



**GENERAL DIRECTOR
FOR ENVIRONMENTAL
PROTECTION**

Warszawa, 22 January 2024

DOOŚ-TSOOŚ.440.10.2023.MT.2

As per distribution

Notification pursuant to Article 3 of the Espoo Convention¹ of the planned project entitled 'Construction and operation of a small modular nuclear power plant with a total capacity of up to 1300 MWe using BWRX-300 technology in Ostrołęka, Ostrołęka Municipality'.

Dear Sirs,

In view of your interest to participate in the transboundary environmental impact assessment procedure as an Affected Party, I am hereby submitting, pursuant to Article 3, Section 7 of the Espoo Convention and Article 7, Section 1 of the Directive 2011/92/EU², a notification concerning the planned project consisting in the construction and operation of a small modular nuclear power plant with a total capacity of up to 1300 MWe using BWRX-300 technology in Ostrołęka, Ostrołęka municipality, for which an environmental impact assessment is being carried out in the Republic of Poland.

Project information

The project planned to be implemented by the applicant BWRX-300 Ostrołęka Sp. z o.o. with its registered office in Warsaw will consist in the construction and operation of a nuclear power plant comprising:

¹ *Convention on Environmental Impact Assessment in a Transboundary Context, signed in Espoo on 25 February 1991 (Journal of Laws of 1999, No. 96, item 1110, as amended), hereinafter referred to as the Espoo Convention.*

² *Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (consolidated text) (OJ L 26, 28.1.2012, p. 1, as amended), hereinafter referred to as the Directive 2011/92/EU.*

- up to four power units (each unit containing e.g., modular nuclear reactor in BWRX-300 technology, control room building, engine room building (turbine, generator)) **with a total power output not exceeding 1,300 MWe**,
- auxiliary buildings (including spent fuel storage, interim radioactive waste storage facility, office buildings, workshop),
- the necessary technical infrastructure (including water intake, pumping station, cooling water pipelines, cooling system infrastructure (mechanical/natural draft cooling towers), switchyard, power output to the NPS).

The aim of the project is to generate electricity or electricity and heat (cogeneration) using nuclear energy. The electricity generated will feed the National Power System (NPS) using a power service connection, while the heat can be used for district heating by supplying the local district heating system (the construction of a service connection for district heating purposes is not included in the scope of this application for the decision on environmental conditions; it will be implemented on the basis of separate administrative decisions).

The planned project will be implemented in the Mazowieckie Voivodship, Ostrołęka County: the City of Ostrołęka and the Ostrołęka County: the Municipality of Rzekuń.

Transboundary impact

The project will be implemented at a considerable distance from the borders of the Republic of Poland. As it results from the information presented by the investor in the project information sheet, due to the scale of the project and the preventive measures applied, there are no prerequisites to carry out the proceedings on the assessment of environmental impact in a transboundary context, as the range of the impact will not extend beyond the Polish territory.

Description of the environmental impact assessment procedure

The planned project requires a decision on environmental conditions, pursuant to Article 71, Section 2, Item 1 of the Act of 3 October 2008 *on the provision of information on the environment and its protection, public participation in environmental protection and environmental impact assessments* (Journal of Laws of 2023, item 1094). It is a decision that is binding on the authority issuing permits for the construction of a nuclear facility. The procedure for issuing the decision on environmental conditions includes the EIA procedure. The competent authority in this respect is the General Director for Environmental Protection.

The decision on environmental conditions shall determine, e.g.:

- type and location of the project,

- significant conditions for using the environment at the stage of implementation and operation or use of the project,
- environmental protection requirements to be included in the documentation required to issue the decision, in particular the construction project,
- requirements for dealing with the effects of industrial accidents,
- requirements for limiting transboundary environmental impacts for projects for which a transboundary environmental impact procedure has been carried out,
- minimisation and compensation measures, if deemed necessary,
- a requirement to carry out environmental monitoring and post-implementation analysis, if deemed necessary.

The justification for the decision on environmental conditions shall include information on, e.g., how and to what extent the findings of the environmental impact assessment documentation (the environmental impact report), the results of the transboundary environmental impact assessment proceedings, if any, the comments and requests made during public participation, as well as the opinions of the relevant authorities, have been taken into account.

Current stage of the proceeding

At this stage, the scoping procedure for the EIA documentation is underway. An Affected Party that intends to participate in the transboundary environmental impact assessment procedure may comment on issues that should be taken into account during the preparation of the EIA documentation, i.e., during the scoping of the environmental impact report.

At the same time, I would like to inform you that at this stage of the proceedings, Polish regulations do envisage public participation procedure.

Documentation provided

I am enclosing with this notification the following documentation relevant for conducting an environmental impact assessment in a transboundary context:

- application for a decision on environmental conditions in Polish, English, Lithuanian, Czech, Slovak and German,
- project information sheet in Polish, English, Lithuanian, Czech, Slovak and German,
- ruling of the General Director for Environmental Protection to conduct proceedings on transboundary environmental impact dated 07 November 2023, ref.: DOOŚ-WDŚZOO.420.33.2023.SP.9, in Polish and English.

Abovementioned documentation can be downloaded at the following link:

<https://owncloud.gdos.gov.pl/index.php/s/fntCnaX5wtEx4w6>

Participation in the transboundary environmental impact assessment

The Polish party, is kindly requesting to:

1. immediately confirm receipt of this notification and its attachments,
2. submit your position with comments and remarks concerning the scope of the environmental impact report.

Please send the above-mentioned remarks and comments in electronic or paper form within a **maximum period of 30 days from the date of receipt of this letter** (this deadline will not be extended), to:

General Directorate for Environmental Protection

Jerozolimskie 136 Av.

02-305 Warszawa

Poland

e-mail: dorota.toryfter-szumanska@gdos.gov.pl

cc: marta.truszewska@gdos.gov.pl; sekretariat.doos@gdos.gov.pl

With kind regards,

*On behalf of
the General Director for Environmental Protection*

**MAREK KAJS
DEPUTY GENERAL DIRECTOR FOR ENVIRONMENTAL
PROTECTION**

/ – electronic signature – /

DISTRIBUTION:

1. AUSTRIA

Ursula PLATZER-SCHNEIDER

Federal Ministry for Climate Action, Environment, Energy, Mobility, Innovation and Technology

E-mail: ursula.platzer@bmk.gv.at

Waltraud PETEK

Federal Ministry for Climate Action, Environment, Energy, Mobility, Innovation and Technology

E-mail: Waltraud.Petek@bmnt.gv.at

CC: Antonia.Massauer@bmk.gv.at

2. CZECH REPUBLIC

Adéla PROCHÁZKOVÁ

Department of EIA and Integrated Prevention
Ministry of the Environment of the Czech Republic

E-mail: adela.prochazkova@mzp.cz

CC: evzen.dolezal@mzp.cz

3. LITHUANIA

Vitalijus AUGLYS

Head of the Pollution Prevention Policy Group
Ministry of Environment

E-mail: vitalijus.auglys@am.lt

CC:

Beata VILIMAITE SILOBRITIENE

Senior Adviser of Pollution Prevention Policy Group
Ministry of Environment

E-mail: beata.vilimaite@am.lt

4. GERMANY

Isabel LANG

Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection

E-mail: G12@bmu.bund.de

Kalina PENEVA-GÄDEKE

Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection

Division G I 2

E-mail: G12@bmu.bund.de

5. SLOVAKIA

Katarína JANKOVIČOVÁ

Directorate of Environmental Impact Assessment

Ministry of Environment of the Slovak Republic

E-mail: katarina.jankovicova@enviro.gov.sk

CC: ludmila.rajnohova@enviro.gov.sk

ATTN:

1. BWRX-300 Ostrołęka Sp. z o.o. with its registered office in Warsaw, Jana Pawła II 22 Av, 00-133 Warszawa, Poland.

2. Regional Directorate for Environmental Protection in Warsaw.