

 **Federal Ministry**  
**Republic of Austria**  
Climate Action, Environment,  
Energy, Mobility,  
Innovation and Technology

[bmk.gv.at](https://www.bmk.gv.at)

BMK - Department V/11 (Plant-related  
Environmental Protection, Environmental  
Assessment & Air Pollution Control)  
[v11@bmk.gv.at](mailto:v11@bmk.gv.at)

**Mag. Anna Eder**  
Official in Charge

[anna.eder@bmk.gv.at](mailto:anna.eder@bmk.gv.at)  
+43 664 8482722  
Address: Stubenbastei 5, 1010 Vienna

E-mail replies should be sent to the above e-mail address, quoting the reference number

Anca Apreutesei  
Ministry of Environment, Waters and Forests - General  
Directorate Impact Assessment, Pollution Control and Climate  
Change  
12 Libertății Blvd., Sector 5  
040129 Bucharest  
ROMANIA

Reference number: 2024-0.722.337

Vienna, 07.10.2024

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

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 effects on Austria's environment cannot be excluded by the implementation of the proposed project.

Romania submitted the EIA documentation for the proposed project to Austria on August 6, 2024. A public participation procedure was carried out in Austria between August 28 and September 26, 2024. Please find the comments received from the public and the authorities, including an expert statement, enclosed for consideration pursuant to Art. 6 Espoo Convention and Art. 8 EIA Directive.

Austria proposes to carry out written consultations pursuant to Art. 5 Espoo Convention and Art. 7 EIA Directive, and thus kindly requests Romania to answer the questions listed in the expert statement within four weeks of receipt of this letter. Once the Romanian responses have been received and evaluated, a final expert statement will be sent to Romania.

Lastly, we would like to thank you for all the information on the access of the Austrian public, including NGOs, to administrative litigation instruments in Romania, provided with your letter dated September 9, 2024 (Ref. No.: DGEICPSC/30911/09.09.2024). However, we are not quite sure how to interpret some of the provisions, and accordingly still have some open questions that we sent you by 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.

Yours sincerely,

On behalf of the Federal Minister

Dr. Ursula Platzer-Schneider