

Ref. No.: KmF / 36-9 / 2019.

Thank you for your official notification according to the *Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context* (hereinafter referred to as SEA Protocol) on the strategic environmental assessment with relation to the Romanian Energy Strategy 2019-2030 in view of 2050 (hereinafter referred to as RES). As this proposal requires a strategic assessment according to the *Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment* (known as SEA Directive) before its adoption, Romania invited Hungary to analyse the available SEA documentation and to take its position on the possible significant transboundary effects on its territory. We also highly appreciate that Romania arranged the translation of the documentation package into Hungarian language and submitted it to Hungary for facilitating the transboundary leg of the SEA procedure.

The available documentation was sent to the authorities responsible for strategic environmental assessment procedure as stipulated in our national SEA legislation, i.e. to the ~~national environment and nature protection authority (as regards the protection of the environment, and the conservation of nature and landscapes), to the national chief medical officer (as regards environmental and settlement health), to the National Chief Directorate of Disaster Management at the Ministry of Internal Affairs (as regards the protection of waters).~~ In addition, all relevant departments of the Ministry of Agriculture, and as well and state secretary for energy affairs of the Innovation and Technology Ministry were also involved in the reviewing process.

Electronic formats of the available documents including the original website announced by Romania were disseminated for 30 days between 25 October 2019 and 26 November 2019 on the website of the Ministry of Agriculture (<http://www.kormany.hu/hu/foldmuvelesugyi-miniszterium/hirek/strategiai-kornyezeti-vizsgalati-ugyek>). Relevant NGOs had been directly contacted and had several opportunities to comment the Environmental Report and the draft RES according to the SEA regulation. Comments received from the public are attached to the official Hungarian statement and is forwarded to Romania for its information.

**Please find enclosed expert comments received in the framework of the RES SEA procedure. Hungary kindly requests Romanian Party to take them into account during the preparation of the RES before its adoption according to Article 8 of the SEA Directive and Article 11 of the SEA Protocol.**

Official Hungarian statement and comments set up in the framework of the transboundary leg of the SEA procedure concerning Romanian Energy Strategy 2019-2030 in the view of 2050

1./

Taking into account that Hungary is a downstream country to Romania with respect to several surface watercourses and groundwater bodies, therefore, it reiterates the importance of taking into account all environmental impacts of the hydroelectric power plants covered by the RES as follows:

***Tarnița–Lăpușești Pumped-Storage Hydropower Plant***

The documentation does not analyse the impact of the 10 million m<sup>3</sup> water retention reservoir on the Samos River water supply, and its consequent impact on ecological water demand, especially during low water periods. Neither, it contains any indications whether the general impact of the planned pumped-storage hydropower plant on the Samos water system has been investigated at all. Therefore, significant transboundary environmental impacts as a consequence of the RES cannot be excluded on the Hungarian side of the Samos River, especially during drought and low water periods.

***35 MW hydroelectric power station in Răstolița***

Hungary shares the same concerns as above with regard to Mureș river. It is also not clear from the documentation, whether the ecological water demand and the general impact of the proposed facility on the Mureș River was evaluated.

***Turnu Magurele–Nicopole hydroelectric power station complex***

The Environmental Report should refer to the impact of the proposed project on the migration of *Acipenseridae sp.* The analysis should indicate to what extent the newly proposed major hydropower complex planned nearby the Iron Gate I –II Hydroelectric Power Station system would make the passage even more difficult, indeed, impossible for the sturgeon on the Danube.

**Environmental aims and expectations regarding the ecological status and potential of the surface water are unfortunately missing from the documentation made available to us. Therefore, Hungary kindly requests the proponent to extend and complete the RES and its connecting Environmental Report with these issues with regard to the ecological water demand and longitudinal interoperability of Rivers Samos, Mureș, and Danube at downstream areas to the above mentioned hydropower plants.**

2./

***Mintia 400 MW flexible-operated Combined Cycle Gas Turbines (CCGT) power plant***

Page 73 of the Environmental Report notes the importance of monitoring the indicators in the water to be discharged into the Mureş river. However, there is no information on the composition and quantity of water discharged, therefore, based on the available documentation, environmental (including nature protection) impacts of the proposed activity cannot be evaluated on the territory a downstream country like Hungary. **Hungary kindly requests this information to be also included in the documentation.**

3./

According to our views, it is necessary to ensure the extracted water to be re-injected into the same layer in the western part of the Transylvanian Basin when exploiting the potential of geothermal energy. **Please, refer to this in the documentation as well.**

4./

Due to the strategic nature of the documentation submitted, possible significant environmental impacts of the RES on the Hungarian side cannot be completely excluded. **Consequently, Hungary would like to be informed and be officially notified by Romania based on Article 3 of the *Convention on environmental impact assessment in a transboundary context done at Espoo (Finland) on 26 February 1991*, during the environmental licensing process for projects covered by the RES during the implementation at project level. Accordingly, Hungary would like to determine case by case whether it intends to take part of the environmental licensing procedure of these projects as an Affected Party.**

5./

Furthermore, please ensure that environmental objectives set out in the *Water Framework Directive 2000/60/EC* to be met at the project level during the environmental impact assessment procedure.

6./

**In summary, in the framework of a written consultation according to Article 7 of the SEA Directive and Article 10 of the SEA Protocol, Hungary expects the Romanian answers to the issues referred in points 1-5 above before the RES is adopted – preferable in English language. Indeed, please note the relevant points raised by the Hungarian Party should appear in the RES as well as in the Environmental Assessment, too.**

In addition, please, find attached comments received from the public during the public participation phase of the SEA procedure.

Your co-operation is highly appreciated.

Attachment:

- comments received from the public (Hungarian Friends of Earth (Magyar Természetvédők Szövetsége))

**NSC-Friends of the Earth Hungary's position on the Romanian Energy Strategy 2019-2030, with respects to 2050 – SEA consultation response**

- The Romanian Energy Strategy does not take into account other Romanian strategic plans and programs, such as "Action plan for energy efficiency 2007 – 2020" or Energy – Roadmap 2050 and other national plans.

- Regarding the present state of the environment, the environment relevant aspects are not identified properly nor the components that need to be analysed. For example: climate change is referred to only in the context of greenhouse gas emissions without mentioning other related issues, impacts like diminishing water resources or fire hazards. Moreover, there is a lack of proper data on which the presented information is based.

- The Strategy plans a new coal unit at Rovinari, 2 new nuclear units (at Cernavoda) and a hydro power plant on the Danube. These projects that have a significant negative impact on the environment are identified but the authors only propose very broad measures and no specific actions to be taken in this sense.

There are other neighbouring/CEE countries (Hungary, Czechia...) planning new nuclear reactors, for similar reasons: in part to reduce their own electricity import and potentially also to export nuclear energy in a good price into the region or to other parts of Europe. It is not clear whether the Romanian energy strategy adequately considered these other regional/CEE investments when planning theirs.

- There were no alternatives taken into account other than the scenario proposed by this version of the National Energy Strategy and an inaction (business as usual) scenario. Even though the authors admit that this strategy has a significant negative impact on the environment, they conclude its necessity by comparing it with the no-action at all, which is problematic.

In the documents, hydro power plants and refurbishing of old coal power plants are falsely seen as a way of protecting natural resources including Natura 2000 sites. Also, nuclear power plants are mistakenly considered as not having any environmental obligations.

The cumulative impact of the projects is also approached superficially. The authors state that a detailed analysis on these impacts should be done, but the impacts, effects of the energy sector were not analysed, which totally distorts the results.

For the two projects that were identified as having a cross-border impact (Hydro power plant Turnu Măgurele-Nicopole and Air Electric Line 400 kV-Reșița—Pancevo) in protected areas along both sides of the Danube, the document does not stipulate the necessity of an appropriate (environmental) assessment and the eventuality of necessary compensation, but it should as a requirement. Also, the planned new nuclear and coal units have potential cross-border impacts (environmental & health hazard, air pollution, water supply and -pollution issues etc.) that need to be properly considered and assessed.

