as your time permits. We are trying to get a full picture and understanding of the legal situation in Romania for information purposes only. Further explanations from your side would make it much easier for us to familiarize ourselves with the Romanian legal situation.

Thank you for the good cooperation.

Kind regards,

On behalf of the Federal Minister

Mag. Antonia Massauer