



The Ministry of Environment of the Slovak Republic, Section for Nature Protection, Biodiversity and Waste Management, Department of Environmental Impact Assessment, as the central body of the state administration of environmental care pursuant to Article 1 (1) (a) and Article 2 (1) (c) of Act No. 525/2003 Coll. on the state administration of environmental care and on the amendment to certain acts as amended, as an administrative body pursuant to Article 1 (2) of Act No. 71/1967 Coll. on administrative proceedings (Administrative Procedure Code) as amended and as a competent authority under Article 3 (k) and Article 54 (2) (k) of Act No. 24/2006 Coll. on environmental impact assessment and on the amendment to certain acts as amended, based on the results of the assessment process carried out in accordance with the provisions of Act No. 24/2006 Coll. on environmental impact assessment and on the amendment to certain acts as amended, issued pursuant to Article 37 of Act No. 24/2006 Coll. on environmental impact assessment and on the amendment to certain acts as amended, and pursuant to Articles 46 and 47 of Act No. 71/1967 Coll. on administrative proceedings (Administrative Procedure Code) as amended

FINAL STATEMENT

Number: 417/2021-1.7/zg
16326/2021
16328/2021 – int.

I. BASIC DATA ON THE PROPOSER

1. Name

Jadrová a vyrad'ovacia spoločnosť, a.s.

2. ID Number

35 946 024

3. Registered office

Jaslovské Bohunice 360, 919 30 Jaslovské Bohunice

II. BASIC DATA ON THE PROPOSED ACTIVITY

1. Name

Optimisation of treatment capacities of radioactive waste treatment and conditioning technologies JAVYS, a.s. at Jaslovské Bohunice.

2. Purpose

The purpose of the proposed activity "Optimisation of treatment capacities of radioactive waste treatment and conditioning technologies JAVYS, a.s. at Jaslovské Bohunice" (hereinafter referred to as the "proposed activity") is the supplementation of the existing treatment capacities of the operation of a set of radioactive waste treatment and conditioning technologies.

3. User

Jadrová a vyrad'ovacia spoločnosť, a.s., Jaslovské Bohunice 360, 919 30 Jaslovské Bohunice

4. Location

Region:	Trnava
District:	Trnava
Municipality:	Jaslovské
Bohunice Cadastral territory:	Bohunice
Parcel Nos.:	701/37, 701/53, 701/46, 701/86, 704/55, 704/54, 704/57, 704/65, 704/68, 704/96, 704/99, 704/67, 704/92.

The civil structures containing equipment for radioactive waste (hereinafter referred to as "RAW") treatment and conditioning are situated in the bounded area of the proposer Jadrová a vyrad'ovacia spoločnosť, a.s., Jaslovské Bohunice 360, 919 30 Jaslovské Bohunice (hereinafter referred to as the "Proposer"). All the mentioned parcels owned by the Proposer are registered as built-up areas and courtyards, outside the built-up area of the municipality.

5. Date of beginning and completion of construction and operation of the proposed activity

Estimated date of construction commencement:	2021
Estimated date of construction completion:	12/2022
Estimated date of operation commencement:	2023
Estimated date operation end:	2050

6. Brief description of technical and technological solution

The purpose of the optimisation of treatment capacities of RAW treatment and conditioning technologies is to increase the currently assessed combustion capacities (from 240 t/year to 480 t/year), to complete remelting capacities (adding a furnace with a melting charge of 2 t), to add compressing capacities (high pressure compactor) and change of use of the object No. 760-II.3,4,5:V1 (refurbishment of the object to the RAW repository, relocation

of existing fragmentation and decontamination equipment from V1 NPP and relocation of the workplace for releasing materials from institutional control and workplace for handling electrical cables). The proposed technologies will be utilised for the treatment and conditioning of low level and very low level active RAW produced during A1 NPP decommissioning, which is currently in Stage III and IV of decommissioning, V1 NPP decommissioning (currently in Stage II of decommissioning), RAW from NI operation, operation of NPPs in the SR, institutional RAW from various areas of human activities such as research, medicine, etc. produced out of the operations of nuclear power plants, radioactive materials of unknown origin (RMUO), and RAW management within the provided nuclear services for external foreign producers of RAW.

Optimisation of treatment capacities of RAW supercompaction

The optimisation of treatment capacities of RAW supercompaction consists in the replenishment of the current capacities for management of solid compressible RAW using the method of volume reduction by a high pressure compactor (hereinafter referred to as the "HP compactor").

Parameters of technological equipment:

- compaction force min. 20,000 kN;
- stroke of the compacting cylinder min. 990 mm;
- form of compacted waste - 200 l MEVA drum with max. weight 400 kg;
- drive - hydraulic or an adequate alternative;
- a reservoir at the input and output of the compaction chamber, which would allow the preparation of min. 5 MEVA drums at the input and taking of 5 compacted pieces in batches
- handling, transport and lifting equipment;
- simple, automatic and accessible operation of the equipment;
- shielded control centre of the technological equipment
- controllable compaction force and speed;
- measurement of the height of compacted pieces;
- the possibility to change the diameter of compacted pieces by replacing the matrix of the compactor;
- exhaust of the operating chamber of the supercompactor;
- signalling the correct position and placing of MEVA drum in the operating chamber;
- signalling the filling of the position in the reservoir at the input and output of the supercompactor;
- protection against the overloading of electrical and hydraulic parts;
- supercompactor output 15 drums/h
- gamma spectrometry measurement.

A thermal-insulated closed shelter or annex building with the building and technological connection to the civil structure 808 Bohunice RAW Treatment Centre (hereinafter referred to as "BRWTC") will be constructed within the execution. Building modifications in structure 808 BRWTC will include the creation of an entrance gate for entry of trucks, extension or construction of a crane track with lifting equipment with a lifting power of 20 t, which will be situated so that in the receiving part of the annex building it will be possible to ensure receiving and unloading of wastes and at the same time, dismantling, assembly and servicing of all supercompactor components will be possible.

By optimising the treatment capacities of supercompaction, a total annual treatment capacity of supercompaction of **1,000 t/year** will be achieved.

Optimisation of RAW incineration capacities

The subject of optimisation of RAW incineration capacities is the parallel operation of incineration technologies PS 06 in structure 808 of the BRWTC and PS45 in structure 809 with an annual treatment capacity of 240t/year for each incineration plant. During the operation of both incinerators at the same time, the total annual treatment capacity for RAW incineration activities within the nuclear installation of the RAW Treatment and Conditioning Technologies (hereinafter referred to as “NI RAW TCT”) will be achieved in the range of **480 t/year**.

Optimisation of treatment capacities for metallic RAW remelting

The technology of this metallic RAW remelting line will enable to treat metallic RAW including non-ferrous metals efficiently and safely, which will fully meet the requirements for management of various types of metallic RAW by remelting. The facility will include a melting furnace, dosing equipment, all the necessary auxiliary devices and systems, equipment for gas removal and filtration, collection of slag and melted metal, handling equipment, etc. The melting furnace with a capacity of 2 t per one batch will be placed on the structure allowing its tilting so that pouring of melt directly into moulds will be possible.

Ingots in moulds after the pouring will be further placed in the existing areas at the site for cooling down. During the entire process of remelting, furnace gases will be purified from dust and air-borne contamination. Dust and waste gases will go through the constructed system for gas purification with a cyclone separator and autonomous cooling unit followed by a filtration and exhaust system with HEPA filters. The system for gas suction and purification will ensure vacuum in the whole technological system.

After the filtration stage, gases will be continuously chemically and radiologically monitored in order to report chemical parameters and alpha and beta activity of remelting process emissions. Fixed air sampling for laboratory analysis will also be installed for the discontinuous monitoring. In order to minimise the dose load on workers, the process will be remote controlled to a maximum possible extent. The process of dosing of metallic radioactive material and slag-forming additives, of melting itself, removal of slag, casting of melt and taking and cooling down of ingots will take place in vacuum conditions. The equipment for metallic RAW remelting will include all the auxiliary systems and devices necessary for the execution of the whole process of remelting. After the expiry of the service life of furnace lining, it will be possible to push it out of the furnace by means of the supplied technologies and replace by new one.

The place for the metallic RAW remelting line is designed within the structure system of the NI RAW TCT. Within the execution, all the building modifications of this structure and connection to the existing auxiliary systems at the closest point of connection will be carried out.

Optimisation of treatment capacities for metallic RAW remelting includes:

- the supplementation of new technological equipment for remelting with a capacity of 2 t per one batch with the use of the equipment within three-shift operation;
- change of operation of equipment in structure 34 with a capacity of 2 t per one batch from single-shift operation to three-shift operation.

In this way, it will be possible to treat max. **4,500 t/year**.

Change in use of building object No. 760 -II.3,4,5:V1

In the civil structure 760-II.3,4,5:V1, the RAW storage capacity will be added. At the

same time, the relocation of fragmentation and decontamination equipment (BIDSF C7-A3 Project), workplace of electrical cables management from V1 NPP, and workplace for releasing materials from institutional control to these spaces is being considered so that storage facilities and areas of operation of the relocated equipment are constructionally separated. The technological connection to auxiliary systems will be executed to the closest point of connection, including the removal of gaseous fluid from the premises. Within the civil structure, a twin-shell leakage tank with a capacity of approx. 10–15 m³ for liquid RAW will be added (hereinafter referred to as “LRAW”) from the operation of decontamination lines will be supplemented, and the access to the control area with piping leading to the network of special sewerage at the site will be constructed.

Change in use of structure No. 760-II.3,4,5 will contain:

- completing of storage capacities of max. 3,740 m² for low-level RAW and very low-level RAW (in box pallets, 200 l MEVA drums, ISO containers, 2 EM-01 containers or other approved packaging means).
- relocation of the electric cable management workplace

The recycling line for electrical cables has been designed for recycling copper or aluminium electrical cables without a lead shielding. To remove lead insulation, the cable insulation cutter "Bobr" is used to remove the lead shielding. The treated aluminium or copper cables can be then separated using a recycling line. Capacity of the line for processing both contaminated and non-contaminated electrical cables is 1,050 kg/h. The line includes a crusher, granulation and separation device, conveyor, magnetic separator, granulator, storage silo, separation table, which ensures separation of insulation from Al or Cu metals, belt conveyor with a built-in drum magnet. The entire system is equipped with exhaustion via a fan.

- relocation of fragmentation and decontamination facilities

Technological fragmentation and decontamination facilities were built as part of the BIDSF C7-A3 project in SO800 V:1. They consist of fragmentation and decontamination workplaces.

The RAW decontamination workplace consists of:

- stainless steel decontamination equipment (two electrochemical and two ultrasonic decontamination baths, one rinse bath for high pressure water jet spraying, seven decontamination titanium baskets and ancillary equipment);
- equipment for mechanical abrasive decontamination of carbon steel (two suspended blasting machines for fragmented parts, one cabin for manual abrasive blasting).

The devices are equipped with a manipulation table, electric hoists and an exhausting system with a filter module.

The workplace for RAW fragmentation consists of:

- segmentation equipment for dismantling of technological assemblies (self-clamping circular saws, circumferential pipe cutters, hydraulic shears, wire saw, portable plasma cutting machine with mobile exhaust system, portable flame cutting machine with mobile exhaust system);
- equipment for fragmentation of dismantled components (hydraulic cross-cutting band saw longitudinal cutting hydraulic band saw, stationary hydraulic shears, hydraulic band saw, stationary plasma cutting machine with portable exhaust and filtration system, stationary flame cutting machine with portable exhaust system).

Fragmentation and decontamination facilities, following their utilization in the object SO800 V:1 and subsequent need to empty the premises in the said building in connection with the planned decommissioning activities of the V1 nuclear power plant (hereinafter referred to as the "V1 NPP") will be moved to the object No. 760-II.3,4,5:V1 for further use.

- relocation of the facility for release of the materials from decommissioning

The facility for releasing materials from decommissioning, which is currently located in V1 NPP, was delivered within the BIDSF C10 project.

This facility includes:

- instrument for measuring bulk materials FRM-06, which includes scintillation detectors, gamma spectrometric measuring channel, control program and accessories. The system enables measurement of material placed in large-volume containers with dimensions of 3.4 m x 1.9 m x 0.5 m and max. weight 5 t;
- automated gamma measuring system FRM02c, which includes a measuring chamber with a screen, an automatic feeder for pallet transfer, a weighing device and an evaluation workplace.

After relocation of fragmentation and decontamination equipment from object SO800 V:1, the release workplace, located in the object No. 490, will be moved to object 760-II.3,4,5 V1.

III. DESCRIPTION OF THE ASSESSMENT PROCESS

1. Preparation of the assessment report

The proposed activity is according to Annex No. 8 to Act No. 24/2006 Coll. on environmental impact assessment and on the amendment to certain acts as amended (hereinafter referred to as the "Act"), included as follows:

2. Energetic industry

Item number	Activity, objects and equipment	Threshold values	
		Part A (mandatory)	Part B (screening process)
10.	Equipment for treatment, conditioning and storage of medium and low-level waste from the operation and decommissioning of nuclear power plants	without limit	

On 5 February 2018, the proposer delivered to the Ministry of Environment of the Slovak Republic, Environmental Assessment and Waste Management Section, Department of Environmental Impact Assessment (hereinafter referred to as the "MoE SR, EAWM Section, EIA Department") pursuant to Article 22 (1) of the Act, the plan of the proposed activity (hereinafter referred to as the "plan").

Pursuant to Article 18 (2) of Act No. 71/1967 Coll. on administrative procedure (Administrative Procedure Code) as amended (hereinafter referred to as the "Administrative Procedure Code"), the administrative procedure was initiated on the day of submission of the project in the matter of assessing the expected impacts of the proposed activity on the environment.

Pursuant to Article 23 (1) of the Act, the MoE SR, EAWM Section, EIA Department,

sent the notification of their intent to take a position to the affected authority, the permitting authority, the departmental authority and the affected municipality.

Proposed activity, according to Annex No. I. of the Convention on Environmental Impact Assessment in a Transboundary Context (hereinafter referred to as the "Espoo Convention") and Annex No. 13 of the Act, is one of the proposed activities, which are subject to international assessment in terms of their transboundary impact on the environment. Based on this fact, the MoE SR, EAWM Section, EIA Department, representing the party of origin, announced after the delivery of the intent, without undue delay, information on the beginning of the process of transboundary assessment of the proposed activity, pursuant to Article 40 (1) of the Act and in accordance with Art. 3 of the Espoo Convention, Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment with regard to Directive 2014/52/EU of the European Parliament and of the Council, also in accordance with the Agreement between the Government of the Slovak Republic and the Government of the Republic of Austria, the following contact point of the parties concerned:

- *Ministry of Environment of the Czech Republic;*
- *Federal Ministry of Agriculture, Forestry, Environment and Water Management of the Republic of Austria;*
- *Ministry of Environment and Water Management of Hungary;*
- *Ministry of Environment of the Republic of Poland*
- *Ambassador Extraordinary and Plenipotentiary of Ukraine to the Slovak Republic - Yuriy Mushka with a request to mediate transboundary cooperation with Espoo contact of Ukraine.*

At the same time, the MoE SR, EAWM Section, EIA Department, together with the notification of the commencement of the transboundary assessment process of the proposed activity invited the parties concerned to acknowledge to the Slovak Republic, as a party of origin, after receiving the notification under the Espoo Convention, its delivery within the time-limit specified in the notification. The parties concerned were also required to notify the MoE SR, EAWM Section, EIA Department, whether they intend to participate in the transboundary assessment process of the proposed activity based on the anticipated impacts of the proposed activity on the environment and human health (see Articles 2 and 3 of the Espoo Convention).

The Czech Republic and Republic of Austria did not request to be involved in the transboundary assessment process of the proposed activity. Hungary and the Republic of Poland have indicated that they are participating in the transboundary assessment process of the proposed activity, and their comments have been included in the scope of the assessment of the proposed activity. Ukraine has not responded to the notification of intent under the Espoo Convention.

The scope of the assessment of the proposed activity was discussed on 28 January 2019 in the presence of the proposer, representatives of the Nuclear Regulatory Authority of the Slovak Republic, representatives of the affected municipalities of Ratkovce and Veľké Kostoľany and representatives of the MoE SR, EAWM Section, EIA Department. The focus of the discussion was mainly on the comments of the Nuclear Regulatory Authority of the Slovak Republic and the parties concerned (Hungary and the Republic of Poland).

The MoE SR, EAWM Section, EIA Department, designated, after discussion with the proposer pursuant to Article 30 of the Act, the scope of the assessment of the proposed activity No. 1101/2019 - 1.7/zg (5257/2019, 5258/2019-internal) of 28 October 2019. The scope of the assessment of the proposed activity was determined for further assessment, in addition to the zero variant (the state that would occur if the proposed activity did not take place) by the variant 1 stated in the plan. Within the scope of the assessment of the proposed activity, 4 general conditions and 12

specific requirements were set at the same time. No time schedule was specified.

The assessment report of the proposed activity was delivered by the proposer pursuant to Article 31 (5) of the Act to the competent authority on 29 July 2019.

2. Dissemination and publication of the assessment report

The MoE SR, EAWM Section, EIA Department, as the central body of the state administration of environmental care pursuant to Article 1 (1) (a) and Article 2 (1) (c) of Act No. 525/2003 Coll. on the state administration of environmental care and on the amendment to certain acts as amended, as an administrative body pursuant to Article 1 (2) of the Administrative Procedure Code and as a competent authority pursuant to Article 3 (k) in connection with Article 54 (2) (k) of the Act, sent by letter No. 1101/2019-1.7/zg (41170/2019, 41172/2019-int. of 5 August 2019 pursuant to Article 33 (1) of the Act to the authorizing body, departmental body, bodies concerned and affected municipality for taking a position the assessment report of the proposed activity through information on publication on the website of the Ministry of Environment of the Slovak Republic, at: <https://www.enviroportal.sk/sk/eia/detail/optimalizacia-spracovatelskych-kapacit-technologii-pre-spracovanie-upr>. The MoE SR, EAWM Section, EIA Department, sent to the affected municipality in the annex the assessment report of the proposed activity also in the paper form together with a generally comprehensible final summary.

The above-mentioned bodies were to deliver the written opinion on the assessment report of the proposed activity pursuant to Article 35 (1) of the Act to the MoE SR, EAWM Section, EIA Department, no later than 30 days after its delivery. The public could deliver its written opinion to the MoE SR, EAWM Section, EIA Department, no later than 30 days from the date of publication of the final summary by the affected municipality. Pursuant to Article 35 (4) of the Act, the MoE SR, EAWM Section, EIA Department did not have to take into account the opinion delivered after the expiration of the set deadlines.

Pursuant to Article 34 (1) of the Act, the affected municipality should inform the public about the delivery of the assessment report of the proposed activity within three working days from the delivery of the assessment report of the proposed activity and at the same time publish a generally comprehensible final summary within 30 days on the official notice board and on its website, if it has one, and inform where and when the assessment report of the proposed activity can be consulted, where and when it is possible to make extracts or transcriptions or make copies at one's own expense; at the same time, specify the time limit within which the public could submit comments and indicate the place where the comments could be submitted.

The municipality of Jaslovské Bohunice published on the official notice board and on the municipality's website the assessment report of the proposed activity from 13 August 2019 to 12 September 2019.

The municipality of Radošovce informed by letter No. OcÚ/2019/252 dated 29 October 2019 the MoE SR, EAWM Section, EIA Department that:

- the public was informed about the assessment report of the proposed activity within three working days from the date of delivery, i.e. on 14 August 2019;
- it published a generally comprehensible final summary within 30 days on the official notice board;
- it published a generally comprehensible final summary on the official notice board, i. e. on 14 August 2019 posted on the official notice board, and on 14 September 2019 taken away from the official notice board;
- it published a generally comprehensible final summary within 30 days on its website

on 14 August 2019 (it was not taken away);

- it announced on the official notice board and on the municipality's website where and when it is possible to view the assessment report of the proposed activity, make extracts or transcriptions or make copies at one's own expense thereof;
- stated on the official notice board and on the municipality's website, within what period the public can submit comments and it indicated the place where the comments can be submitted.

The municipality also published a contact for the website enviroportal, where the entire assessment report of the proposed activity is available electronically. Furthermore, the municipality announced information on the delivery of the assessment report of the proposed activity by local radio on 14 August 2019 at 10.30 10:30 a.m.

The municipality of Radošovce informed by letter No. OcÚ-508/2019 dated 29 October 2019 the MoE SR, EAWM Section, EIA Department that:

- it informed about the delivery of the assessment report of the proposed activity by public radio, by publishing the information on the official notice board and on the website on 9 August 2019;
- it published a generally comprehensible final summary by posting it on the official notice board on 9 August 2019;
- it published a generally comprehensible final summary on the municipality's website together with a link to the enviroportal to the complete assessment report of the proposed activity on 13 August 2019;
- it announced on the official notice board and on municipality's website where and when it is possible to view the assessment report of the proposed activity, make extracts or transcriptions or make copies at one's own expense thereof;
- it stated on the official notice board and on the municipality's website, within what time limit the public can submit comments and it indicated the place where the comments can be submitted;
- it informed the public of all facts by public radio throughout the period of publication and via the social network.

The municipality of Veľké Kosťany informed by letter No. 1314/2019 of 4 November 2019 the MoE SR, EAWM Section, EIA Department that:

- it published a generally comprehensible final summary and assessment report of the proposed activity via a link to the website of the Ministry of Environment of the Slovak Republic. Citizens were able to familiarize themselves with these documents with one click;
- scanned or copied documents of the assessment report of the proposed activity and a generally comprehensible final summary could not be published, from a technical point of view, on the official notice board of the municipality (there is not such a large space for posting). Citizens have been given information on how they can view the documents and also where they can be found. The municipality rejects the claim that it did not publish the documents.

Based on insufficient information to the public about the received assessment report of the proposed activity, especially insufficient way of publishing a generally comprehensible final summary, the municipality of Veľké Kosťany based on the call of the Ministry of Environment of the Slovak Republic, EAWM Section, EIA Department, No. 1101/2019-1.7/zg (5914/2019) of 12 November 2019 repeatedly provided information to the public on the delivery of the assessment report of the proposed activity and published a generally comprehensible final summary for a period of min. 30 days in accordance with Article 34 of the Act.

The municipality of Žilkovce informed by letter No. 86/2019 the MoE SR, EAWM Section, EIA Department that:

- within three working days from the date of delivery of the assessment report of the proposed activity,
 - t. i.e. on 13 August 2019 it informed the public of the delivery of the assessment report of the proposed activity;
- it published a generally comprehensible final summary within 30 days by posting it on the official notice board - date of posting 13 August 2019 and date of taking away 12 September 2019;
- it published a generally comprehensible final summary within 30 days on the municipality's website. Date of posting 13 August 2019, date of taking away 12 September 2019;
- it published a complete assessment report of the proposed activity, including chapter No. 10, general comprehensible final summary within 30 days on the municipality's website, date of posting 13 August 2019 and date of taking away 12 September 2019;
- it announced on the official notice board and on the municipality's website where and when it was possible to view the assessment report of the proposed activity, make extracts or transcriptions or make copies at one's own expense thereof;
- it stated on the official notice board and on the municipality's website, within what time-limit the public can submit comments and it indicated the place where the comments can be submitted.

In addition to these steps, the municipality carried out other activities related to informing the public:

- it published a contact for the website enviroportal, where the full assessment report of the proposed activity is available electronically;
- it announced information on the delivery of the assessment report of the proposed activity by public radio;
- it informed about all the mentioned steps via the municipality's Facebook page.

The municipality of Nižná informed by letter No. 114/2019 dated 30 October 2019 the MoE SR, EAWM Section, EIA Department that:

- within three working days from the date of delivery of the assessment report of the proposed activity,
 - t. i.e. on 13 August 2019 it informed the public of the delivery of the assessment report of the proposed activity;
- it published a generally comprehensible final summary within 30 days on the official notice board;
 - date of posting 13 August 2019 and date of taking away 12 September 2019;
- it published a complete assessment report of the proposed activity, including Chapter No. 10, a general comprehensible final summary within 30 days on the official notice board of the municipality, date of posting 13 August 2019 and date of taking away 13 September 2019;
- announced on the official notice board of the municipality where and when it is possible to view the assessment report of the proposed activity, make extracts or transcription or make copies at one's own expense thereof;
- it stated on the official notice board of the municipality, within what time-limit the public can submit comments and it indicated the place where the comments can be submitted.

In addition to these steps, the municipality of Nižná also carried out other activities related to informing the public about the assessment report of the proposed activity:

- it announced information on the delivery of the assessment report of the proposed

- activity by local radio;
- it continuously announced the possibility to participate in the public discussion of the assessment report of the proposed activity, which took place on 26 August 2019 at 4:00 p.m. in the Palace of Culture of the municipality of Nižná;
- the mayor of the municipality communicated orally in the matter of the report of the assessment of the proposed activity.

Based on insufficient information to the public about the received report of the assessment of the proposed activity, especially insufficient way of publishing a generally comprehensible final summary (non-publication of a generally comprehensible final summary on the municipality's website), the municipality of Nižná, based on the call of the Ministry of Environment of the Slovak Republic, EAWM Section, EIA Department, No. 1101/2019-1.7/zg (5914/2019) of 12 November 2019 repeatedly provided information to the public on the delivery of the assessment report of the proposed activity and published a generally comprehensible final summary for a period of min. 30 days in accordance with Article 34 of the Act.

The municipality of Malženice informed by letter No. MAL-859/2019-1 dated 31 October 2019 the MoE SR, EAWM Section, EIA Department that:

- within three working days from the date of delivery of the assessment report of the proposed activity,
 - t. i.e. on 13 August 2019, it informed the public of the delivery of the assessment report of the proposed activity;
- it published a generally comprehensible final summary within 30 days on the official notice board and on the municipality's website, date of posting 13 August 2019 and date of taking away 12 September 2019;
- it announced on the official notice board and on the municipality's website where and when it is possible to view the assessment report of the proposed activity, make extracts or transcriptions from it or make copies at one's own expense thereof;
- stated on the official notice board and on the municipality's website, within what period the public can submit comments and it indicated the place where the comments can be submitted.

In addition to these steps, the municipality of Malženice also performed other activities related to informing the public about the assessment report of the proposed activity, it published a contact for the website of the enviroportal, where the entire assessment report of the proposed activity is available electronically.

The Ministry of Environment of the Slovak Republic, EAWM Section, EIA Department, also requested the affected municipality to ensure, in cooperation with the proposer pursuant to Article 34 (2) of the Act, a public discussion of the proposed activity and invite to it, in addition to the public, also representatives of the competent authority, departmental authority and authorities concerned. At the same time, the affected municipality was informed that it is obliged to notify, pursuant to Article 34 (3) of the Act, the date and place of the public discussion of the proposed activity no later than 10 working days before the discussion.

The Ministry of Environment of the Slovak Republic, EAWM Section, EIA Department, sent by letter No. 1101/2019-1.7/zg (44436/2019) in accordance with Article 4 of the Espoo Convention and pursuant to Article 47 (1) of the Act, the assessment report of the proposed activity also to the parties concerned: the Ministry of Environment of the Republic of Poland, the General Directorate of Environmental Protection and the Ministry of Agriculture of Hungary.

3. Discussion of the assessment report with the public

On 26 August 2019 at 4:00 p.m. in the premises of the Palace of Culture in the municipality of Nižná, pursuant to Article 34 of the Act, a joint public hearing of the proposed activity (hereinafter referred to as "public hearing") was held in cooperation with the proposer and the affected municipalities (Jaslovské Bohunice, Veľké Kosťany, Pečeňady, Ratkovce, Žilkovce, Malženice, Radošovce, Nižná, Dolné Dubové).

The date and place of the public hearing was announced by the municipality of Nižná by invitation No. 88/2019 of 9 August 2019. The public was informed of the public hearing in the way usual at the place, 10 days before the hearing was held.

According to the attendance list, 101 participants took part in the public hearing, namely the mayors of the affected municipalities, representatives of the Nuclear Regulatory Authority of the Slovak Republic (hereinafter referred to as the "NRA SR"), representatives of the proposer and the public.

The agenda of the public hearing was as follows:

- Introduction and welcome of participants to the public hearing;
- Presentation by the representative of the proposer;
- Discussion;
- Conclusion.

The mayor of Nižná K. Mikuš welcomed the participants to the public hearing and gave the floor to Ing. M. Červenka, i.e. the mayor of Ratkovce and Vice-President of the Association of Towns and Municipalities of the Jaslovské Bohunice region, who presented the public hearing. Mgr. M. Žiaková, the spokesperson of the proposer, introduced the representatives of the management.

The following persons spoke with their opinions: P. Uhrík, General Director of the Nuclear Safety and Control Activities Section of NRA SR, the mayors of the municipalities of Pečeňady, Malženice and Ratkovce, citizens of the municipality of Jaslovské Bohunice, M. Daniška, a member of the initiative "We Want a Healthy Landscape", RNDr.

R. Jakubec (a resident of the town of Trnava and employee of the proposer), the mayors of the municipalities of Nižná and Čhtelnica and municipal deputy of the municipality of Žilkovce.

In his speeches, M. Daniška reiterated the objections already contained in his opinion delivered on the assessment report of the proposed activity. M. Daniška's questions were directed mainly to:

- definition of the affected municipalities;
- import and treatment of foreign RAW;
- insufficient way of informing about what is being imported here, how much is incinerated, what activities are carried out;
- what is the proposer's plan, how much it wants to import from abroad.

Ing. P. Uhrík stated that NRA SR is the most interested in nuclear safety, i.e. as the line that will be installed will be safe during its operation. The proposer quite clearly fulfils the letter of the law, and it is necessary that the RAW treatment and conditioning technologies are constantly being improved. Such is the diction of the law. It is better if the line works continuously, there is trained staff employed there constantly, who are familiar with it and have common procedures. He further stated that we do not live in an enclosed space but we are members of the European Union, so there are some directives that the Slovak Republic must follow, among other things, we must not impede the free movement of persons, goods and services. It is rarely and not sufficiently emphasized that all the activity that is imported has to be exported again outside the border to the person who requested such a service. An activity

that is not captured on the filters, the filters have certain efficiency, as far as they know it's 99.7%, as written in the assessment report of the proposed activity, so an aliquot part of the activity must be added and another has to be exported. This means that there cannot be more activity left in Slovakia than before the start of treatment.

In his speech, the mayor of the municipality of Malženice stated that it is important that the government guarantees for the region will be enshrined in law in the future and that the proposer assists the mayors in their efforts in drafting the law. The mayors are also in a position to claim certain benefits from such a strong partner. In the past, the proposer did not devote sufficient space to communication with mayors. The new leadership of the proposer put the mayors in an equal position, where with our declaration and attitude we began to dull the edges and began to find a meeting area. In Italy, where the waste is generated, they have been allowed to enter the facilities, and he is one of the few mayors who can assess what it is and what is being incinerated. Only what is being incinerated in our power plants is being processed, nothing else. The assessed amount of incinerated waste is one- to two-day volume of the plastic incinerator they visited in Denmark.

The mayor of the municipality of Ratkovce also pointed out the need for the act on the stimulation of municipalities in the vicinity of the nuclear facility, as in the case of candidate sites and the final site for the alternative of a deep repository.

The mayor of the municipality of Čhtelnica was interested in what happens to the activity of imported waste, and the mayor of Nižná was interested in how many times will the volume of waste be reduced during the incineration. Deputy of the municipality of Žilkovce was interested in whether 480 t of incinerated waste would no longer increase and what profit the affected municipalities would have.

The proposer's representatives answered the individual questions in the order in which they were asked. The proposer's management confirmed that it is ready to open the request for a change in legislation and to continue the established cooperation with the mayors. It enabled, through mayors, via a special regime, providing of information to the citizens of the individual affected municipalities.

A record of the course of the public hearing was made and delivered together with the attendance list to the Ministry of Environment of the Slovak Republic, EAWM Section, EIA Department, on 10 September 2019.

The affected municipalities of Veľké Kosťany and Nižná carried out a repeated joint public hearing, which took place on 16 December 2019 at 3.00 pm in the Palace of Culture in the municipality of Veľké Kosťany.

The date and place of the public hearing was announced by the municipality of Veľké Kosťany by invitation No. 1440/2019 of 25 November 2019. The public was informed of the public hearing in the way usual at the place, 10 days before the hearing was held.

According to the attendance list, 173 participants took part in the public hearing, namely the mayors and citizens of the affected municipalities, a representative of NRA SR and representatives of the proposer.

The agenda of the public hearing was as follows:

- Introduction and welcome of participants to the public hearing;
- Presentation by the representative of the proposer;
- Discussion;
- Conclusion.

The introductory speech was given by the mayor of Veľké Kosťany who stated that he represents the municipality which commented on the assessment report of the proposed activity

and which sent an opinion to the Ministry of Environment of the Slovak Republic, EAWM Section, EIA Department, expressing opposition to increasing volumes for the treatment of waste in any form. The opinion was based on a resolution of the municipal council, which refused the import of RAW from abroad to the Jaslovské Bohunice site for further treatment. As a municipality, they have so far commented positively on the projects and plans of the proposer, as they were convinced that the given plan is important, the concept and hazardous waste must be safely reworked and stored. But they always perceived it as the treatment of their own waste and not one imported from abroad. Back in 2018, the municipality sent an opinion to Ministry of Environment of the Slovak Republic, EAWM Section, EIA Department, in which they expressed concern about a possible environmental burden. The municipality perceives this situation in the same way today, even though the company defends the project and declares very low values of impacts on the surrounding environment. It considers the increase of the RAW treatment to be unnecessary, as in variant No. 0, which they supported, there is no need to increase the waste. It is true that the company will return the treated RAW to the country of origin, but it cannot return the released harmful particles that get into the air through the filter. It therefore suggests to the proposer to treat solely the domestic waste.

Mr Fiala (a resident of the municipality of Veľké Kostoľany) was interested in why - when there will be a new incinerator - effects will be almost the same as with the old incinerator, and what will happen to the old incinerator after the purchase of a new one.

Proposer's reply:

This means that if both the original and the new furnace are in operation, the effects do not change practically, the impact of the new furnace is negligible to zero because it has significantly better ecological parameters. The plan is to have two separate furnaces, one will incinerate waste from NPP A1 that is alpha contaminated and the other will incinerate waste that is not alpha contaminated.

Mr Knap from the non-profit organization Piešťany asked whether the optimisation is a net increase in capacity.

Proposer's reply:

By adding technologies it is not only the change of capacities, but for example in the case of a remelting line it is also a change in the number of shifts of operation. At present, the proposer is allowed to operate only one incinerator with a treatment capacity of 240 tons of combustible waste per year, which was put into operation in 2000 and which met the capacity requirements of the RAW treatment process in this period, the optimisation is the parallel operation of the second furnace and the change of use of the structure. It doesn't matter if you call it optimisation or increasing capacity, but the exact effects, and what's going on there as it was presented, nothing was hidden. So we call it optimisation.

The mayor of the town of Piešťany mentioned that the mayors of the municipalities in the district of Piešťany were not approached, therefore 15 municipalities met and signed an open letter, which they sent to the Ministry of Environment of the Slovak Republic, EAWM Section, EIA Department. His question was why is it necessary to import waste from abroad and increase capacity, and what flue gas washing means.

Proposer's reply:

The town of Piešťany is a member of the Association of Towns and Municipalities of Jaslovské Bohunice, which has 139 municipalities associated with it. The proposer cannot communicate with all 139 municipalities. Therefore, such associations have their council, that is, they are as a kind of local councils that, in the form of a democratic vote, agreed to support the development of our society, and at the same time support the proposed activity (variant No. 1). This means, under strictly set rules of the game, the import of waste from abroad. This means that out of 139 municipalities, 124 municipalities said yes to this project through their elected representatives, while there was a very close communication on that, the proposer met several times with representatives of this regional association. The proposer does not have easy meetings, which were finally brought to the level of the Ministry of Economy, where they signed a memorandum of cooperation. The flue gases leaving for filtration are sort of washed in liquid mode. Contaminated liquids are used in another process as a grout for fibre-reinforced concrete containers.

Waste from abroad forms only 13%. This is not the main activity. It is a complementary activity. And why does the proposer do that? Because its activities are paid for from two main sources. The National Nuclear Fund, you all participate in it. You all contribute there, they deduct you for your electricity payment. The European Union pays for the decommissioning of V1. So the money the proposer earns on foreign waste is returned by the proposer back to the process so that the decommissioning is cheaper so that you do not have to pay so much.

Mr Daniška, a member of the initiative "We Want a Healthy Landscape" and a representative of the Petitions Committee of the Petition against the import and treatment of foreign RAW in the territory of the Slovak Republic, noted that optimisation creates a positive impression but increasing treatment volumes causes a completely different reaction in citizens. 12% was the volume of treated waste, not the volume of incinerated waste. He asked the proposer's representatives to show what percentage of foreign waste is treated in individual technologies and especially by incineration. He questioned that the company would have to lay off their employees if it does not process foreign RAW, he questioned the effectiveness of filters and emissions. For himself and for the people who supported the petition, he says that he does not agree with the treatment and import of foreign waste. He called on government officials to stop the import and management of foreign waste to Slovakia.

In his next speech, Mr Daniška pointed to the agreement that the proposer will publish data publicly about how much waste it treats, what are the discharges, where the waste comes from. Currently, the data is available only to mayors and one has to take a day off to meet the mayor during office hours to look at the computer, and there is data only for the last month. He pointed out the discrepancy between the RAW incineration plan in 2020 and the capacity of the facility in the assessment report of the proposed activity on page 44.

Proposer's reply:

In assessing the impacts of the proposed activity, the maximum design capacity had to be considered in order to demonstrate the safety of the installation in terms of health and environmental impact. With lower capacities after the actual implementation, the situation will be even better. The assessment report of the proposed activity in the mentioned table includes a typo and it will be corrected. The proposer provides information on the operation to the mayors and the public can get acquainted with it through the mayor.

Mr Hanza, a resident of the municipality of Veľké Kosťany, asked whether the implementation of the proposed activity (variant No. 1) is affected by the combustion of foreign RAW, whether it is not possible to implement the proposed activity (variant No. 1) without incinerating foreign RAW, and of what significance foreign RAW is for the citizens of the affected municipalities, whether, with such decisions, we will not be perceived as a country into which other countries can export waste and people there are agreeing to everything.

Proposer's reply:

The incineration of foreign RAW is not affected by the proposed activity. Shipments from abroad are supervised not only by state supervision but also by international institutions IAEA, Euratom, and it is not possible to import a kilogram without obtaining the permission from these institutions. Sweden as well as Belgium are countries that care about the environment, have at their disposal technologies that are able to handle radioactive waste, so they import it from the environment of the European Union. What is the difference between Sweden and Belgium, France and other countries? But in those other countries, the citizens probably listen to the arguments, they don't appeal to emotions that it's radioactive waste, so I don't want it. They simply take it that such activity is regulated, controlled, has a certain impact on the environment, but it is far below the level of the natural background, it is far below the level of limits, and it is simply so. In those countries, they probably listen to the arguments. They don't appeal to emotions.

Every year, the Slovak Hydrometeorological Institute publishes reports on air quality and the share of individual polluters in the districts of Trnava, Piešťany and Hlohovec. When you look at them, John Manville and IKEA have the largest discharges of pollutants. The proposer's discharges are so small that it didn't even place among the first thirty. There are still questions about how much we will incinerate and what the impact is on the environment. In Slovakia, we have two municipal waste incinerators, several industrial waste incinerators and a few hospital waste incinerators. Compare those capacities. Our current incinerator has 240 tons, we want to increase it to 480 tons. The capacities of municipal waste incinerators are 187,370 tons per year or 150,000 tons per year. Please see what are the capacities of other incinerators and what are ours, what we are talking about here, about what quantities. Where does the 800 tons of foreign waste place in those numbers? Please see the next graph where I compared the discharges from our incinerator with the discharges from those municipal or industrial waste incinerators. Again, our numbers are small, dioxins are mentioned here. We have the least dioxin discharges. This is just an example of what we are talking about here, what quantities and what discharges.

In his speech, Mr Ryška, a resident of the municipality of Jaslovské Bohunice, questioned the task of NRA SR, which it has to carry out and accused it of keeping the information confidential.

Ing. Juraj Homola, director of RAW and decommissioning of nuclear facilities (NRA SR), responded to Mr. Ryška's speech. The Authority understands the assessed process as any other in the field of RAW management and gives permission for it. The permitting of foreign RAW is also a standard process for the Authority. The possibility of allowing such imports has been in the legislation since 2004 and it is set so that safety is guaranteed, i.e. so that the impact of these activities is minimised. In the treatment and conditioning processes, the system is set up in such a way that the aliquot activity that is imported is also exported, while compensating for the fact that the filtration system is not 100% and part of it goes into the air.

He objected to Mr Ryška's words that the office would stamp everything. He pointed out the history of the operation of the lines, whether in terms of events, unexpected irradiations or worse things, so in comparison with European countries we are in a very good position. The same also applies to the transport process, in which transport equipment is licensed, transport permits are issued, and there is a high level of compliance with strict requirements behind all of this leading to the issuance of a permit.

The mayor of the municipality of Dobrá Voda asked what would happen after 2025 when V1 will be disposed of and how much longer A1 would take and whether the share would turn around then, i.e. 88% Europe and 12% Slovakia, when there would no longer be so much waste in our country?

Proposer's reply:

The services that the proposer can offer are not only the RAW treatment, but the whole spectrum of nuclear services. We are talking about treatment here, but in reality nuclear services involve the know-how we have. These are both advisory and consulting services, our experts can go on missions to other power plants, simply share their know-how, the proposer has about 4–5 years to prepare for the V1 decommissioning process to reach its final. A very important spectrum should be the provision of advisory and consulting activities, work in international missions, international bodies.

The decommissioning of the V1 power plant is planned until 2025 and the decommissioning of the A1 nuclear power plant until 2033. Naturally, the proposer not only performs decommissioning activities but also treats RAW from existing operated nuclear power plants, which generate waste during their operation, and the proposer must treat them continuously. So those people will continue to work on this.

Mr D. Pikna, a resident of the municipality of Veľké Kosťany, asked about mercury, which is not a product of nuclear power plants, but of healthcare.

Proposer's reply:

Of course mercury is not a product of a nuclear power plant. Given that the proposer incinerates waste of various compositions, both chemically and in view of the fact that these are materials that are normally combustible, i.e. paper, some plastics, some wood and so on. So mercury, among other heavy metals, is one of the components that we are obliged to monitor in terms of limits and conditions. In terms of quantities, it amounts to micrograms per cubic meter of mercury released into the environment.

A record of the course of the public hearing was made and delivered, together with the attendance list, to the Ministry of Environment of the Slovak Republic, EAWM Section, EIA Department, on 23 December 2019.

4. Opinions, comments and expert opinions submitted to the Assessment Report:

Until the final opinion was prepared, the following written opinions on the proposed activity (abbreviated) were delivered to the Ministry of Environment of the Slovak Republic, Section for Nature Protection, Biodiversity and Waste Management, Department of Environmental Impact Assessment (hereinafter referred to as the “MoE SR, NP BWM Section, EIA Department”):

Regional Directorate of the Fire and Rescue Corps in Trnava, Fire Prevention Department (letter No. KRHZ-TT-OPP-438-001/2019 of 13 August 2019, delivered on 15

15. August 2019) agrees to the assessment report of the proposed activity under the following condition: In case of changes related to fire protection, submit the project documentation for approval. Requirements for the content and scope of project documentation submitted for construction proceedings are set out in Article 9 of the Decree of the Ministry of Environment of the Slovak Republic No. 453/2000 Coll., implementing certain provisions of the Building Act.

Ministry of Economy of the Slovak Republic (letter No. 20285/2019-4130-48255 of 16

16. August 2019, delivered on 21 August 2019) informs that it has no comments on the assessment report of the proposed activity.

Trnava District Office, Department of Environmental Care, Section of State Water Administration and Selected Environmental Components of the Region (letter No. OU-TT-OSZP2-2019/029454/Pu of

21 August 2019, delivered on 21 August 2019) from the point of view of the protection of the environmental components in the proposed activity, requires compliance with the conditions specified in the assessment report of the proposed activity to mitigate the effects on the environment, more precisely, with proposed measures to prevent, eliminate, minimise and compensate for the effects of the proposed activity on the environment. All the proposed measures mentioned in the assessment report of the proposed activity are technically, ecologically and economically acceptable and feasible, therefore Trnava District Office has no fundamental comments on the assessment report of the proposed activity.

Piešťany District Office, Crisis Management Department (letter No. OU-PN-OKR-0020178/2019 dated

20 August 2019, delivered on 22 August 2019) has no comments or requests in terms of civil protection needs.

Trnava Self-Governing Region (letter No. 04473/2019/OÚPŽP-5/Re dated 28 August 2019, delivered on 6 September 2019) has no comments on the assessment report of the proposed activity, as the implementation of the assessed optimisation of the treatment capacities of combustion, pressing and remelting will ensure the effective use of existing and proposed equipment. The proposed modifications will not require a change in the currently set limits for gaseous and liquid discharges. As the proposed activity will take place in the area of the NI RAW TCT, it is seamlessly connected to the built infrastructure and its location is in accordance with the zoning plan of the municipality of Jaslovské Bohunice. The proposed modification of treatment and storage capacities will also help meet the deadline for decommissioning of NPP A1 and NPP V1 according to the approved strategic documents and the obligations of the Slovak Republic towards the European Union.

Trnava Self-Governing Region subsequently supplemented its above opinion (by letter dated 17 August 2020), in which it requests that the competent authority also takes into account the opinion of the public when issuing its final opinion.

Nuclear Regulatory Authority of the Slovak Republic (letter No. 6436/2019 dated 5 September 2019, delivered on 6 September 2019) states in its opinion that the operated NI RAW TCT Jaslovské Bohunice currently has all the necessary permits and consents issued in terms of Act No. 541/2004 on the Peaceful Use of Nuclear Energy (Atomic Act) as amended (hereinafter referred to as the "Atomic Act").

For the generated RAW, the method of their treatment, storage and depositing with sufficient capacity is in place, RAW from foreign producers will be returned to foreign producers in accordance with the legislative requirements arising from the Atomic Act, at the level of aliquot imported activity. Import of RAW from external foreign producers of RAW is conditioned by compliance with legislative requirements arising from the Atomic Act, i.e. the import of RAW into the territory of the Slovak Republic for the purposes of their treatment or conditioning in the territory of the Slovak Republic is possible if the export of material with aliquot activity is contractually secured and authorized by the NRA.

The implementation of the proposed activity will not change the boundaries of the area of danger (the boundary of the proposer's premises) or the guideline values of radioactive substances released into the environment set by the supervisory authorities.

After assessing:

- the assessment report of the proposed activity, which respects legal regulations and requirements for nuclear safety in accordance with the Atomic Act, Decree of the Nuclear

Regulatory Authority of the Slovak Republic No. 30/2012 Coll., which sets out details on requirements for nuclear materials, radioactive waste and spent nuclear fuel management, Decree of the Nuclear Regulatory Authority of the Slovak Republic No. 430/2011 Coll. on nuclear safety requirements, as amended;

- incorporating the NRA's comments on the plan;

NRA SR believes that the comments submitted to the plan were adequately reflected in the determination of the scope of the assessment of the proposed activity and subsequently in the assessment report of the proposed activity in accordance with the law. Based on the above, the NRA has no comments on the submitted assessment report of the proposed activity.

Ministry of Interior of the Slovak Republic, Crisis Management Section (letter No. SKR-COKP2- 2019/000317-8 dated 2 September 2019, delivered on 9 September 2019) states that the assessment report of the proposed activity shows that the contribution of NI RAW TCT technologies to the radiation exposure of the population under normal operating conditions as well as in emergency situations is minimal and meets the criteria under the legislation. In the light of its competences, it does not make any comments or additions.

Trnava District Office, Department of Environmental Care, Section of Nature Protection and Selected Environmental Components (letter No. OU-TT-OSZP3-2019/029510/ŠSMER/Šá dated 6 September 2019, delivered on 18 September 2019) gives the following opinion:

In terms of waste management (statement No. OU-TT-OSZP32019/029733/ŠSOH/Du dated 15 August 2019) it has no comments on the submitted assessment report of the proposed activity. From the point of view of the state water administration (statement No. OU-TT-OSZP3-2019/029944 dated

2 September 2019) in the implementation of the proposed activity it requires:

- compliance with the provisions of Act No. 364/2004 Coll. on waters and on the amendment to the Act of the Slovak National Council No. 372/1990 Coll. on offences (Water Act) as amended (hereinafter referred to as the "Water Act");
- compliance with the provisions of Article 39 of the Water Act;
- during the construction and subsequent use of the operation, to mind the protection of groundwater and surface water and prevent the undesirable leakage of hazardous substances into the soil, groundwater and surface water;
- ensure compliance with the provisions of the standard STN 73 - 6005 - Space arrangement of conduits of technical equipment;
- the construction shall not disturb the existing run-off conditions in the area.

From the point of view of air protection (statement No. OU-TT-OSZP3-2019/0297943/ŠSOO/Krae dated 23 August 2019) - pursuant to Article 1 (2) of Act No. 137/2010 Coll. on air, as amended, this Act does not apply to the introduction of radioactive substances into the air.

From the point of view of nature and landscape protection (statement No. OU-TT-OSZP3-2019/029605/ŠSOPaK/Bo dated 12 August 2019) it states on the implementation of the proposed activity:

- the first degree of territorial nature and landscape protection applies in the locality in question in accordance with Article 12 of Act No. 543/2002 Coll. on nature and landscape protection, as amended, and no protected area or protected tree has been declared here. The closest to the locality in question is the Protected Bird Area Špačinsko-nižnianske polia, in accordance with the Decree of the Ministry of Environment of the Slovak Republic No. 27/2011 Coll. with effect from 15 February 2011, at a distance of about 1 km north of the locality;
- implementation of the proposed activity is possible from the point of view of nature and landscape protection interests, provided that all measures are taken to prevent, eliminate, minimise and compensate for the environmental impacts of the proposed activity, as well

as monitoring and post-project analysis, proposed in Chapters C.IV and C.VI of the submitted assessment report of the proposed activity.

Conclusion:

Trnava District Office, Department of Environmental Care, Section of Nature Protection and Selected Environmental Components agrees to the submitted assessment report of the proposed activity under the conditions of compliance with the above requirements.

Piešťany District Office, Department of Environmental Care (letter No. OU-PN-OSZP-2019/007778 dated 4 September 2019, delivered on 9 September 2019) issued the following opinion on the submitted assessment report of the proposed activity for individual sections of environmental protection:

From the point of view of the state water administration: it agrees to the assessment report of the proposed activity, subject to fulfilling the following comments:

- comply with the general provisions of the Water Act;
- mind the protection of groundwater and surface water and prevent the undesirable leakage of hazardous substances into the soil, groundwater and surface water;
- comply with the provisions of Article 39 of the Water Act, which lays down general conditions for the handling of harmful substances and subsequently with the Decree of the Ministry of Environment of the Slovak Republic No. 200/2018 Coll., which lays down details on dealing with exceptional water quality deterioration;
- avoid disturbance of the existing run-off conditions in the area with the implementation of works.

From the air protection point of view: it has no comments on the submitted assessment report of the proposed activity. The proposed activity will not create a new medium or large source, which falls within the competence of the district office.

From the point of view of waste management: it has no comments on the submitted assessment report of the proposed activity. Pursuant to Article 1 (2) (e) of Act No. 79/2015 Coll. on waste and on the amendment to certain acts as amended, this Act does not apply to the radioactive waste management.

From the point of view of nature and landscape protection: it states that the lands on which the activity will be carried out are, from the point of view of Act No. 543/2002 Coll. on nature and landscape protection as amended, included in the first level of protection. The assessed area does not encroach on any protected area or on areas belonging to the continuous system of Natura 2000 protected areas.

Ministry of Interior of the Slovak Republic, Presidium of the Fire and Rescue Corps (letter No. PHZ-OPP4-2018/002214-01 dated 19 September 2019, delivered on 25 September 2019), within the scope of its competencies and monitored interests, has no comments.

Association of Towns and Municipalities, region of the Jaslovské Bohunice NPP (letter No. 38/2019 dated 30 October 2019, amending the letter dated 12 September 2019) states that at the meeting of the Council of the Association of Towns and Municipalities, region of Jaslovské Bohunice NPP in Trnava (hereinafter referred to as the "Jaslovské Bohunice ATM Council") on 28

28. October 2019 the following resolutions were adopted:

Resolution No. 2/28 October 2019 - Jaslovské Bohunice ATM Council repeals Resolution No. 1/12 September 2019 from the meeting of the Jaslovské Bohunice ATM Council in Podkylava on 12 September 2019. The resolution was approved.

Resolution No. 1/12 September 2019 - the Jaslovské Bohunice ATM Council, due to the sustainable healthy environment in the municipalities and towns of the Jaslovské Bohunice NPP region, on the basis of the assessment report of the proposed activity, promotes the acceptance of the proposal Variant No. 0, which does not stipulate an increased amount of treated RAW

and at the same time conditions this activity by the treatment of RAW exclusively from the Slovak Republic.

Resolution No. 3/28 October 2019

The Jaslovské Bohunice ATM Council approves the implementation of the proposed activity, only if the following conditions are met, which will be incorporated into the final opinion in question:

- The Ministry of Economy of the Slovak Republic, as the sole shareholder of JAVYS a. s., will seriously address the comments of the affected municipalities and economic and non-economic incentives will be regulated by the relevant legislation;
- the proposer undertakes not to store RAW from external, foreign producers for a long time;
- the proposer, as a public administration entity, shall establish and maintain a fund to support the development of the region in order to improve the environment and life of citizens of municipalities affected by the proposed change by annual contribution from the achieved net profit from business activities, the amount of which will be subject to approval of the statutory bodies of the company in accordance with the applicable Articles of Association of the company;
- the proposer shall inform the mayors of the affected municipalities on the company's website about:
 - quantities and activity of treated RAW according to the generators;
 - quantities and activity from RAW treatment;
 - discharges to the hydrosphere and atmosphere;
- the proposer shall initiate the amendment to the provisions of Articles 12 and 13 of Act No. 308/2018 Coll. on the National Nuclear Fund and on the amendment to the Atomic Act so that, similarly to other countries (e.g. Italy, France), a fund financed by the National Nuclear Fund (hereinafter referred to as the “NJF”) is created to support the affected municipalities of the regions affected by the RAW management activities, which will be used for projects in the field of improving the environment and the lives of citizens of the affected municipalities;
- the proposer undertakes to treat RAW from Slovak sources as a priority at its treatment facilities. It shall treat foreign RAW additionally, in order to efficiently use available capacities in the maximum amount of 30% of treatment capacities;
- elimination of discrimination between the locality, the only one in the Slovak Republic, where RAW is treated for a long time and highly radioactive waste is stored and the future locality of the deep repository.

Slovak Water Management Enterprise, state enterprise Branch plant Piešťany (*letter No. CS SVP OZ PN 6519/2019/3 dated 5 September 2019, delivered on 25 September 2019*) has the following requirements:

- it calls for the proposed activity not to exceed the permitted limit values of pollution indicators in wastewater discharged into surface water according to the decision of the Trnava District Office and not to exceed the currently set liquid discharge limits set by decisions of the Public Health Authority of the Slovak Republic;
- proceed in accordance with the valid legislative regulations in accordance with the Water Act;
- within the meaning of Art. 4.7 of Directive 2000/60/EC of the European Parliament and of the Council of the European Union (transposed into the Water Act), the proposed activity must not lead to a deterioration in the current status of a body of surface water and groundwater;
- the proposed activity must not lead to the leakage of undesirable substances which would endanger or pollute the quality of groundwater and surface water. When proposing individual measures, it is necessary to take into account the requirements of the

Regulation of the Government of the Slovak Republic No. 269/2010 which lays down requirements for the achievement of good water status;

- pursuant to Article 21 (1) (c) of the Water Act, the discharge of wastewater into surface water or groundwater requires a permit for special use of water issued by the competent body of the state water administration;
- it requests to submit the various stages of the project documentation to its organization for taking an opinion.

Joint opinion of the municipalities of Veľké Kostoľany, Ratkovce, Žilkovce (letter dated 11 September 2019, delivered on 17 September 2019): They perceive the increase in RAW treatment as negative and unjustified and therefore question the need to increase additional capacities. The fact perceived very negatively is that the stated condition of the affected municipalities in 2018, when the municipalities conditioned the operation of incineration plants so that only one incineration plant was in operation during one day, was accepted by the proposer only for one year. The demand to increase the limit for RAW treatment by incineration is unacceptable from the point of view of municipalities, as the amount of RAW treated by incineration from the Jaslovské Bohunice and Mochovce facilities is sufficient for variant No. 0. The affected municipalities have never agreed to the treatment of foreign RAW, and this opinion still persists today. They perceive the increase in waste treatment as an exclusively commercial activity of the proposer, where the economy is more important than the healthy life of the citizens living in the vicinity of this nuclear facility. In the case of incineration of foreign RAW, up to 480 tons of RAW per year will be incinerated during the parallel operation of the new and original incineration plant. With regard to the volumes of foreign RAW, it is possible to expect at least a twofold increase in discharges from RAW combustion compared to the current state. With increased discharges, cumulative effects must also be taken into account, which the assessment report of the proposed activity did not address at all, and municipalities cannot therefore agree with the proposer that the proposed activity will not have a negative impact on the surrounding environment. The assessment report of the proposed activity declares the efficiency of capture of radioactive particles from the flue gases produced by the RAW incinerator at the level of 99.9%. However, according to the data provided in the assessment report of the proposed activity, this level of filtration efficiency does not apply to the common pollutants such as PM, NO_x, SO₂, HCl, HF, TOC, CO, heavy metals and PCDD/F. Due to the sustainable healthy environment in the municipalities in the vicinity of the RAW treatment facilities, the municipalities express the opinion that, on the basis of the sent assessment report of the proposed activity, they accept Variant No. 0, which does not stipulate an increase in the amount of treated RAW and at the same time they condition this activity by the treatment of RAW exclusively from the Slovak Republic.

Joint position of the municipalities of Jaslovské Bohunice, Pečeňady, Malženice, Radošovce, Dolné Dubové, Nižná (letter dated 12 September 2019, delivered on 16 September 2019) the municipalities agree to the implementation of the proposed activity only if the following conditions are met, which will be incorporated into the final opinion:

- The Ministry of Economy of the Slovak Republic, as the sole shareholder of JAVYS a. s., will seriously address the comments of the affected municipalities and economic and non-economic incentives will be regulated by the relevant legislation;
- the proposer undertakes not to store RAW from external, foreign producers for a long time;
- the proposer, as a public administration entity, shall establish and maintain a fund to support the development of the region in order to improve the environment and life of citizens of municipalities affected by the proposed change by annual contribution from the achieved net profit from business activities, the amount of which will be subject to approval of the statutory bodies of the company in accordance with the applicable

- Articles of Association of the company;
- the proposer shall inform the mayors of the affected municipalities on the company's website about:
 - a) quantities and activity of treated RAW according to the generators;
 - b) quantities and activity from RAW treatment;
 - c) discharges to the hydrosphere and atmosphere;
- the proposer initiates the amendment to the provisions of Articles 12 and 13 of Act No. 308/2018 Coll. on the National Nuclear Fund and on the amendment to Act No. 541/2004 Coll. on the peaceful uses of nuclear energy (Atomic Act) and on the amendment to certain acts, as amended, so that, similarly to other countries (e.g. Italy, France), a fund financed by the NJF is created to support the affected municipalities of the regions affected by the RAW management activity, which will be used for projects in the field of improving the environment and the lives of citizens of the affected municipalities.
- the proposer undertakes to treat RAW from Slovak sources as a priority at its treatment facilities. It shall treat foreign RAW additionally, in order to efficiently use available capacities in the maximum amount of 30% of treatment capacities;
- elimination of discrimination between the locality, the only one in the Slovak Republic, where RAW is treated for a long time and highly radioactive waste is also stored and the future locality of the deep repository.

Municipality of Nižná (letter dated 12 December 2019, delivered on 19 December 2019) agrees to the proposed activity, subject to compliance with all safety measures and the protection of the environment and public health.

Joint position of the municipalities of Chtelnica, Červeník and PhDr. Július Zemko (letter delivered on

20 September 2019) The undersigned mayors sent an opinion as the public as well as the mayors of the municipalities and former employees of the proposer, stating that in their opinion the proposer responsibly and competently ensures the final part of nuclear energy with emphasis on safety, quality and environmental protection. Through these activities, it provides services to operators of nuclear facilities in order to ensure nuclear safety and prevent unjustified accumulation of RAW and spent nuclear fuel. In the event that the proposed optimisation of treatment capacities is not implemented in the given area, they are aware that the completion of Stage II of V1 NPP decommissioning within the set deadline, as well as the termination of NPP A1, may be endangered.

With the current trend of joint solution to global environmental problems, they consider it natural to use technological treatment lines for the treatment of RAW from abroad, provided that the imported activity is exported after the treatment of RAW back to the country of origin in compliance with applicable limits and conditions and safe transport of RAW. By maintaining and increasing the capacities of technological lines, the employment of citizens from the surrounding towns and municipalities in the region will be ensured.

They have no objections to the submitted assessment report of the proposed activity and recommend the implementation of the proposed activity, which they consider to be more advantageous from the economic and safety point of view and from the point of view of the use of existing facilities and personnel.

Joint position of 15 municipalities - Piešťany, Veľké Kostoľany, Banka, Bašovce, Borovce, Dolný Lopašov, Drahovce, Dubovany, Krakovany, Ostrov, Ratnovce, Šterusy, Trebatice, Veselé, Vrbové (letter dated 5 November 2019, delivered on 12 November 2019)

At its establishment, the proposer declared that its aim is the decommission of nuclear power plants, the treatment of generated nuclear waste from the power plants in Jaslovské

Bohunice and Mochovce. Therefore, representatives of the surrounding municipalities did not consent to the import of foreign nuclear waste in the past. Despite the expressed disagreement, the proposer imported nuclear waste from abroad for reprocessing in the Bohunice treatment centre in the past, and this is still true at present. They perceive the increase in waste treatment as an exclusively commercial activity of the proposer, where the economy is more important than the healthy life of citizens living in the vicinity of this treatment facility. In the case of incineration of foreign waste, up to 480 t of radioactive waste will be incinerated per year during the parallel operation of the new and original incinerator. With regard to the imported volumes of foreign RAW, it is possible to expect at least a twofold increase in discharges from RAW combustion compared to the current state. With increased discharges, cumulative impacts must also be taken into account, which we, as representatives of local governments, cannot agree with, and we believe that this activity will have a negative impact on the surrounding environment.

The demand to increase the limit for the treatment of radioactive waste by incineration is therefore unacceptable from the point of view of municipalities and towns. They do not agree with the import and subsequent incineration of radioactive waste from abroad in Jaslovské Bohunice.

Municipality of Ostrov (letter No. 720/2019 dated 5 December 2019, delivered on 9 December 2019) informs about the reassessment of its position or opinion on the activities of the proposer in the locality of Jaslovské Bohunice and recalls its signature and negative opinion from the joint position of 15 municipalities dated 5
5. November 2019.

Municipality of Dolný Lopášov (letter dated 20 July 2020, delivered on 23 July 2020) and ***Municipality of Dubovany*** (letter No. Du-88/2020-003 dated 16 July 2020, delivered on 17 July 2020) request that they be granted the status of the affected municipality in the proceedings in question, and subsequently to reopen the proceedings in which the plan is delivered to them, a new scope of the assessment of the proposed activity is determined, a new assessment report of the proposed activity is drawn up, and that only on the basis of this renewed proceedings would the Ministry of Environment of the Slovak Republic issue a final opinion. They justify their request by stating that the text of the project and the assessment report of the proposed activity state that the area concerned is an area within a radius of 5 km from the proposed activity. The cadastral territory of both municipalities is located within this radius of 5 km, and therefore they request that they be granted the status of the affected municipality in this proceeding.

Municipality of Kátlovce (letter No. 437/2020 dated 17 July 2020, delivered on 22 July 2020) requests that it be granted the status of the affected municipality in the proceedings in question, and subsequently to reopen the proceedings in which the plan is delivered to it, a new scope of the assessment of the proposed activity is determined, a new assessment report of the proposed activity is drawn up, and that only on the basis of this renewed proceedings would the Ministry of Environment of the Slovak Republic issue a final opinion. It justifies its request by stating that the text of the project and the assessment report of the proposed activity state that the area concerned is an area within a radius of 5 km from the proposed activity. The cadastral territory of the municipality of Kátlovce is located within a radius of 5 km, and therefore it requests that it be granted the status of the affected municipality in this proceeding. It further states in the opinion that it does not consider the increase in treatment capacities to be justified in view of the needs of the Slovak Republic. The current wording of the strategic document "*National Policy and Programme for SNF and RAW Management in the Slovak Republic*" states that in the RAW management system, management technologies have sufficient capacity reserves before they are stored. The increase in capacity is significantly motivated by the effort to create additional treatment capacities that could be used for the purposes of the treatment of RAW

originating from abroad. The requirement to ban the treatment (especially incineration) of foreign RAW is justified with the ALARA principle. The treatment of foreign waste is not the responsibility of the Slovak Republic, therefore the treatment (especially incineration) of foreign RAW and the associated negative effects on the environment and health is considered to be contrary to the ALARA principle. The ban on the treatment of foreign RAW is also based on the conditions of the hitherto valid final opinion No. 2276/2014-3.4/hp dated 14 November 2014 and on the decision issued in the screening process No. 2764/2019-1.7/zg-R dated 22 February 2019.

Town of Hlohovec (letter No. 35458/2020/3151 dated 20 July 2020, delivered on 24 July 2020) requests that the final opinion stipulates that the proposed activity be carried out in variant No. 0 and that the condition of the ban on the treatment of RAW of foreign origin be determined. The town of Hlohovec requests that it be granted the status of the affected municipality in accordance with the law. It further states in the opinion that it does not consider the increase in treatment capacities to be justified in view of the needs of the Slovak Republic. The current wording of the strategic document "National Policy and Programme for SNF and RAW Management in the Slovak Republic" states that in the RAW management system, management technologies have sufficient capacity reserves before they are stored. The increase in capacity is significantly motivated by the effort to create additional treatment capacities that could be used for the purposes of the treatment of RAW originating from abroad.

The requirement to ban the treatment (especially incineration) of foreign RAW is justified with the ALARA principle. The treatment of foreign waste is not the responsibility of the Slovak Republic, therefore the treatment (especially incineration) of foreign RAW and the associated negative effects on the environment and health is considered to be contrary to the ALARA principle. The ban on the treatment of foreign RAW is also based on the conditions of the hitherto valid final opinion No. 2276/2014-3.4/hp dated 14 November 2014 and on the decision issued in the screening process No. 2764/2019-1.7/zg-R dated 22 February 2019.

It justifies the recognition of the status of the affected municipality mainly by the fact that the D1 motorway passes through its territory, along which a significant amount of foreign RAW will be clearly transported. It also believes that the increase in the volume of treated RAW in the BRWTC will be associated with an increase in wastewater discharged into the Drahov Canal, which is located near the town of Hlohovec.

Municipality of Špačince (letter No. 164/2020 dated 31 August 2020, delivered on 2 September 2020) delivered an extract from the resolution of the municipal council, which states that the opinion sent by the mayor of the municipality PhDr. Július Zemko, together with the mayor of the municipality of Čhtelnica and the mayor of the municipality of Červeník, was a private opinion. The municipal council distances itself from the activities of the mayor of the municipality of Špačince PhDr. J. Zemko. Due to the additional burden on the environment in the vicinity of the municipality and the increase in a possible accident during the transport of RAW, the municipal council does not agree with the implementation of the proposed activity.

Michal Daniška (letter dated 12 September 2019, delivered on 16 September 2019). He supplemented the initial opinion by letter dated 19 December 2019 with objection No. 16, correction of the text of objection No. 7, item No. 17 Information on the ongoing petition "Petition against the import and treatment of foreign radioactive waste in the territory of the Slovak Republic".

He requests that the proposed activity be implemented in variant No. 0, in which the limit for the treatment of RAW by incineration in the amount of 240 t/year and the limit for the treatment of metallic RAW by remelting in the amount of 1000 t/year are maintained. It further requests that the proposer be prohibited from the treatment of RAW of foreign origin in any way in the Jaslovské Bohunice locality. It calls for the requirements to be enshrined in the final

opinion on the proposed activity.

Objection No. 1 (questioning the need to increase capacities for the treatment of RAW by incineration)

In the justification of the decision of the Ministry of Environment of the Slovak Republic No. 2764/2019-1.7/zg-R of 22 February 2019 (hereinafter referred to as the "Decision of the Ministry") by which the competent authority decided that the change in the proposed activity "Optimisation of combustion capacities of nuclear power plants NI RAW TCT" submitted by the proposer will not be assessed by law, the proposer states the following on the statement of the affected municipalities:

- for technical and organizational reasons, the proposer has so far treated by incineration solid and liquid RAW in the amount of max. 130 t/year;
- in the period 2020-2023, the proposer expects an increase in the production of combustible RAW from the decommissioning of A1 and V1 by 50% and from the operation of the newly launched units 3 and 4 of the Mochovce Nuclear Power Plant (hereinafter referred to as "EMO 3, 4").

As stated, for example, also in the Ministry Decision, even with a real operating limit of 130 t/year, the proposer had free capacities that allowed it to incinerate RAW imported from abroad - the Czech Republic and Italy - in addition to RAW of domestic origin. This means that the produced volumes of RAW of domestic origin (mostly RAW from decommissioning of A1, V1 and operation of the V2 Nuclear Power Plant in Jaslovské Bohunice (hereinafter referred to as "EBO V2") and units 1, 2 in the Mochovce Nuclear Power Plant (hereinafter referred to as "EMO 1, 2") suitable for incineration did not exceed 130 t/year, otherwise free capacity could not be created. It is even probable that the volume of incinerated RAW of domestic origin could be significantly lower than 130 t/year, even by several tens of tons.

Even if both EMO 3, 4 units could be launched from 2020, the assumption that the production of combustible RAW from EMO 3, 4 (together) will be analogous to both EBO V2 units or EMO 1, 2 (together), and thus 50% of the total production of EBO V1 and EMO 1, 2. Therefore, if we accept the proposer's estimates, we can expect an overall increase in the production of domestic RAW (decommissioning of A1, V1 + operation of EBO V2 + EMO 1, 2, 3, 4) intended for combustion at the level of 50% compared to the present. Based on the above data, it is possible to estimate the production of combustible RAW of Slovak origin in the years 2020–2023 (and later) at the level of max. 190–200 t/year. Such a quantity meets the currently valid limit of 240 t/year even with a reserve of approximately 40 t/year, which can be considered more than sufficient.

In addition, the proposer itself explicitly accepted the limit of 240 t/year in its statement No. 2018/12310/5100/Mih dated 18 December 2018, which is part of the justification of the Ministry Decision.

In view of the above, he considers it proven that the requirement to increase the limit for the treatment of RAW by incineration is unfounded in view of the needs for the treatment of RAW of domestic origin. The increase of the limit for the treatment of RAW by incineration is therefore probably not motivated by the public interest (to treat increased volumes of domestic RAW and thus speed up the process of decommissioning of A1 and V1 power plants) but it is probably only a commercial interest of the proposer (to maintain or increase free capacities for the treatment of foreign RAW). In addition, the limits valid so far are the result of the 2014 Environmental Impact Assessment (EIA). The screening process for the change of the proposed activity started in 2018. Thus, after only 4 years, the proposer is requesting an increase in the limits, which raises concerns that the currently requested limits are not the proposer's ultimate goal, but may plan to request a further increase within a few years using the salami method.

The above concerns are also substantiated by already issued and valid decisions of NRA SR for the proposer for the import and treatment of foreign RAW for the purpose of treatment by incineration:

- NRA SR Decision No. 128/2018: permit for import of 865 tons of RAW from the Italian Republic (NPP Caorso);
- NRA SR Decision No. 20/2019: permit for import of approximately 18.7 t of solid and 3 t of liquid institutional RAW from the Federal Republic of Germany;
- NRA SR Decision No. 30/2019: permit for import of 617 m³ of solid and liquid institutional RAW from the Italian Republic.

Using the conservative estimate of 1m³ = 1 t for RAW, also used by the proposer in the assessment report of the proposed activity, it is concluded that the proposer already has an import permit, and thus probably already concluded contracts for treatment by incineration of more than 1,500 t of foreign RAW. Considering the current limit of 130 t/year, this is the amount of RAW that has been incinerated in the past for a period of more than 10 years. If we consider that the limit of 130 t/year was not always met and, in addition, foreign RAW was also incinerated, it can be assumed that the mentioned amount of 1,500 t is close to the total amount of domestic RAW incinerated so far in the incinerator PS 06 during its entire operation so far. It is therefore considered to be proven that the proposer intends to fundamentally change the current nature of the treatment of RAW by incineration in the Jaslovské Bohunice locality towards commercial use by importing foreign RAW, while given the above quantities the incineration of foreign RAW (commercial activity) cannot be considered to be "ancillary activity" at all.

It therefore calls for the currently valid limit of 240 t/year to be maintained for the treatment of RAW by incineration.

Objection No. 2 (questioning the need to increase capacities for the treatment of metallic RAW by remelting)

The proposer did not sufficiently justify the need to increase the capacity of the treatment of metallic RAW by remelting from 1000 t/year to 4,500 t/year. In 2018, the proposer treated 0 tons of metallic RAW by remelting. The more detailed forecast data provided by the proposer on the amount of treated metallic RAW by remelting state the expected value of 1,500 t/year in the whole period of 2020–2023. It therefore sees no reason for such a large increase in the limit compared to the current situation, also taking into account the fact that according to the assessment report of the proposed activity, the contribution of metallic RAW remelting to individual effective population dose (10.1 nSv/year) is several times greater than the benefit from RAW incineration (1.94 nSv/year).

It therefore calls for the currently valid limit of 1,000 t/year to be maintained for the treatment of metallic RAW by remelting.

Objection No. 3 (on the treatment of foreign RAW)

The task of the proposer should be to decommission the A1 and V1 power plants as soon as possible into a state as close as possible to the "green field", including the disposal of environmental burdens caused by accidents at the A1 power plant. The treatment of RAW of foreign origin is not part of this framework, it considers it a purely commercial activity that will bring or may bring unnecessary negative effects on the environment and the population in the affected area, not only due to additional discharges of radioactive substances, harmful gases, heavy metals but also additional risks due to possible emergency situations and intensified transport of RAW from abroad to the Jaslovské Bohunice site and back.

The treatment of foreign RAW significantly changes the expected impacts from the treatment of RAW in the locality of Jaslovské Bohunice. If only domestic RAW was treated,

the combustion of most RAW (except for RAW contaminated with alpha nuclides) would be moved to a new incineration plant. According to the proposer, this new incineration plant is more modern and has a more efficient flue gas capture system, so despite the declared 50% increase in the incinerated domestic RAW, lower or only slightly increased levels of discharges of harmful substances (radioactive and non-radioactive) could be expected compared to the current state. In the case of additional incineration of foreign RAW, it will be possible (also technologically) to incinerate up to 480 t of RAW per year during the parallel operation of new and old incinerators. With regard to the volumes of foreign RAW specified in the above-mentioned permits for the import of foreign RAW as well as with regard to data on the expected volume of RAW incinerated in 2019–2023 in the implementation of the proposed activity (variant No. 1) (Table A.II./05 in the assessment report of the proposed activity), which exceed in total (t + m³) the value of 400 t/year in the period 2020–2022 (and in 2020–2021 also the assessed limit of 480 t/year), however, with the import of foreign RAW at least twofold increase in discharges from RAW combustion compared to the current state can be expected. With an incineration of 480 t/year, 240 t/year will be incinerated in the old incinerator (almost double compared to the current 130 t/year), so it is possible to expect approximately twofold increase in discharges. The incineration of the remaining 240 t/year at the new incinerator will result in additional discharges.

It therefore calls for the proposer to be prohibited from the treatment RAW of foreign origin in any way.

Objection No. 4 (on socio-economic consequences)

It questions the need to increase the limits of treated RAW in order to maintain employment. In none of the addressed variants of the proposed activity are the limits reduced, they can only be maintained at the current level. In addition, as a result of the construction of a new RAW incinerator, technological barriers that effectively limit the amount of RAW incinerated will be eliminated, making possible the increase from the current 130 t/year to the currently valid limit value of 240 t/year (i.e. almost twice). Thus, there are no logical arguments for the fact that after the construction of a new incinerator and the increase in the volume of incinerated RAW to the level of 240 t/year, the number of jobs of the proposer should decrease.

The proposer's statement may indicate that the proposer's ultimate plan is not to transfer the mentioned area, by the gradual decommissioning of the A1 and V1 power plants, into the 'green field' status, but, on the contrary, the proposer may be interested in building a RAW treatment centre in this area for the provision of commercial services in areas of the treatment of (foreign) RAW. It fundamentally disagrees with such a use of the territory in question.

Objection No. 5 (disregard for cumulative effects)

The assessment report of the proposed activity does not in any way take into account the cumulative effects of the proposed activity, taking into account e.g. the previously assessed new nuclear source in the Jaslovské Bohunice nuclear site (source of air and water pollution by radioactive substances and many other negative impacts) or the steam-gas power plant Malženice (source of air pollution by non-radioactive substances). The obligation to assess in the assessment report of the proposed activity the cumulation of the impacts of the proposed activity with the impacts of other existing or approved activities is also subsequently explicitly stated in Annex No. 11 to the Act and similarly in Annex No. 10.

Failure to consider the cumulation of effects with other relevant activities is a fundamental error which justifies calling into question the legality of the whole assessment report of the proposed activity.

Objection No. 6 (not considering the effects due to the liquidation of the equipment in the future)

The assessment report of the proposed activity does not in any way take into account the effects of the proposed activity associated with the disposal of equipment and technologies that are the subject of the proposed activity. There is no doubt that the service life of the proposed equipment and technologies is limited and the construction or modification of these devices and technologies will necessitate their disposal in the future, which will inevitably create further effects on the environment. Failure to consider the effects caused by the decommissioning of the proposed equipment and technologies is a fundamental error of the assessment report of the proposed activity, which thus omits the significant negative effects (secondary) caused by the proposed activity.

Objection No. 7 (on insufficient definition of the set of affected municipalities)

The set of affected municipalities does not take into account the prevailing wind direction from northwest to southeast, nor does it take into account the direction of groundwater flow from the proposer's premises to the municipalities of Malženice, Žlkovce, Ratkovce, Pečeňady and further to watercourses of Dudváh and Váh (i.e. for example Červeník, Madunice, Trakovice etc.). It does not take into account that wastewater discharges are led through the Socoman pipeline to Váh or through the Manivier canal to Dudváh, with which they also affect the cadastral territories of municipalities in the direction of the flow of these streams - such as Madunice, Červeník, Leopoldov, Trakovice. Taking into account Article 3 (q) of the Act it is also clearly unacceptable for the affected municipalities to be defined by the condition "the urban area of the municipality extends into a circle with a radius of 5 km with the centre in the premises of JAVYS a.s.". In view of the above, it calls for a re-determination of the scope of the group of affected municipalities and also take into account the degree of their burden with effects of the proposed activity, which is undoubtedly very uneven.

Objection No. 8 (on the assessment of data on the health status of the population of the affected area)

Data on the health status of the inhabitants of the affected area given in the assessment report of the proposed activity or in its annex "Public Health Impact Assessment", are assessed at the district level, not at the level of the endangered site, as a result of which the possibility of early detection of possible negative effects on the health of the population of the affected site is highly unlikely. The defined affected area has about 10,000 inhabitants, while the total population of the districts of Trnava, Hlohovec and Piešťany is about 240,000. It is therefore possible to assume that the possible negative effects of the Jaslovské Bohunice nuclear site on the health status of the inhabitants of the affected area, if any, may be covered by the characteristics of the remaining (majority) population in the three mentioned districts. In addition, this effect may be multiplied by an incorrect definition of the affected area, as a result of which the set of affected municipalities may omit municipalities with relatively strong negative impacts of the proposed activity and, on the contrary, include municipalities over which the proposed activity has a relatively weak to negligible impact. It calls for the assessment of the impact of the proposed activity on the population to be carried out and to continue to be carried out at the level of the affected/endangered area, in addition, by taking into account the population burden rate (effects of radioactive and non-radioactive discharges) due to wind direction, groundwater flow and discharges into the Manivier Canal and the Dudváh and Váh watercourses. In particular, it calls for a special assessment of the impact on the health status of the population in the municipalities of Žlkovce and Ratkovce (or even Pečeňady), which are the most affected by the impacts (also historical, e.g. related to the A1 power plant) of the Jaslovské Bohunice nuclear site, while at the same time they have relatively small population, so the possible manifestations of negative effects would probably not have been felt within the whole group of population in the affected area.

Objection No. 9 (on flue gas filtration efficiency and emissions of harmful substances)

The assessment report of the proposed activity declares the efficiency of capture of radioactive particles from the flue gases produced by the RAW incinerator at the level of 99.9%. It emphasizes that, according to the data published in the assessment report of the proposed activity, this level of filtration efficiency does not apply to common pollutants such as PM, NO_x, SO₂, HCl, HF, TOC, CO, heavy metals and PCDD/Fs. In addition, the proposer states that "emissions of heavy metals and PCDD/Fs are determined at a frequency of once every 3 years". It considers such a frequency of determination of emissions of heavy metals and substances of the PCDD/F type (dioxins) to be severely insufficient. It therefore calls for the level of emissions of heavy metals and PCDD/Fs (dioxins) as well as all other pollutants to be monitored continuously.

Objection No. 10 (on the manner of publishing a generally comprehensible final summary)

It objects to the correctness and manner of publishing a generally comprehensible final summary or its non-publication on the websites of the affected municipalities (Radošovce, Nižná and Malženice) before the first public hearing (August 2019).

Objection No. 11 (on the planned exceeding of the assessed limit for RAW incineration)

"Table A.II.10./05 in the assessment report of the proposed activity indicates that the proposer plans to treat a total of 500 tons of RAW by incineration in 2020 and a total of 610 tons of RAW in 2021. It calls for the proposer to clarify how it plans to achieve the incineration of the mentioned volumes of RAW if the technological capacity of the old (PS 06) and new (PS 45) incineration plant is 240 t/year, which gives a total of 480 t/year, which is less than 500 t/year or 610 t/year. It requests that the final opinion on the proposed activity contains conditions stating that:

the proposer may not treat more than 240 tons of RAW per year at the PS 06 incinerator and that the proposer may not treat more than 240 tons of RAW per year at the PS 45 incineration plant."

Objection No. 12 (on the assessed limit for RAW treatment by incineration)

The proposer worked in the plan with the assessed limit for the treatment of RAW by incineration at the level of 500 t per year for variant No. 1. However, in the assessment report of the proposed activity, the values of 480 t per year are given for the proposed activity (variant No. 1). It asks for an explanation of what assessed limit is requested by the proposer in variant No. 1 and whether all estimates of the expected effects from the treatment of RAW by incineration relate to the assessed limit of 480 t/year or 500 t/year.

Objection No.13 (on informing the public)

It requests that the terms of the final opinion state the following conditions:

- the proposer shall publish on its website a summarizing technical report of the project documentation of the new incineration plant (PS 45) for the general public, making it available over a long period. The construction and building approval procedure for a new incineration plant shall include the condition that the plant can treat a maximum of 240 t of RAW per year;
- the proposer shall provide on its website and to all affected municipalities an overview of RAW treated by incineration on a monthly basis (especially data on the type, amount and radioactivity of incinerated RAW and its origin, quantity and activity of ash produced and information on which incineration plant the RAW was treated) at monthly intervals. Along with the report for the current month, the archive of reports from previous months will always be freely accessible in the same way, starting with the report no later than for the first month following the month in which the final opinion becomes valid. The proposer shall also make available the above data from the previous period starting in January 2013, if available. Data on foreign RAW treated

- in another way (e.g. remelting) will be published in a similar way;
- the proposer will provide on its website and to all affected municipalities at monthly intervals an overview of discharges into the atmosphere and hydrosphere with an indication of the guideline value of discharges, real discharges, compliance with the annual limit, max. measured values of total daily discharges in a given month for all types of discharged harmful substances, specifically radioactive nuclides, harmful gases, heavy metals and dioxins. Discharge data must be sorted by source. Along with the report for the current month, the archive of reports from previous months will always be freely accessible in the same way, starting with the report no later than for the first month following the month in which the final opinion becomes valid. The proposer shall also make available the above data from the previous period starting in January 2013, if available.
 - Each year, the proposer shall publish on its website an updated plan for the treatment of RAW by incineration, remelting or in any other ways (for each method individually) for the next 5 years, so that it is accessible to the general public for a long time. This plan will contain, in particular, data on the amount and activity of the treated RAW, and these data will be sorted by source (V1, A1, EMO, EBO) and country of origin;
 - the final products of the treatment of foreign RAW by the proposer must be exported back abroad within 1 year from the date of import of this foreign RAW into the territory of the Slovak Republic;
 - treated RAW of foreign origin may not be mixed with RAW of domestic origin at any stage of treatment;
 - any contract on the import and the treatment of foreign RAW by the proposer must contain the consent of the proposer as well as other contracting parties to the publication of data under the above conditions.

Objection No. 14 (on the treatment of RAW at the incineration plant PS 06)

It requests that the conditions of the final opinion on the proposed activity stipulate that only domestic RAW contaminated with alpha nuclides can be incinerated at the old PS 06 incineration plant after the construction of the new PS 45 incineration plant.

Objection No. 15 (on disregard of certain facts in the public health impact assessment)

The public health impact assessment, in the section "V 3. Soil pollution", states "*The affected area does not show anomalous content of contaminants in the soil*" and "*Monitoring results confirmed that the contents of natural and artificial radionuclides in the soil are close to the average content for the whole region, without distinguishable anomalies caused by the operation of the Jaslovské Bohunice nuclear power plant*". It states that these statements cannot be considered true, as they completely ignore e.g. radioactive contamination of the banks and riverbed of the Manivier canal (which is owned by the proposer) and the Dudvák watercourse due to the leakage of radioactive substances from the Jaslovské Bohunice nuclear site, specifically the A1 power plant area.

At the beginning of the 1990s, the level of soil radioactivity in some sections was ascertained at the level of about 200 kBq/kg, it was considered to take away about 13,000 m³ of contaminated soil, which did not happen. Thus, the contaminated soil is still in the locality, which was also confirmed by measurements in May and June 2019, when the maximum activity levels were found to be at the level of approximately 10 kBq/kg. Due to the half-life of the ¹³⁷Cs isotope (approximately 30 years), which is the majority source of measured activity, and the more than twentyfold decrease in the level of measured activity between the early 1990s and the present, it can be concluded that radionuclides spread or have spread outside the original contaminated areas further into the environment, otherwise the decrease should be only about twofold. According to available information, the limit value for radioactivity for release into

the environment is 100 Bq/kg. It considers the above to be a serious shortcoming of the public health impact assessment and calls for a new assessment to be carried out in the light of the above.

Section "VIII 3.1 Routes of exposure" states *"The dermal and oral routes of exposure have not been considered due to the properties of the evaluated chemicals and the source of exposure."*

It calls for a deeper justification as to why only the inhalation route of exposure was considered in the public health impact assessment or for the supplementation of the public health impact assessment with other routes of exposure, in particular the oral route of exposure.

Objection No. 16 (on the manner of publishing a generally comprehensible final summary)

On the basis of screenshots of 12 September 2019, 26 November 2019 and 10 December 2019 of the website of the municipality of Radošovce (obecradosovce.sk) and the municipality of Malženice (malzenice.esmao.sk) it considers that these municipalities did not meet the condition of publishing a generally comprehensible final summary of the assessment report of the proposed activity (hereinafter referred to as "GCFS") pursuant to Article 34 (1) of the Act (before the repeated public hearing in December 2019). It therefore requests that the competent authority re-examine whether the municipalities of Malženice and Radošovce have complied with the legal condition for the publication of GCFS on their website.

17. Information on the ongoing "Petition against the import and treatment of foreign radioactive waste in the territory of the Slovak Republic"

As a representative of the Petition Committee of the ongoing "Petition against the import and treatment of foreign radioactive waste in the territory of the Slovak Republic", I would like to inform the competent authority that this petition has already been electronically supported by more than 1,600 people.

The text of the petition is identical in content with the petition, which was delivered to the Ministry of Environment of the Slovak Republic (see the petition below).

Citizens' initiative (signed by 244 citizens), authorized by Marek Molda (letter dated 12 September 2019, delivered on 12 September 2019) requests that the proposed activity be implemented in variant No. 0, where the limit for the treatment of RAW by incineration in the amount of 240 t/year and the limit for the treatment of metallic RAW by remelting in the amount of 1,000 t/year is maintained. It further requests that the proposer be prohibited from the treatment of RAW of foreign origin in any way in the locality of Jaslovské Bohunice. It calls for the requirements to be enshrined in the final opinion on the proposed activity.

The opinion raises 9 objections, which are identical in content with objections 1 to 9 mentioned in the opinion of M. Daniška.

Basic trade union organization JAVYS, Jaslovské Bohunice (letter dated 8 October 2019, delivered on 14 October 2019) supports the employer in the project proposal for the optimisation of treatment capacities and commercial activities outside the territory of the Slovak Republic. With this project, the proposer seeks to maintain employment and professional competence within the region in order to make the optimal use of the treatment capacities of technologies and equipment and to ensure efficient management and economic growth of the company.

Alternative trade unions of JAVYS, a.s. (letter delivered on 4 November 2019) has no objections to the proposed activity of the proposer and recommends the implementation of the proposed activity, which it considers in terms of economic, security and use of existing facilities as well as maintaining employment in the region.

Opinions from the transboundary assessment of the activity assessment report

Ministry of Agriculture of Hungary, Department of Environmental Protection of Hungary (letter No. KmF/42/2019, Budapest, 14 October 2019) - After evaluating the assessment report of the proposed activity, the Hungarian side concluded that, under normal operating conditions, the proposed activity poses a low risk with low probability for Hungary.

Ministry of Environment of the Republic of Poland, Directorate - General for Environmental Protection (letter DOOS-TSOOS 442.5.2018 MT 19 dated 25 October 2019) stated that it did not consider it necessary to organize transboundary consultations in the form of a meeting of experts under Art. 5 of the Espoo Convention.

Transboundary consultations under Article 5 of the Espoo Convention did not take place as this requirement was not invoked by the parties concerned.

Petition

On 19 December 2019, the Ministry of Environment of the Slovak Republic, Department of Complaints and Petitions, received a petition from citizens against the import and treatment of foreign radioactive waste in the territory of the Slovak Republic.

Proponents of the petition:

- fundamentally disagree with the import, treatment or conditioning of RAW of foreign origin in the territory of the Slovak Republic. They express disagreement for all categories of RAW and all forms of its treatment, especially incineration;
- they request the Ministry of Environment of the Slovak Republic to determine in the process of assessing the impacts of the proposed activity that the proposed activity is to be implemented in variant No. 0 and further to determine that in the locality of Jaslovské Bohunice it is prohibited to treat RAW of foreign origin in any way;
- they request to propose and adopt such legislative changes and modifications that will prohibit the import of RAW of foreign origin into the Slovak Republic and the treatment and conditioning of RAW of foreign origin in the territory of the Slovak Republic, namely RAW of all types and all forms of its treatment and conditioning.

The petition, which was signed by 44 persons (via written signature sheets) and 1,747 persons (supporting the petition in the electronic form) was submitted by Mgr. Michal Daniška, PhD, Žlkovce 111, 920 42 Žlkovce as a designated representative for contact with a public authority.

5. Elaboration of an expert opinion in accordance with Article 36 of the Act

An expert opinion on the proposed activity pursuant to Article 36 of the Act was prepared on the basis of the designation of the Ministry of Environment of the Slovak Republic, EAWM Section, EIA Department, letter No. 708/2020-1.7/zg, 3582/202020 dated 21 January 2020 by RNDr. Václav Hanušík CSc, entered in the list of professionally qualified persons for environmental impact assessment under number 26/95-OPV (hereinafter referred to as the “reviewer”).

The expert opinion was prepared in accordance with Article 36 of the Act and contains all the requisites stipulated by law. The reviewer prepared an expert opinion on the basis of the submitted assessment report of the proposed activity, received written opinions on the assessment report of the proposed activity, record of public hearing, additional information provided by the proposer, own knowledge and findings and relevant environmental legislation.

The expert opinion evaluated in particular: the completeness of the assessment report of the proposed activity, opinions pursuant to Article 35 of the Act; completeness of identification

of positive and negative impacts of the proposed activity, including their interaction, assessment methods used and completeness of input information, proposal of technical solution with regard to the achieved level of knowledge in terms of elimination or reduction of pollution or environmental damage, variant of solution to the proposed activity and proposal of measures and conditions to eliminate or reduce the adverse effects of the proposed activity.

The reviewer stated that the assessment report of the proposed activity as a whole is complete, at the required professional level, and in this sense it meets the requirements of Annex No. 11 of the Act. The assessment methods used are chosen appropriately given the nature of the proposed activity. The assessment in the assessment report of the proposed activity is based on a conservative approach, which is a basic principle of the methodology for nuclear activities and technologies. Attention is paid to the safety aspect, as well as to the technical and environmental aspects. The conclusions of these assessments are compared with the relevant legislation and allow to assess the impacts of the proposed activity on the environment and health. Despite some factual comments made in the expert opinion, the assessment report of the proposed activity is a document that enables a comprehensive acquaintance with the impacts caused by the proposed activity. The assessment report of the proposed activity contains all the requirements from the scope of the assessment of the proposed activity (letter No. 1101/2019-1.7/zg 5257/2019 dated 28 January 2019) designated by the Ministry of Environment of the Slovak Republic, EAWM Section, EIA Department, and Annex No. 11 of the Act.

Inaccuracies and shortcomings identified by the reviewer of the assessment report of the proposed activity, but also by other entities involved in the assessment process, are listed as comments or as recommendations incorporated in the text of the expert opinion. The comments made in the expert opinion are not of fundamental importance and do not call into question the conclusions of the assessment report.

Based on the experience from the operation of the set of technologies so far, the technical solution respects the requirements for nuclear safety, radiation protection and no significant negative impacts on the environment have been recorded.

Based on a comprehensive assessment of the proposed activity, submitted opinions, as well as the state of the environment of the affected area, expected positive and negative impacts of the proposed activity on individual environmental components and proposed measures to eliminate or mitigate its possible negative effects, the reviewer recommends the proposed activity under the condition of fulfilling the conditions of the operation specified in the relevant decisions of NRA SR, limits of discharges of radioactive substances into the atmosphere and hydrosphere specified in the relevant permits of the Public Health Authority of the Slovak Republic and limits of pollutants specified in the relevant permits of the District Office, Department of Environmental Care.

The recommendations and conclusions from the expert opinion were used as a basis for the preparation of this final opinion. The expert opinion was delivered to the Ministry of Environment of the Slovak Republic, EAWM Section, EIA Department, on 9 March 2020.

IV. COMPREHENSIVE ASSESSMENT OF THE IMPACTS OF THE PROPOSED ACTIVITY ON THE ENVIRONMENT, INCLUDING HEALTH

The overall environmental impacts of the proposed activity have been assessed on the basis of the results of the impact assessment process as follows:

Impacts on the population and health risk assessment

During the implementation of the proposed activity, the impacts can be assessed as insignificant, they would be limited in time and place, and with regard to the distance of the site of the implementation itself from the residential zones, they would be connected practically only by the transport.

During the operation of the proposed activity, negative impacts on the population will arise, in particular due to the contribution of the radiation exposure of the population. The latter is formed by the presence of radioactive materials to be treated on the site and the contribution of the proposed activity to radioactive discharges into the air and surface water.

For the operation of the RAW TCT and the decommissioning of NPP A1 (together with the spent fuel intermediate storage), the Public Health Authority of the Slovak Republic (hereinafter referred to as "PHA SR") has determined the maximum effective dose to the representative person of the population caused by radioactive substances released into the air and surface water at the level of $12 \cdot 10^{-6}$ Sv/year, and for the decommissioning of NPP V1 at the level of $20 \cdot 10^{-6}$ Sv/year. The effective dose limit to the representative person of the population due to RAS released into the air and surface water for the operation of all of the proposer's nuclear facilities shall not exceed $32 \cdot 10^{-6}$ Sv/year.

The new incinerator will be connected to ventilation stack 46/B. The existing incinerator is connected to ventilation stack 808. The maximum permitted activity for RAW entering the incinerator is currently $6.0 \cdot 10^6$ Bq/kg, i.e. at the considered capacity of the new incinerator (240 t/year) the total activity of the incoming RAW will be a maximum of $1.44 \cdot 10^{12}$ Bq/year and the associated activity in the discharge will be a maximum of $3.60 \cdot 10^6$ Bq/year. The contribution of the new incinerator to the effective dose (for the inhabited sector 76 - Ratkovce) was quantified at $9.70 \cdot 10^{-10}$ Sv/year.

The first remelting line with a capacity of 1,000 t/year (variant No. 0) is currently under implementation. The subject of the proposed activity (variant No. 1) is an additional remelting line, which will bring the total combined capacity of the remelting sites to 4,500 t/year. Both remelting lines will be connected to ventilation stack 46A. The estimated individual effective dose for the Ratkovce sector was estimated to be $1.01 \cdot 10^{-8}$ Sv/year.

With the operation of all treatment facilities listed under the proposed activity (variant No. 1), the individual effective dose for the Ratkovce sector will be $1.98 \cdot 10^{-8}$ Sv/year more than three orders of magnitude lower than the limit value set for the proposer in the decision of the Chief Hygienist of the Slovak Republic (via the PHA SR).

Other potentially relevant impacts of the proposed activity on the population are related to:

- emissions of common air pollutants - the proposed activity is expected to contribute to the emissions of air pollutants mainly due to the optimisation of the RAW incineration capacities (increase of the capacity from 240 t/year to 480 t/year) and the remelting of metallic RAW (additional RAW remelting line with a capacity of 2 t/batch). From the conclusions of the conducted immission-transmission assessment it can be concluded that the proposed activity does not have a significant impact on the air quality in the monitored area, nor will it cause a significant deterioration of the existing air quality in the assessed area (to the highest extent the activity contributes to the drawdown of the set immission limits for the protection of

human health in the case of immissions of nitrogen oxides - before the proposed activity at the level of 1.171% of the limit value of $200 \mu\text{g}/\text{m}^3$, after the proposed activity at the level of 1.248% of the limit value);

- emissions of common pollutants in wastewater - discharged wastewater comes from employee welfare facilities, surface runoff of stormwater, technology and remedial pumping of groundwater. Their pollution by common pollutants respects the limits set by the decisions issued by the competent state administration authority for the protection of water quality. No relevant change to the existing situation is expected in relation to the proposed activity in question;
- associated traffic load, including generated noise - the proposed activity will increase the current frequency of freight traffic (passage through the municipality of Jaslovské Bohunice, where there is a daily passage of about 2,500 cars) by about 0.08%.
- feeling of psychological discomfort in some individuals (indirect effect)

For the proposed activity a Health Risk Assessment from exposure to radioactive radiation has been prepared, which has been carried out by calculating the risk from radiation exposure for the lifelong residents (70 years old) in the residential zone with the highest radiation load (inhabited sector 76 - Ratkovce). The conclusion of the health risk assessment from exposure to radioactive substances arising from the set of technologies for the treatment and conditioning of RAW at the proposer's site for the current status (variant No. 0) and the proposed activity (variant No. 1) is that the proposed activity does not pose an increased health risk to the inhabitants of the affected municipalities.

Based on the results of the modelled immission concentrations in the dispersion study, a health risk assessment has been carried out for the chemical substances generated during the operation of the RAW treatment and conditioning technologies, also within their operational background, and which have an impact on the air quality in the affected area.

The results of the health risk assessment show:

- the contribution of the source in question is minimal in relation to the total pollution, including background;
- for both adult and child populations, the risk of health impairment from exposure to CO, NO₂, SO₂, PM, HCl, HF, Cu, Cd/Tl, Hg, Σ TK, TOC and PCDD/DF (HQ < 1) has not been demonstrated for any of the variant solutions;
- for the contribution of the proposed source, heavy metals are the most significant pollutants at the assessment site in terms of health effects, but the calculated HQ for heavy metals at the residential zone site is less than 1 (HQ = 0.1172 for the maximum short-term concentrations of variant No. 1 and HQ = 0.0014 for the average annual concentrations of variant No. 1);
- in the case of the assessment of total pollution, including background, CO is the most significant pollutant at the assessment site in terms of health effects, but the calculated HQ value for CO at the residential zone site is less than 1 (HQ = 0.6734 for maximum short-term V1 concentrations and HQ = 0.5005 for average annual V1 concentrations),
- the assessment of the carcinogenic effects of benzene, cadmium, chromiumVI, nickel, arsenic and TCDD concluded that the lifetime risk of cancer does not exceed the risk value of 10^{-6} tolerable for the population;
- the highest population lifetime cancer risk APCR was calculated for chromiumVI (APCR = $1.54 \cdot 10^{-8}$ for the maximum short-term concentrations of variant V1 and APCR = $1.78 \cdot 10^{-10}$ for the average annual concentrations of variant No. 1).

The conclusion of the health risk assessment of exposure to CO, NO₂, PM, SO₂, HCl,

HF, Hg, Cu, Cd/Tl, sum of heavy metals, TOC and PCDD/DF from the proposer's set of RAW treatment and conditioning technologies is that both the current status (variant No. 0) and the proposed activity (variant No. 1) do not pose an increased health risk to the residents of the affected communities.

Based on the results of the dispersion study and the health risk assessment for chemical substances, the competent authority has assessed that the proposed activity complies with all set limits, the proposed activity will not have a negative impact on the population.

Impacts on air

The proposed activity will represent a surface source of air pollution during its construction, especially in the vicinity of the implementation works. Dust, emissions of pollutants from internal combustion engines can be considered as a critical source of air emissions during construction. The above impacts can be assessed as temporary and spatially limited by the location of the implementation works.

For the assessment of the current air quality, the current source, the Air Quality Report issued by the Slovak Hydrometeorological Institute for the year 2019, was used. In the Trnava Region zone, all three measuring stations in this zone, including data and information on background concentration values of the most important pollutant PM10, have been taken into account in the assessment of the current air carrying capacity/vulnerability.

Concentrations of SO₂, NO₂, PM10 benzene and CO did not exceed the limit values in this zone, and the target value for PM2.5 in the Trnava region zone was not exceeded in 2019.

According to the measured values, the average annual concentration of PM10 in the Trnava region is in the range of 9–30 µg.m⁻³, for PM2.5 in the range of 9–20 µg.m⁻³.

The number of exceedances of the 24-hour PM10 concentration was recorded in the range of 7–24 which is below the limit of 35 permitted exceedances of the 24-hour limit value for the protection of human health.

According to the measured values, the average annual concentration of PM10 in the municipality of Jaslovské Bohunice is in the range of 15–20 µg.m⁻³, for PM2.5 in the range of 12–15 µg.m⁻³. The number of exceedances of the 24-hour PM10 concentration was recorded in the range of 12–18 which is below the limit of 35 permitted exceedances of the 24-hour limit value for the protection of human health.

The optimisation of the capacities of the existing sites will affect the existing discharges/ventilation stacks in structure 46A (optimisation of RAW remelting treatment capacities), 46 B (optimisation of RAW incineration capacities) 808 (optimisation of RAW supercompaction treatment capacities). The relocation of some fragmentation and decontamination facilities within V1 NPP may create a new point source depending on the overall use of civil structure 760-II.3, 4, 5. The addition of a new point source will not result in an increase in the current discharge guideline values.

The proposed activity will mainly affect emissions into the air during the operation of the RAW conditioning technologies in question:

- by increasing the volumes/activity of air discharged to the air from the controlled zone by air-conditioning systems with an appropriate level of purification;
- by increasing the quantities of pollutants emitted from the activities carried out, in particular due to an increase in RAW incineration capacity and the remelting of metallic RAW.

A dispersion study has been prepared for the proposed activity (Ing. Viliam Carach, PhD. 05/2019), which concludes that the proposed activity in its proposed composition and

anticipated mode of operation does not have a significant impact on the air quality in the monitored area and the proposed activity in its proposed design will not cause a significant deterioration of the existing air quality in the assessed area. The contribution of the capacity increase for individual air pollutants ranges from 0.001 to 0.004 $\mu\text{g}/\text{m}^3$. According to EU composite maps:

(<https://www.google.com/url?q=https://eucompositemaps.marvin.vito.be/concentrations&sa=D&source=hangouts&ust=1595062330599000&usg=AFQjCNE0IIdJ1FueT6qnJCT7ng2tJQb5A>)

pollutants PM₁₀ and NO₂ are present in the territory concerned at the level of 24 $\mu\text{g}/\text{m}^3$ and 13,5 $\mu\text{g}/\text{m}^3$, respectively.

The contribution of radioactive substances from the proposed activity to the atmosphere will come mainly from the new RAW incinerator and the new metallic RAW remelting line. The other RAW treatment technologies being added and the proposed RAW storage are not relevant sources of radionuclide discharges due to their nature. The operation of the new press is not a source of any air pollutants. With addition of storage capacity in structure 760-II. 3,4,5:V1 no air pollutants will be produced. Relocation of fragmentation and decontamination equipment from structure 800 to structure 760-II. 3,4,5:V1 - will not result in a change in the assessment of the contribution of this activity to discharges into the air.

Impacts on climatic conditions

The source of carbon dioxide as a greenhouse gas is mainly from the combustion and remelting process. Considering the proportion of CO₂ emissions from the above processes in relation to the total greenhouse gases emissions in the Slovak Republic, this contribution is negligible. The impact of the proposed activity on climatic conditions can therefore be assessed as insignificant.

Impacts on the rock environment, mineral resources, geodynamic phenomena and geomorphological conditions

The location and nature of the proposed activity does not affect mineral resources, geodynamic phenomena and geomorphological conditions. Considering the nature of the proposed activity, the direct impact on the rock environment or the indirect impact in the form of contamination can be assessed as negligible. Pollution of the rock environment may be caused by an accident, which will be prevented by careful adherence to the technological procedure and safety regulations. Possible leakage of oil or other hazardous substances from means of transport can be eliminated by the use of sorption agents.

Impacts on groundwater and surface water

The affected area where the proposed activity is to be carried out does not interfere with any water protected area. With its area, the proposer's site extends into two watersheds, namely the Manivier Canal watershed and the Pečeňady Canal watershed. The nearest water surface, which is also a source of cooling water for NPP Jaslovské Bohunice, is the Sĺňava reservoir (about 10 km away). Groundwater is stored in an aquifer formed by gravel sands. There are no registered or recorded sources of mineral or thermal waters or their protection zones in the affected area or in its surroundings.

During the construction or implementation of the proposed activity

At the time of modifications of existing facilities and construction of new facilities, the risk of contamination of surface water and groundwater will only be associated with cases of malfunction or accident of construction mechanisms, when leakage of e.g. oil substances may occur. Possible leakage of oil or other hazardous substances can be eliminated by the use of sorption agents.

Due to the groundwater level, which is at - 20 m, it is not expected to be affected during the construction of the proposed activity.

During the construction or implementation of the proposed activity, only sewage water associated with the activities of the construction company's employees will be produced and surface run-off water will be discharged from the construction site by connection to the existing storm water drainage system.

During the operation of the proposed activity

The operation is associated with the production of sewage and storm wastewater in volumes commensurate with the area of the affected buildings and the number of employees. The storm water drainage system drains surface run-off water from the roofs of buildings, roads and paved areas from the company's premises. After dosimetric control, they are connected through the open Manivier Canal, past the municipality of Žilkovce at river km 10.1 into the Dudvák river. The sewage water from the proposer's structures is discharged by sewage system to the mechanical-biological sewage treatment plant MB WWTP V1 NPP (BIOCLAR). The treated wastewater is discharged into the SOCOMAN pipe collector.

Wastewater that will be generated from the operation of the incineration plant in structure 808 during wet flue gas cleaning is intended to be of a comparable nature to that generated during the current technologies in operation. No wastewater is expected to be generated during remelting, pressing, storage of RAW.

The recipient of the generated technological wastewater is the Váh River. The water is discharged into the Váh River after it has been treated to the required level of activity in the wastewater (active) water treatment plant (structure 41, 809) and measured.

During the operation of all technological equipment, all limits set for chemical pollution of discharged water and the release of radioactive substances through their discharge into surface water are met.

The calculated values of annual individual doses at the point of discharge of liquid wastes into surface streams are 3 orders of magnitude lower in the case of a spill into the Váh

River than the established acceptability criteria under the current legislation; in the case of a spill into the Dudvák River, they are close to the limit value of 1 MSv per year, where staying on the sediments is the decisive exposure pathway.

The competent authority also took into account possible radioactive contamination of surface water (e.g. Manivier) when assessing the impacts. Given the nature of the proposed activity, it can be concluded that even in the case of a cumulative effect, the proposed activity will not significantly affect the current status.

The proposed changes will not require a change to the liquid discharge limits currently established by the decisions of the PHA SR.

The impact on surface water and groundwater is assessed as insignificant and acceptable.

Impacts on soil

The implementation of the proposed activity does not require the acquisition of agricultural land or forest land. In the implementation of extensions to the existing buildings within the premises, it is expected to take up to 1,000 m² of currently undeveloped areas.

Under operating conditions, the operation of the RAW TCT technologies does not pose a risk of contamination of soils, changes in their chemistry, etc. Non-standard situations of a common nature (e.g. leakage of oil, petrol from vehicles) on an unpaved area are solved by common remediation works.

The impact of the emitted RAS on soils, e.g. through gradient, rain washout, etc., is monitored as part of the extensive monitoring system of the environmental impact of the nuclear facilities at the Jaslovské Bohunice site, and is assessed to be minimal on the basis of this monitoring over the long term.

No negative impacts on soil are expected due to the nature of the proposed activity.

Impacts on fauna, flora, habitats and biodiversity

The proposed activity associated with the RAW treatment and conditioning technology is to be carried out inside the structures in the closed premises of the proposer. On the area concerned, there are no ecologically significant biotopes or significant sites from the point of view of nature protection. The presence of synanthropic fauna and flora can be assumed within the affected area. Neither the implementation phase nor the operation of the optimised RAW treatment and conditioning facilities nor the change of use of the structure 760-II.3,4,5:V1 will have impacts on fauna, flora and their habitats.

Impacts on the landscape - landscape structure and use, landscape image

Considering the fact that the RAW treatment and conditioning technologies will be located in the existing civil structures, or extensions will be built to the structures in the bounded area of the proposer, which are designed in their conception and architecture as standard industrial buildings, the impact of the proposed activity on the landscape scenery, its image or structure is practically insignificant.

Impacts on protected areas and their protection zones

The proposed activity in the assessed area does not interfere with any protected small or large area of the national system of protected areas and their protection zones according to Act No. 543/2002 Coll. on the protection of nature and landscape, as amended, while in the area concerned the 1st degree of territorial protection applies.

With the implementation of the measures outlined in this final opinion, as well as the monitoring and post-project analysis, no adverse impacts on protected areas are anticipated.

Impacts on the territorial system of ecological stability

The proposed activity is located outside the area of individual elements of the territorial system of ecological stability (hereinafter referred to as "USES"), which excludes direct interference with the elements of the USES skeleton and the subsequent impact on its functionality. At the same time, there is no assumption, due to its nature and the degree of impacts caused by its operation, of breaking the functionality of links or affecting the current health status of individual elements of the USES.

Impacts on cultural and historical monuments

The implementation of the proposed activity is not expected to cause negative impacts on cultural and historical monuments.

Impacts on archaeological sites, palaeontological sites and significant geological sites

There are no archaeological sites in the immediate vicinity of the location of the technologies in question (part of the Jaslovské Bohunice nuclear facility complex).

Impacts across state borders

The contribution of the RAW TCT technologies to the radiation burden under normal operating conditions, as well as under emergency or otherwise non-standard operating conditions, is minimal (it was not necessary for the facility to design a area of danger for emergencies associated with the leakage of hazardous pollutants that would extend beyond the

proposer's site in question).

On the basis of the above, it can be concluded that there is no reason to expect any impacts from the proposed activity that would cross state borders.

Cumulative and synergistic impacts

The affected area is currently burdened by ionising radiation and RAS immissions from nuclear facilities, other activities carried out by the proposer, the integral storage facility and the spent fuel intermediate storage facility. On the basis of the data presented in the assessment report of the proposed activity, it can be stated that in the area of interest, even as a result of the cumulative impact of several nuclear installations, there is no marginal drawdown of the individual effective dose limit value for a critical group inhabitant established by Act No. 87/2018 Coll. on radiation protection and on the amendments to certain acts, as amended. There is no assumption of a significant negative impact of the proposed activity even in association with other existing burdens of a similar nature.

When assessing the cumulative impacts, the competent authority took into account the Manivier Canal or other possible loads at the Jaslovské Bohunice site. Given the nature of the proposed activity, it can be concluded that even in the case of a cumulative effect, the proposed activity will not significantly affect the current status.

To some extent, there will be a synthesis of the impacts of the proposed activity with the impacts in the affected area also in relation to noise emissions, common wastewater and air pollutants, traffic load, while in all cases the contribution of the proposed activity to the other environmental burdens is acceptable.

With air pollutant discharges from the proposer's sources in the range of kilograms per year, the cumulative impact with other operations at site, which produce several hundred tons per year, is negligible.

Even after the implementation of the proposed activity, the proposer will not meet or exceed the values set out in the already issued and valid decisions for the release of radioactive substances in liquid or airborne form.

Overall, it can be concluded that the proposed activity will not significantly affect the current status, even in the case of a cumulative effect.

V. AN OVERALL ASSESSMENT OF THE IMPACTS OF THE PROPOSED ACTIVITY ON THE PROPOSED PROTECTED BIRD AREAS, SITES OF EUROPEAN IMPORTANCE OR THE EUROPEAN COHERENT NETWORK OF PROTECTED AREAS

The closest to the site in question is the protected bird area Špačinsko-nižnianske polia at a distance of about 1 km north of the site. In the wider area there is a protected bird area Malé Karpaty (Little Carpathians) about 11 km to the west of the proposer's site and an area of European importance Biele hory (White Mountains) about 21 km to the west of the proposer's site. With the implementation of the measures outlined in this final opinion, as well as the monitoring and post-project analysis, no adverse impacts on this area are anticipated.

VI. THE DECISION IN THE CASE

1. Final statement

The MoE SR, NP BWM Section, EIA Department on the basis of a comprehensive assessment of the proposed activity according to the law, which took into account the state of land use and the carrying capacity of the natural environment, the significance of the expected impacts of the proposed activity on the individual components of the environment, protected areas and the health of the population in terms of their likelihood, magnitude and duration, after evaluation of the submitted opinions and comments, the outcome of the public hearing of the proposed activity and the conclusions of the expert opinion, and in the current state of knowledge

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with the implementation of the proposed activity "**Optimisation of treatment capacities of radioactive waste treatment and conditioning technologies JAVYS, a.s. at Jaslovské Bohunice**", provided that the relevant applicable legislation is complied with and that the conditions and measures set out in Chapter VI.3. of this final opinion are fulfilled.

The validity of the final opinion shall be seven years from the date of its entry into force. The final opinion shall not lose its validity if, during its validity, proceedings are initiated for the location or authorisation of an activity under special regulations.

2. Agreed variant

Based on the conclusions of the comprehensive assessment of the proposed activity under the Act, the competent authority **agrees with the implementation of the proposed activity according to the implementation variant presented in the assessment report of the proposed activity** and described in point II.6. of this final opinion, i.e. increase of the current assessed incineration capacities (from 240 t/year to 480 t/year - i.e. 240 t/year for individual incineration plant), addition of remelting capacities (addition of a furnace with a 2 t loading capacity), addition of pressing capacities (supercompactor) and the change of use of structure No. 760-II.3,4,5 V1 (conversion of the building for radioactive waste storage, relocation of existing fragmentation and decontamination facilities from V1 NPP and relocation of the material release from institutional control and electrical cable management workplaces).

The proposed technologies will be used for the treatment and conditioning of low and very low level RAW produced during A1 nuclear power plant decommissioning, which is

currently in Stage III and IV of decommissioning, from the decommissioning of the V1 nuclear power plant (currently in Stage II of decommissioning), RAW originating from the operation of nuclear installations, from the operation of nuclear power plants in the Slovak Republic, institutional RAW from various areas of human activities such as research, medicine, etc. originating outside the operations of nuclear power plants, radioactive materials of unknown origin and the management of RAW within the framework of nuclear services provided to external foreign producers of RAW.

3. Measures and conditions for the preparation, implementation and, where appropriate, termination of the proposed activity, including measures to avoid or reduce significantly adverse effects of the proposed activity

On the basis of the nature of the proposed activity, the overall results of the environmental impact assessment process, the assessment report of the proposed activity and the expert opinion, taking into account the opinions of the interested parties, the following measures and conditions are identified to exclude or reduce the significantly adverse effects of the proposed activity on the environment:

1. In the case of implemented changes related to fire protection, submit the project documentation for approval to the Regional Directorate of the Fire and Rescue Corps in Trnava.
2. Prepare and submit to the competent authority for approval a safety analysis and calculation of the radiation burden.
3. Respect the requirements of the best available technologies, apply the conditions of legal requirements related to the proposed technologies, while design and implement all technical measures to minimize in accordance with the safety analyses, Work Plans and Occupational Health and Safety Plans drawn up.
4. During the implementation of the construction and the subsequent use of the plant to mind the protection of groundwater and surface water.
5. At the time of implementation and operation, take all available measures to prevent the release of oil substances from the construction and transport machinery used and equip the construction site with a sufficient number of oil absorbents.
6. During operation, implement all available measures to prevent uncontrollable leakage of hazardous substances, i.e. implement emergency operation security and regularly carry out inspection and servicing of the equipment used, and equip the individual workplaces with a sufficient quantity of absorbents.
7. In the event of a spill of hazardous substances during the transport of waste or raw materials necessary for the operation, proceed in accordance with the relevant emergency plan and, if necessary, dispose of contaminated soil in accordance with the principles of hazardous waste management.
8. The implementation of the proposed activity shall not disturb the existing run-off conditions in the area.
9. The workplaces will be located in an enclosed area or in the controlled area (CA) on the site.
10. The workspace inside the buildings will be exhausted by a dual-filtration ventilation system.
11. All sites will be permanently monitored by the dosimetry control.

12. RAW from foreign producers will be returned to foreign producers in accordance with the legislative requirements under the Atomic Act, at a level equivalent to the aliquot imported activity. The import of RAW from external foreign RAW producers is conditioned by the fulfilment of legislative requirements resulting from the Atomic Act, i.e. the import of RAW to the territory of the Slovak Republic for the purpose of their treatment or conditioning in the territory of the Slovak Republic is possible if the export of material with an aliquot activity is contractually secured and authorized under a special regulation.
13. Not to exceed the permitted limit values of pollution indicators in wastewater discharged into surface water according to the decision of the Trnava District Office and not to exceed the currently set limits of liquid discharges set by the decisions of the PHA SR.
14. For the information of the public and affected municipalities, the proposer shall post on its website:
- a. a basic technical description and a basic technological scheme of the new incineration plant (PS 45);
 - b. at monthly intervals, an overview of the RAW treated by incineration on a monthly basis (data on the type, quantity and radioactivity of the incinerated RAW and its origin, the quantity and activity of the ash produced and an indication of the incineration plant at which the RAW was treated). Along with the report for the current month, the archive of reports from previous months will always be freely accessible in the same way, starting with the report no later than for the first month following the month in which this final opinion enters into force. Data on foreign RAW treated by other means (e.g. remelting) will be published in a similar way;
 - c. monthly overview of discharges to the atmosphere and hydrosphere with indication of the guideline value of discharges, actual discharges, fulfilment of the annual limit for all types of discharged radioactive nuclides in accordance with the decisions of the Nuclear Regulatory Authority of the Slovak Republic and the Public Health Authority of the Slovak Republic. Discharge data must be sorted by source. Together with the summary for the current month, an archive of the previous months' summaries will always be freely accessible in the same way, starting with the summary no later than for the first month following the month in which this final opinion enters into force;
 - d. an annually updated plan for the treatment of RAW by incineration, remelting or other means (for each method individually) for the next 1 year. In particular, this plan will contain data on the quantities of the treated RAW, and these data will be sorted by source (V1, A1, EMO, EBO) and country of origin.
15. Any contract for the import and treatment of foreign RAW by the proposer must contain the consent of the proposer as well as other contracting parties to the publication of data referred to in the above condition (Condition 14).
16. The treated RAW of foreign origin may not be mixed with RAW of domestic origin at any stage of treatment.
17. The proposer undertakes not to store RAW from external, foreign producers on a long-term basis, i.e. it will store RAW from foreign producers for the period of time necessary for the implementation of RAW management activities and the preparation of the treated RAW for export to the producer's country; in new contracts for the treatment and conditioning of RAW, the proposer will apply the condition that the final products of the treatment of foreign RAW by the proposer must be exported back to the foreign

country within one year from the date of the import of this foreign RAW to the territory of the Slovak Republic.

18. The import of RAW from an external producer for the purpose of treatment and conditioning in the territory of the Slovak Republic is subject to the permission of the NRA SR, its composition and properties are reviewed before its treatment, and the export of material with an aliquot activity must be contractually secured.
19. After the construction of the new incinerator plant PS 45 (rotary kiln), the proposer will preferentially incinerate RAW at this facility, with the exception of RAW contaminated by alpha nuclides, which will be incinerated at the incinerator plant PS 06 (shaft furnace).

4. Required scope of the post-project analysis

Pursuant to the provisions of Article 39 (1) of the Act, whoever implements the proposed activity is also obliged to ensure compliance of the implementation of the activity with this Act, with the decisions issued pursuant to this Act and their conditions, throughout the preparation, implementation and termination of the activity.

Pursuant to the provisions of Article 39 (2) of the Act, whoever implements the proposed activity assessed under this Act is obliged to ensure that a post-project analysis is carried out, which consists in particular of:

- a) systematically monitor and measure its impacts;
- b) control the fulfilment of all conditions specified in the permit and in connection with the issuance of the permit for the proposed activity and evaluate their effectiveness;
- c) ensure a professional comparison of the predicted impacts presented in the activity assessment report with the actual situation.

The extent and time-limit of the monitoring and evaluation of impacts shall be determined by the permitting authority, in accordance with this final opinion issued pursuant to Article 37 of the Act.

If it is found that the actual impacts of the proposed activity assessed under this Act are worse than those indicated in the assessment report of the proposed activity, the person carrying out the proposed activity shall be obliged to ensure that measures are taken to reconcile the actual impact with the impact indicated in the assessment report of the proposed activity in accordance with the conditions set out in the decision on the authorisation of the proposed activity under special regulations.

Due to the fact that the optimization concerns already operated technological equipment or equipment under construction, where monitoring is already implemented or proposed, the following monitoring is proposed for the proposed activity in question:

Monitoring during implementation:

During the implementation phase, waste production and management will be monitored according to the safety and technical conditions for suppliers and according to the rules set out in the Waste Management Directive. Project documentation of individual technologies, or project documentation describing the change of use of structure No. 760-II. 3,4,5 will also include the design of monitoring technologies and working environment.

Monitoring during operation:

- Implement the Monitoring of working environment, Monitoring of discharges of

radioactive substances into the air, Monitoring of discharges of pollutants into the air, Monitoring of liquid discharges into surface water, Monitoring of waste production, Monitoring of materials released from institutional control into the environment, Monitoring of the environment in the surroundings of JAVYS, a.s. in a similar manner as is currently carried out;

- The change of use of structure No. 760-II.3,4,5, depending on the project solution, will be supplemented by an air-conditioning system with an outlet to one of the existing stacks, or a stack with installed monitoring system may be constructed;
- For the new incinerator PS 45 in structure 809 and the new metallic RAW remelting line, implement new continuous monitoring of discharges of pollutants and radioactive substances into the air. From the remelting process, the gases downstream of the filtration stage will be continuously monitored chemically and radiologically to report chemical parameters and alpha and beta emission activity.

5. Decision on acceptance or non-acceptance of written opinions on the assessment report received pursuant to Article 35, including reasoned written comments received from the public

To the assessment report of the proposed activity, the Ministry of Environment of the Slovak Republic, NP BWM Section, EIA Department received 11 written opinions from interested state administration authorities, 1 opinion of the municipality of Nižná and 1 joint opinion of the municipalities of Čhtelnica, and Červeník, which agreed with the proposed activity. None of these authorities has made any comments that would substantially restrict or prevent the performance of the proposed activity in the affected area. In some of the opinions of the state administration authorities the compliance with the applicable legislation was pointed out or requirements were applied, which were accepted, evaluated in Chapter VII.2. and incorporated in Chapter VI.3. of this final opinion. Subsequently on 19 August 2020, the opinion of the Trnava Self-Governing Region was received, which asks the competent authority to take into account the opinion of the public when issuing the final opinion.

The municipalities of Jaslovské Bohunice, Pečeňady, Malženice, Radošovce, Dolné Dubové and the Association of Towns and Municipalities, Region of NPP Jaslovské Bohunice agreed to the proposed activity only if their applied requirements were met. Most of the requirements were considered irrelevant by the competent authority; the remaining requirements that were accepted by the competent authority are incorporated in Chapter VI.3. of this final opinion.

In the opinions of the municipalities of Veľké Kostol'any, Ratkovce, Žlkovce, Piešť'any, Veľké Kostol'any, Banka, Bašovce, Borovce, Dolný Lopašov, Drahovce, Dubovany, Krakovany, Ratnovce, Šterusy, Trebatice, Veselé, Vrbové, Kátlovce, Špačince and the town of Hlohovec, these municipalities expressed their disagreement with the proposed activity, especially with the treatment of foreign RAW, they also consider it unjustified to increase additional capacities. The municipalities of Dolný Lopášov and Dubovany, Kátlovce and the town of Hlohovec requested that they be granted the status of the affected municipality.

Considering that the environmental impact assessment procedure did not show that the proposed activity would have a significant negative impact on the environment, the competent authority did not accept their requests. In this context, the MoE SR, NP BWM Section, EIA Department draws attention to the provision of Article 2 (b) of the Act, which states that the purpose of the Act is, in particular, to identify, describe and evaluate the direct and indirect impacts of the proposed strategic document and the proposed activity on the environment. The purpose of the environmental impact assessment is generally to assess the environmental

acceptability of the proposed activity or its modification, and the purpose of this procedure is not to assess the need to implement the proposed activity or its modification in terms of economic or economical necessity. The Ministry of Environment of the Slovak Republic, NP BWM Section, EIA Department does not have the competence to evaluate the justification of the implementation in terms of economic indicators, economy of the funds spent or in terms of the need for the business activity of the proposer in the proceedings under the Act.

Within the affected public, PhDr. Július Zemko, Basic trade union organization Javys, Alternative trade unions Javys, a.s., gave an opinion on the assessment report of the proposed activity, which supports the proposer in the implementation of the proposed activity. Michal Daniška and the Civic Initiative represented by M. Molda expressed in their opinion the disagreement with the proposed activity, in particular the disagreement with the treatment of foreign RAW and the increase of additional capacities. Their reasoning has been assessed as unjustified, the content of the opinion with the other objections raised has been assessed in Chapter VII.2. of this final opinion.

A petition against the import and treatment of foreign radioactive waste on the territory of the Slovak Republic was also received as part of the environmental impact assessment procedure for the proposed activity. The demands made in the petition have not been accepted by the competent authority.

Pursuant to Article 4 of the Espoo Convention and pursuant to Article 47 of the Act, the opinions of the affected parties have been received, i.e. the Ministry of Agriculture of Hungary, Department of Environmental Protection of Hungary and the Ministry of Environment of the Republic of Poland, the General Directorate of Environmental Protection. The requirement for consultation under Article 5 of the Espoo Convention has not been invoked by the affected parties.

VII. THE REASONS FOR THE FINAL OPINION

1. Reasons for the decision in the case

When assessing the documents and drawing up the final opinion, the MoE SR, NP BWM Section, EIA Department followed the provisions of the Act. The competent authority has carefully analysed each comment and the views of interested parties and the affected public. A total of 15 written opinions from state administration and local authorities, 9 opinions from the affected public, one petition and 2 opinions from affected parties were received on the activity assessment report in accordance with Article 35 of the Act. The state administration authorities concerned, the municipalities of Nižná, Čhtelnica, and Červeník have agreed to the proposed activity. None of these authorities has made any comments that would substantially restrict or prevent the performance of the proposed activity in the affected area. In some of the opinions of the state administration authorities the compliance with the applicable legislation was pointed out or requirements were applied, which were accepted by the competent authority. The Trnava Self-Governing Region by its letter delivered on 19 August 2020 asked the competent authority to take into account the views of the public when issuing its final opinion. The competent authority took into account this opinion of the Trnava Self-Governing Region, however, the public requests concerning the disagreement with the proposed activity, in particular the disagreement with the treatment of foreign RAW and the increase of additional capacities, could not be accepted by the competent authority, due to the fact that in the course of the procedure it was not proven that the proposed activity would have a negative impact on the environment and the health of the population. In this context, the MoE SR, NP BWM Section, EIA Department draws attention to the provision of Article 2 (b) of the Act, which states that the purpose of the

Act is, in particular, to identify, describe and evaluate the direct and indirect impacts of the proposed strategic document and the proposed activity on the environment. The purpose of the environmental impact assessment is generally to assess the environmental acceptability of the proposed activity or its modification, and the purpose of this procedure is not to assess the need for the implementation of the proposed activity or its modification in terms of economic, economical necessity or any other similar context. The Ministry of Environment of the Slovak Republic, NP BWM Section, EIA Department does not have the competence to evaluate the justification of the implementation in terms of economic indicators, economy of the funds spent or in terms of the need for the business activity of the proposer in the proceedings under the Act.

Among the affected public who disagreed with the implementation of the proposed activity were M. Daniška and the Civic Initiative represented by M. Molda. In addition to the public, the municipalities of Veľké Kostol'any, Ratkovce, Žlkovce, Piešťany, Veľké Kostol'any, Banka, Bašovce, Borovce, Dolný Lopašov, Drahovce, Dubovany, Krakovany, Ratnovce, Šterusy, Trebatice, Veselé, Vrbové, Kátlovce, Špačince and the town of Hlohovec expressed the disagreement with the proposed activity (in particular, the disagreement with the treatment of foreign RAW and the increase of additional capacities). Considering that the environmental impact assessment procedure did not show that the proposed activity would have a significant negative impact on the environment, the competent authority did not accept their requests.

The municipalities of Dolný Lopašov and Dubovany, Kátlovce and the town of Hlohovec requested in their other opinions that they be granted the status of the affected municipality. In the course of the procedure, the competent authority examined whether the aforementioned municipalities will be affected by the proposed activity and came to the conclusion that the territory of the municipalities in question will not be affected by the implementation of the proposed activity and therefore did not include them among the affected municipalities.

Within the affected public, PhDr. Július Zemko, Basic trade union organization Javys, Alternative trade unions Javys, a.s., gave their opinion on the assessment report of the proposed activity, which in turn supports the proposer in the implementation of the proposed activity.

The reasoned conditions resulting from the opinions received have been incorporated into Chapter VI.3 of this final opinion.

The MoE SR, EAWM Section, EIA Department by letter No 708/2020-1.7/zg (14647/2020) dated 13

13. March 2020 announced that the parties to the proceedings and interested persons have the opportunity to comment, before the decision is issued, on the basis of the decision and the manner in which it was arrived at, or to propose that it be supplemented. As a request for extension of the deadline for commenting on the decision documents was received from a number of affected municipalities by the MoE SR, EAWM Section, EIA Department, the Ministry of Environment of the Slovak Republic proceeded to repeated notification of the decision documents (letter No. 708/2020- 1.7/zg, 18889/2020 dated 20 April 2020).

The following entities commented on the basis of the decision:

- town of Vrbové:
 - o (letter No. 734/5361/2020 dated 16 March 2020) - it requests copies of the decision documents;
 - o (letter No. 734/5361/2020/Appendix No 1 dated 20 March 2020) - the evaluation of table C:V:2 is considered insufficient. *Comparison of suitability of the zero variant and variant No. 1*; the reasons for assigning numerical weights to the impacts on the different components of the environment for the assessed variants are not described. The town of Vrbové considers it insufficient that only variant

- No. 1 was addressed in the assessment report, and asks that another new so-called technological variant be added;
- Town of Piešťany (letter No. OŽP-580/18090/20-Ok dated 28 April 2020) - rejects the import and treatment of foreign RAW in the given area and also opposes increasing the RAW incineration capacity;
 - Michal Daniška
 - o (letter dated 12 May 2020) - disputes the expert's report drawn up (in particular how the reviewer dealt with his comments) and some of the information provided by the proposer;
 - o (letter dated 2 June 2020) - disputes the statements presented by the proposer during the public hearing and the expert opinion drawn up; furthermore, in his statement he has further objections to the proposed activity in question.
 - Joint opinion from the municipalities of Veľké Kosťany, Dubovany, Trebatice, Veselé, Šterusy, Vrbové, Ratnovce, Bašovce, Drahovce, Borovce, Dolný Lopašov. In the opinion in question, they question the expert opinion drawn up and some of the information provided by the proposer.

In order to ascertain accurately and completely the actual state of the matter pursuant to Article 32 of the Administrative Procedure Code, the MoE SR, EAWM Section, EIA Department, in accordance with Article 32 (1) of the Administrative Procedure Code, requested additional information from the proposer and the expert to clarify the conditions resulting from the joint opinion of the municipalities.

A detailed evaluation of the above-mentioned opinions as well as additional information from the proposer and the reviewer are described in Chapter VII.2.

The parties to the proceedings were informed of the new decision documents and of the possibility to comment on the decision documents before the decision was issued and to propose additions to the decision by letter No 708/2020-1.7/zg (27236/2020) dated 9 June 2020.

Due to the fact that in the course of the proceedings further opinions (opinions of the municipalities of Dubovany, Katlovce and Dolný Lopašov, Špačince, the town of Hlohovec and the Trnava Self-Governing Region) or comments on the decision documents (comments of M. Daniška, the proposer) were also received, the MoE SR, EAWM Section, EIA Department notified several times about the new decision documents, i.e.:

- by letter No. 708/2020-1.7/zg (36534/2020) dated 24 July 2020;
- by letter No. 708/2020-1.7/zg (37245/2019) dated 29 July 2020;

Since during the process of assessment of the anticipated impacts of the proposed activity there was a concern of a negative impact on the population and environmental components, the MoE SR, EAWM Section, EIA Department, in order to determine accurately and completely the actual state of affairs in accordance with Article 32 of the Administrative Procedure Code, it requested Integra Consulting s.r.o. in accordance with Article 32 (1) of the Administrative Procedure Code to issue its opinion on the assessment report of the proposed activity. Its opinion had not been received by the time the final opinion was issued.

The MoE SR, NP BWM Section, EIA Department issued the final notification of the decision documents.

Mr Daniška, as a representative of the Petition Committee, commented on the final grounds of the decision (letter dated 10 March 2021), he outlines in his letter the objections and comments that have already been made several times in his previous opinions.

All comments or requirements described in the opinions as well as comments on the decision documents are described and evaluated in Chapter VII.2.

On 19 March 2021, the MoE SR, EAWM Section, EIA Department received a notification on the legal representation of the proposer by Dentons Europe CS LLP, branch, Štefánikova 15, 811 05 Bratislava. The legal representation shall take effect on 16 March 2021.

The final opinion for the proposed activity has been prepared pursuant to Article 37 (1) to (5) of the Act on the basis of the assessment report of the proposed activity, the opinions received on the assessment report, the record of the public hearing, and the expert opinion prepared pursuant to Article 36 of the Act.

The proposed activity will not have a negative impact on protected areas under the OPC Act or Natura 2000 sites.

The implementation of the proposed activity will not change the boundaries of the area of danger (the boundary of the proposer's premises) or the guideline values of radioactive substances released into the environment set by the supervisory authorities. The proposed modifications will not require changes in the currently set limits for gaseous and liquid discharges. Given the location of the facilities and the outputs from the proposed activity, there is no reason to expect a negative impact that would cross state borders. Based on the results of the dispersion study and the health risk assessment for chemical substances, the competent authority has assessed that the proposed activity complies with all set limits, the proposed activity will not have a negative impact on the population.

In the course of the assessment process, based on the current state of knowledge, no facts have come to light, which, following the implementation of the measures proposed in the assessment report and in this final opinion, would seriously endanger any of the components of the environment or the health of the inhabitants of the affected municipality.

The results of the environmental impact assessment of the change of the proposed activity show that the implementation variant, after taking into account the conditions and measures mentioned in Chapter VI.3. of this final opinion, is acceptable in terms of the overall (both negative and positive) impacts on the environment and the health of the population.

On the basis of the above, the competent authority agrees with the implementation of the proposed activity in the implementation variant, subject to the implementation of the conditions set out in Chapter VI.3. of this final opinion.

As part of the environmental impact assessment process under the Act, those environmental impacts that were foreseeable at this stage of knowledge were assessed.

2. Reasons for accepting or not accepting the written comments submitted on the assessment report received pursuant to Article 35 of the Act, including the reasoned written comments received from the affected public

In total, 15 written opinions on the assessment report were received by the MoE SR, NP BWM Section, EIA Department from interested state administration authorities, local governments and 9 written opinions from the affected public, 1 petition and 2 opinions from the affected parties.

In the opinions received from the Ministry of Economy of the Slovak Republic, District Office Piešťany, Department of Crisis Management, the Ministry of Interior of the Slovak Republic, Section of Crisis Management, the Presidium of the Fire and Rescue Corps, the municipalities of Ostrov, Čhtelnica, Červeník, PhDr. Július Zemko, Basic trade union organisation JAVYS, Alternative trade unions JAVYS, a.s., and the concerned parties of Hungary and Poland, no requirements or measures have been applied to the proposed activity.

The MoE SR, NP BWM Section, EIA Department states the following in relation to the

above comments and requests from other state administration authorities, local governments and the affected public:

Regional Directorate of the Fire and Rescue Corps in Trnava, Fire Prevention Department

- agrees to the assessment report of the proposed activity under the following condition: In case of changes related to fire protection, submit the project documentation for approval.

Statement of the MoE SR, NP BWM Section, EIA Department: In the case of implemented changes related to fire protection, the proposer shall be obliged to submit the project documentation for approval to the Regional Directorate of the Fire and Rescue Corps in Trnava. This requirement is incorporated in Chapter VI. point 3. of this final opinion.

Trnava District Office, Department of Environmental Care, Section of State Water Administration and Selected Environmental Components of the Region

- requires compliance with the conditions set out in the assessment report of the proposed activity to mitigate environmental impacts, or the proposed measures to prevent, eliminate, minimize and compensate for the environmental impacts of the proposed activity.

Statement of the MoE SR, NP BWM Section, EIA Department: All relevant measures described in the assessment report of the proposed activity have also been included by the competent authority in Chapter VI. point 3. of this final opinion.

Trnava Self-Governing Region

It requests that the competent authority also takes into account the opinion of the public when issuing its final opinion.

Statement of the MoE SR, NP BWM Section, EIA Department: All comments received, including public comments, are always taken into account and evaluated in the process of assessing the environmental impacts of the proposed activity. Relevant requests from the public have been accepted by the competent authority. The requests of the public concerning the disagreement with the proposed activity, in particular the disagreement with the treatment of foreign RAW and the increase of additional capacities, could not be accepted by the competent authority for the reason that it was not demonstrated during the procedure that the proposed activity would have a negative impact on the environment and the health of the population.

Nuclear Regulatory Authority of the Slovak Republic ("NRA SR"),

- For the generated RAW, the method of their treatment, storage and depositing with sufficient capacity is in place, RAW from foreign producers will be returned to foreign producers in accordance with the legislative requirements arising from the Atomic Act, at the level of aliquot imported activity. The import of RAW from external foreign RAW producers is conditioned by the fulfilment of legislative requirements resulting from the Atomic Act, i.e. the import of RAW to the territory of the Slovak Republic for the purpose of their treatment or conditioning in the territory of the Slovak Republic is possible if the export of material with an aliquot activity is contractually secured and authorized by the NRA.

Statement of the MoE SR, NP BWM Section, EIA Department: The competent authority considers the condition applied by the Nuclear Regulatory Authority of the Slovak Republic to be justified and is therefore taken into account in the incorporation of the measures set out in Chapter VI. point 3. of this final opinion.

Trnava District Office, Department of Environmental Care, Section of State Water Administration and Selected Environmental Components of the Region

From the point of view of the state water administration in the implementation of the proposed activity it requires:

- compliance with the provisions of the Water Act;
- compliance with the provisions of Article 39 of the Water Act;
- ensure compliance with the provisions of the standard STN 73 - 6005 - Space arrangement of conduits of technical equipment;

Statement of the MoE SR, NP BWM Section, EIA Department: The aforementioned comments result from compliance with generally applicable binding regulations in the matter of environmental protection, which the proposer is obliged to comply with in the construction and operation of the proposed activity. For this reason, the request will not be incorporated into this final opinion.

- during the construction and subsequent use of the operation, mind the protection of groundwater and surface water and prevent the undesirable leakage of hazardous substances into the soil, groundwater and surface water;
- the construction shall not disturb the existing run-off conditions in the area.

Statement of the MoE SR, NP BWM Section, EIA Department: The competent authority considers the above conditions to be justified and has therefore included them in Chapter VI. point 3. of this final opinion.

From the point of view of nature and landscape protection to the implementation of the proposed activity it states:

- implementation of the proposed activity is possible from the point of view of nature and landscape protection interests, provided that all measures are taken to prevent, eliminate, minimise and compensate for the environmental impacts of the proposed activity, as well as monitoring and post-project analysis, proposed in Chapters C.IV and C.VI of the submitted assessment report of the proposed activity.

Statement of the MoE SR, NP BWM Section, EIA Department: The proposal of monitoring, post-project analysis and all relevant measures described in the assessment report of the proposed activity have also been included by the competent authority in Chapter VI. point 3 or 4. of this final opinion.

Piešťany District Office, Department of Environmental Care

From the point of view of the state water administration: it agrees to the assessment report of the proposed activity, subject to fulfilling the following comments:

- comply with the general provisions of the Water Act;
- comply with the provisions of Article 39 of the Water Act, which lays down general conditions for the handling of harmful substances and subsequently with the Decree of the Ministry of Environment of the Slovak Republic No. 200/2018 Coll., which lays down details on dealing with pollutants, on the elements of an emergency plan and on the procedure for dealing with extraordinary water quality deterioration;

Statement of the MoE SR, NP BWM Section, EIA Department: The aforementioned comments result from compliance with generally applicable binding regulations in the matter of environmental protection, which the proposer is obliged to comply with in the construction and operation of the proposed activity. For this reason, the request will not be incorporated into this final opinion.

- mind the protection of groundwater and surface water and prevent the undesirable leakage of hazardous substances into the soil, groundwater and surface water;
- avoid disturbance of the existing run-off conditions in the area with the implementation of works.

Statement of the MoE SR, NP BWM Section, EIA Department: The competent authority considers the above conditions to be justified and has therefore included them in Chapter VI. point 3. of this final opinion.

Association of Towns and Municipalities, region of the Jaslovské Bohunice NPP and Joint opinion of the municipalities of Jaslovské Bohunice, Pečeňady, Malženice, Radošovce, Dolné Dubové

They agree to the proposed activity, subject only to the following conditions, which will be incorporated into this final opinion:

- The Ministry of Economy of the Slovak Republic, as the sole shareholder of the proposer, will seriously address the comments of the affected municipalities and economic and non-economic incentives will be regulated by the relevant legislation;

Statement of the MoE SR, NP BWM Section, EIA Department: The conditions set out in Chapter VI. point 3. of this final opinion are determined for the preparation, implementation and, if necessary, completion of the proposed activity, which the proposer wishes to implement, therefore, the fulfilment of these conditions is binding only for the proposer. For this reason, the competent authority cannot impose conditions in this procedure on another entity that will not carry out the proposed activity, and therefore the competent authority considers the request irrelevant.

- the proposer undertakes not to store RAW from external, foreign producers for a long time;

Statement of the MoE SR, NP BWM Section, EIA Department: The competent authority considers the above request to be justified and has therefore included it in Chapter VI. point 3. of this final opinion.

- the proposer, as a public administration entity, will establish and maintain a fund to support the development of the region for the purpose of improving the environment and the lives of the citizens of the municipalities affected by the proposed activity by making an annual contribution from the net profit achieved from the business activity, the amount of which will be subject to the approval of the statutory bodies of the company in accordance with the company's articles of association in force;

~~Statement of the MoE SR, NP BWM Section, EIA Department:~~ *Compliance with this requirement depends on the initiative of the proposer itself. As the above requirement is in no way related to the implementation of the proposed activity and the related environmental impacts, nor does it determine specific measures for the elimination of the negative impact of the specific proposed activity, the competent authority has not incorporated the requirement into Chapter VI. point 3. of this final opinion.*

- the proposer shall inform the mayors of the affected municipalities on the company's website about:
 - quantities and activity of treated RAW according to the generators;
 - quantities and activity from RAW treatment;
 - discharges to the hydrosphere and atmosphere;

Statement of the MoE SR, NP BWM Section, EIA Department: the competent authority has taken given requirement into account in determining the conditions referred to in Chapter IV point 3 of this final opinion. That point provides a more detailed description of what the proposer will be required to disclose.

- the proposer shall initiate the regulation of the provisions of Articles 12 and 13 of the Act 308/2018 Coll. on the National Nuclear Fund and on the amendment to the Atomic Act so that, similarly to other countries (e.g. Italy, France), a fund financed by the

National Nuclear Fund (hereinafter referred to as the “NJF”) is created to support the affected municipalities of the regions affected by the RAW management activities, which will be used for projects in the field of improving the environment and the lives of citizens of the affected municipalities;

Statement of the MoE SR, NP BWM Section, EIA Department: the requirement in question is outside the purpose of the Act and is in no way related to the proceedings in question, therefore the competent authority considers the requirement in question to be irrelevant.

- the proposer undertakes to treat RAW from Slovak sources as a priority at its treatment facilities. It shall treat foreign RAW additionally, in order to efficiently use available capacities in the maximum amount of 30% of treatment capacities;

Statement of the MoE SR, NP BWM Section, EIA Department: Considering that the environmental impact assessment procedure did not show that the proposed activity would have a significant negative impact on the environment, the competent authority does not have the authority to restrict the proposer in its activities. It does not, of course, restrict the proposer from reconsidering the quantities of foreign RAW it will process at its facility in the context of good relations with surrounding municipalities and the public.

- elimination of discrimination between the locality, the only one in the Slovak Republic, where RAW is treated for a long time and highly radioactive waste is stored and the future locality of the deep repository.

Statement of the MoE SR, NP BWM Section, EIA Department: The requirement in question is outside the purpose of the Act and is in no way related to the proceedings in question, therefore the competent authority considers the requirement in question to be irrelevant.

Slovak Water Management Enterprise, state enterprise Branch plant Piešťany has the following requirements:

- it calls for the proposed activity not to exceed the permitted limit values of pollution indicators in wastewater discharged into surface water according to the decision of the Trnava District Office and not to exceed the currently set liquid discharge limits set by decisions of the PHA SR;

Statement of the MoE SR, NP BWM Section, EIA Department: The competent authority considers the above condition to be justified and has therefore included it in Chapter VI. point 3. of this final opinion.

- proceed in accordance with the valid legislative regulations in accordance with the Water Act;
- within the meaning of Art. 4.7 of Directive 2000/60/EC of the European Parliament and of the Council of the European Union (transposed into the Water Act), the proposed activity must not lead to a deterioration in the current status of a body of surface water and groundwater;
- the proposed activity must not lead to the leakage of undesirable substances which would endanger or pollute the quality of groundwater and surface water. When proposing individual measures, it is necessary to take into account the requirements of the Regulation of the Government of the Slovak Republic No. 269/2010 which lays down requirements for the achievement of good water status;
- pursuant to Article 21 (1) (c) of the Water Act, the discharge of wastewater into surface water or groundwater requires a permit for special use of water issued by the competent authority of the state water administration;

Statement of the MoE SR, NP BWM Section, EIA Department: The aforementioned comments result from compliance with generally applicable binding regulations in the matter of

environmental protection, which the proposer is obliged to comply with in the construction and operation of the proposed activity. For this reason, that request will not be incorporated into this final opinion.

- it requests to submit the various stages of the project documentation to its organization for taking an opinion.

Statement of the MoE SR, NP BWM Section, EIA Department: In further stages of the permitting process, the individual provisions of the Atomic Act, the Building Act or Act No. 355/2007 Coll. will be followed. As the requirement is within the competence of the authorising authority, the competent authority has not included it in Chapter VI. point 3. of this final opinion. If the authorising authority considers it necessary to issue such an opinion, the Slovak Water Management Enterprise shall be invited by the authorising authority to give its opinion.

Joint opinion of the municipalities of Veľké Kostoľany, Ratkovce, Žlkovce

- perceives the increase in RAW treatment as negative and unjustified, and therefore questions the need to increase additional capacities;
- the demand to increase the limit for RAW treatment by incineration is unacceptable from the point of view of municipalities, as the quantity of RAW treated by incineration from the Jaslovské Bohunice and Mochovce facilities is sufficient for variant No. 0;
- they do not agree to the treatment of foreign nuclear waste;
- they perceive the increase in waste treatment as an exclusively commercial activity of the proposer, where the economy is more important than the healthy life of the citizens living in the vicinity of this nuclear facility. In the case of incineration of foreign RAW, up to 480 tons of RAW per year will be incinerated in the parallel operation of the new and the original incinerator. With regard to the volumes of foreign RAW, it is possible to expect at least a twofold increase in discharges from RAW combustion compared to the current state;
- with increased discharges, cumulative effects must also be taken into account, which the assessment report of the proposed activity did not address at all, and municipalities cannot therefore agree with the proposer that the proposed activity will not have a negative impact on the surrounding environment;
- the assessment report of the proposed activity declares the efficiency of capture of radioactive particles from the flue gases produced by the RAW incinerator at the level of 99.9%. However, according to the data provided in the assessment report of the proposed activity, this level of filtration efficiency does not apply to the common pollutants such as PM, NO_x, SO₂, HCl, HF, TOC, CO, heavy metals and PCDD/F;
- due to the sustainable healthy environment in the municipalities in the vicinity of the RAW treatment facilities, the municipalities express the opinion that, on the basis of the sent assessment report of the proposed activity, they accept Variant No. 0, which does not stipulate an increase in the amount of treated RAW and at the same time they condition this activity by the treatment of RAW exclusively from the Slovak Republic.

Statement of the MoE SR, NP BWM Section, EIA Department: In particular, the purpose of the Act is to identify, describe and evaluate the direct and indirect impacts of the proposed activity on the environment, to explain and compare the advantages and disadvantages of the proposed activity, including in comparison with the zero variant. As no facts were found during the environmental impact assessment process that would seriously endanger any of the environmental components or the health of the inhabitants of the affected municipality, the competent authority approved the implementation of the proposed activity subject to the implementation of the conditions set out in Chapter VI.3. of this final opinion. Also, neither in the actual opinions received on the assessment report of the proposed activity no adequate supporting documents were submitted to demonstrate that the proposed activity would have a

significant negative impact on the environment. The competent authority also sent the assessment report of the proposed activity to the competent authorities in the field of environmental protection for taking an expert opinion, which did not have any major objections to the proposed activity, the proposed activity is thus, according to the competent authority, feasible and acceptable from the environmental point of view.

In this context, the MoE SR, NP BWM Section, EIA Department draws attention to the provision of Article 2 (b) of the Act, which states that the purpose of the Act is, in particular, to identify, describe and evaluate the direct and indirect impacts of the proposed strategic document and the proposed activity on the environment. The purpose of the environmental impact assessment is generally to assess the environmental acceptability of the proposed activity or its modification, and the purpose of this procedure is not to assess the need to implement the proposed activity or its modification in terms of economic or economical necessity. The Ministry of Environment of the Slovak Republic, NP BWM Section, EIA Department does not have the competence to evaluate the justification of the implementation in terms of economic indicators, economy of the funds spent or in terms of the need for the business activity of the proposer in the proceedings under the Act.

The competent authority cannot interfere with or restrict the business activities of the proposer in the framework of the environmental impact assessment if it has not been demonstrated that its activities would have a significant negative impact on the environment. Also under the Constitution of the Slovak Republic, everyone has the right to a free choice of profession and training for it, as well as the right to engage in business and other gainful activity.

Therefore, the competent authority did not accept the objections.

An incinerator capacity of 240 t x 2 does not automatically mean a twofold increase in discharges, as the new incinerator has 2 to 12 times lower set limits and the amount of discharges will depend on the distribution of RAW to the individual incinerators, which may also mean that with a larger volume of RAW incinerated in the new incinerator, the total emissions may be at a lower level than the current level achieved in the old incinerator when incinerating 130 t/year.

The cleaning process of the flue gases leaving the BRWTC incineration plant consists of four cleaning stages:

- A sleeve filter, the filter cloth of which ensures both the mechanical capture of fine ash particles drifting from the combustion chamber and the catalytic decomposition of PCDF substances (dioxins). The method used in the BRWTC incineration plant consists of two technologies, namely catalytic and surface filtration. The system consists of an ePTFE (polytetrafluoroethylene) membrane and a catalytic felt substrate. Catalytic felts decompose gaseous PCDF substances at low temperatures into trace amounts of H₂O, CO₂ and HCl. This technology has a PCDF capture efficiency of 99.95%. The flue gases at the outlet of this filter generally contain less than 0.06 ng/m³ of PCDF substances (the limit for a BRWTC incineration plant is 0.1 ng/m³). The effectiveness of this system has also been confirmed by periodic measurements of PCDF concentrations in the flue gas of the BRWTC incineration plant. The last measurement was carried out in July 2019 and the measured concentration of PCDF substances was 0.01 ng/m³.
- Acid reverse jet scrubber (wet flue gas cleaning method), containing a scrubbing liquid with a pH value from 1-3 designed to capture gases (NO_x, SO₂, HCl, HF TOC, CO) in the flue gas and to capture the residual fraction of particulate matter (PM) and heavy metals.
- Alkaline reverse jet scrubber, containing a scrubbing liquid with a pH value of 6–8, designed to capture the residual fraction of gases, PM and heavy metals.
- A set of HEPA filters that serve to capture mechanical particles that might still remain in

the flue gases after all the previous cleaning steps. Only the flue gases cleaned in this way are discharged into the ventilation stack of the BRWTC incineration plant.

From the aforementioned it follows that the statement "flue gas filtration efficiency does not apply to common pollutants, heavy metals and PCDFs" is false.

The results of continuous measurements of NO_x, SO₂, HCl, HF, TOC, CO and PM concentrations as well as periodic measurements of heavy metals and PCDF concentrations confirm that the flue gas cleaning system is effective and efficient not only for the capture of radioactive substances but also for other pollutants.

With air discharges from the proposer's sources at the level of kilograms (up to a maximum of one ton) of pollutants emitted per year, the cumulative impact with other operations on site, which produce several hundred tons per year, is negligible. Even after the implementation of the proposed activity, the proposer will not meet or exceed the values set out in the already issued and valid decisions for the release of radioactive substances in liquid or airborne form.

The above mentioned has also been confirmed by the authorities concerned, or the authorising authorities, which have authorised the existing operation under specific regulations and are also assessing compliance with the permitted limits. None of the authorities questioned the declared compliance in the opinions received during the procedure.

Joint position of 15 municipalities - Piešťany, Veľké Kosťany, Banka, Bašovce, Borovce, Dolný Lopašov, Drahovce, Dubovany, Krakovany, Ratnovce, Šterusy, Trebatice, Veselé, Vrbové

They perceive the increase in waste treatment as an exclusively commercial activity of the proposer, where the economy is more important than the healthy life of citizens living in the vicinity of this treatment facility. In the case of incineration of foreign waste, up to 480 tons of RAW per year will be incinerated in the parallel operation of the new and the original incinerator. With regard to the imported volumes of foreign RAW, it is possible to expect at least a twofold increase in discharges from the waste combustion compared to the current state. Cumulative impacts must also be taken into account with increased discharges, which we, as representatives of local governments, cannot agree with, and we believe that this activity will have a negative impact on the surrounding environment.

The demand to increase the limit for the treatment of radioactive waste by incineration is therefore unacceptable from the point of view of municipalities and towns. They do not agree with the import and subsequent incineration of radioactive waste from abroad in Jaslovské Bohunice.

Statement of the MoE SR, NP BWM Section, EIA Department: The requirements or arguments provided in the given opinion are identical in content as in the opinion of the municipalities of Veľké Kosťany, Ratkovce, Žlkovce. For the reasons for accepting or not accepting the requirements set out in the opinion, see above (within the opinion of the municipalities of Veľké Kosťany, Ratkovce, Žlkovce).

Municipalities of Dolný Lopašov and Dubovany

They request that they be granted the status of the affected municipality in the proceedings in question, and subsequently to reopen the proceedings in which the plan is delivered to them, a new scope of the assessment of the proposed activity is determined, a new assessment report of the proposed activity is drawn up, and that only on the basis of this renewed proceedings would the competent authority issue a final opinion. They justify their request by stating that the text of the project and the assessment report of the proposed activity state that the affected area is an area within a radius of 5 km from the proposed activity. The cadastral territories of

the municipalities of Dolný Lopášov and Dubovany are located within a radius of 5 km, and therefore they request that they be granted the status of the affected municipality in this proceeding.

Statement of the MoE SR, NP BWM Section, EIA Department: Pursuant to Article 3 (q) of the Act, the affected municipality is the municipality in whose territory the proposed activity or its modification is to be carried out or whose territory may be affected by the impact of the proposed activity. The scope of the affected municipalities was determined on the basis of the scope of impacts evaluated in the plan and in the assessment report of the proposed activity, which was to evaluate which municipalities would be affected by the proposed activity. The competent authority has also taken into account the set of affected municipalities already identified in previous proceedings relating to the proposer's own proposed activities. The competent authority took into account, inter alia, the dispersion study, which concluded that the proposed activity does not have a significant impact on air quality in the monitored area. Based on the results of the dispersion study, it can be concluded that there is no need to change the scope of the affected municipalities. With regard to the impacts of the assessed optimisation on water conditions (discharges to surface water, impact on groundwater), the quality of the discharged wastewater does not change significantly, as indicated in the assessment report of the proposed activity. Therefore, in terms of impacts on water conditions, no other affected municipalities have been identified in relation to the receiving watercourses to which wastewater from the proposer's company site is discharged.

From the nuclear safety point of view, those municipalities that are affected by the declared emergency planning zone are considered to be affected. The proposer has for the V1 NPP, A1 NPP, RAW TCT and the spent fuel intermediate storage facility established an area of danger as the territory delimited by the boundary of the site of the proposer's nuclear facilities in the Jaslovské Bohunice site, which is defined by the barrier of the guarded area of these NIs. This means that no municipalities are considered to be affected from a nuclear safety point of view.

In the course of the procedure, the competent authority examined whether the aforementioned municipalities will be affected by the proposed activity and came to the conclusion that the territory of the municipalities in question will not be affected by the implementation of the proposed activity, and therefore did not include them among the affected municipalities. Nor have the municipalities' own statements sufficiently demonstrated how they will be adversely affected by implementation of the proposed activity. At the same time, however, the competent authority states that by delivering the opinion in question, the municipalities of Dolný Lopášov and Dubovany have been granted in these proceedings the status of a party to the proceedings, which has rights and obligations under Article 14 of the Administrative Procedure Code and Article 24 of the Act. A party to the proceedings is one whose rights, legally protected interests or obligations are to be adjudicated or whose rights, legally protected interests or obligations may be directly affected by the decision.

Municipality of Kátlovce

It requests that it be granted the status of the affected municipality in the proceedings in question, and subsequently to reopen the proceedings in which the plan is delivered to them, a new scope of the assessment of the proposed activity is determined, a new assessment report of the proposed activity is drawn up, and that only on the basis of this renewed proceedings would the competent authority issue a final opinion. It justifies its request by stating that the text of the project and the assessment report of the proposed activity state that the affected area is an area within a radius of 5 km from the proposed activity. The cadastral territory of the municipality of Kátlovce is located within a radius of 5 km, and therefore it requests that it be granted the status of the affected municipality in this proceeding.

Statement of the MoE SR, NP BWM Section, EIA Department: The above requirement is identical in content to the requirement stated in the opinion of the municipalities of Dolný Lopášov and Dubovany. On the basis of its arguments presented in the evaluation of the opinions of the municipalities of Dolný Lopášov and Dubovany, the competent authority has assessed that the municipality of Kátlovce will not be affected either by the proposed activity and is therefore not included among the affected municipalities. At the same time, however, the competent authority states that by delivering the opinion in question, the municipality of Kátlovce has been granted in these proceedings the status of a party to the proceedings, which has rights and obligations under Article 14 of the Administrative Procedure Code and Article 24 of the Act. A party to the proceedings is one whose rights, legally protected interests or obligations are to be adjudicated or whose rights, legally protected interests or obligations may be directly affected by the decision.

It further states in the opinion that it does not consider the increase in treatment capacities to be justified in view of the needs of the Slovak Republic. The current wording of the strategic document "National Policy and Programme for SNF and RAW Management in the Slovak Republic" states that in the RAW management system, management technologies have sufficient capacity reserves before they are stored. The increase in capacity is significantly motivated by the effort to create additional treatment capacities that could be used for the purposes of the treatment of RAW originating from abroad. The requirement to ban the treatment (especially incineration) of foreign RAW is justified with the ALARA principle. The treatment of foreign waste is not the responsibility of the Slovak Republic, therefore the treatment (especially incineration) of foreign RAW and the associated negative effects on the environment and health is considered to be contrary to the ALARA principle. The ban on the treatment of foreign RAW is also based on the conditions of the hitherto valid final opinion No. 2276/2014-3.4/hp dated 14 November 2014 and on the decision issued in the screening process No. 2764/2019-1.7/zg-R dated 22 February 2019.

***Statement of the MoE SR, NP BWM Section, EIA Department**In particular, the purpose of the Act is to identify, describe and evaluate the direct and indirect impacts of the proposed activity on the environment, to explain and compare the advantages and disadvantages of the proposed activity, including in comparison with the zero variant. As no facts were found during the environmental impact assessment process that would seriously endanger any of the environmental components or the health of the inhabitants of the affected municipality, the competent authority approved the implementation of the proposed*

activity subject to the implementation of the conditions set out in Chapter VI.3. of this final opinion. Also, neither in the actual opinions received on the assessment report of the proposed activity no adequate supporting documents were submitted to demonstrate that the proposed activity would have a significant negative impact on the environment. The competent authority also sent the assessment report of the proposed activity to the competent authorities in the field of environmental protection for taking an expert opinion, which did not have any major objections to the proposed activity, the proposed activity is thus, according to the competent authority, feasible and acceptable from the environmental point of view.

The competent authority cannot interfere with or restrict the business activities of the proposer in the framework of the environmental impact assessment if it has not been demonstrated that its activities would have a significant negative impact on the environment. Also under the Constitution of the Slovak Republic, everyone has the right to a free choice of profession and training for it, as well as the right to engage in business and other gainful activity.

Therefore, the competent authority did not accept the objections.

The ban on the treatment of foreign RAW, also based on the conditions of the hitherto valid final opinion No. 2276/2014-3.4/hp dated 14 November 2014 and on the decision issued in the screening process No. 2764/2019-1.7/zg-R dated 22 February 2019, resulted from the fact that within the proposed activities for which the final opinion or decision in question was issued, the treatment of foreign RAW was not anticipated. Thus, until the environmental impacts of the treatment of foreign waste were assessed, it was not possible to accept such treatment of foreign waste.

Town of Hlohovec

It requests that the final opinion stipulates that the proposed activity be carried out in variant No. 0 and that the condition of the ban on the treatment of RAW of foreign origin be determined. The town of Hlohovec requests that it be granted the status of the affected municipality in accordance with the law. It further states in the opinion that it does not consider the increase in treatment capacities to be justified in view of the needs of the Slovak Republic. The current wording of the strategic document "*National Policy and Programme for SNF and RAW Management in the Slovak Republic*" states that in the RAW management system, management technologies have sufficient capacity reserves before they are stored. The increase in capacity is significantly motivated by the effort to create additional treatment capacities that could be used for the purposes of the treatment of RAW originating from abroad.

The requirement to ban the treatment (especially incineration) of foreign RAW is justified with the ALARA principle. The treatment of foreign waste is not the responsibility of the Slovak Republic, therefore the treatment (especially incineration) of foreign RAW and the associated negative impacts on the environment and health is considered to be contrary to the ALARA principle. The ban on the treatment of foreign RAW is also based on the conditions of the hitherto valid final opinion No. 2276/2014-3.4/hp dated 14 November 2014 and on the decision issued in the screening process No. 2764/2019-1.7/zg-R dated 22 February 2019.

It justifies the granting of the status of the affected municipality mainly by the fact that the D1 motorway passes through its territory, along which a significant amount of foreign RAW will clearly be transported. It also believes that the increase in the volume of treated RAW in the BRWTC will be associated with an increase in wastewater discharged into the Drahov Canal, which is located near the town of Hlohovec.

Statement of the MoE SR, NP BWM Section, EIA Department*In particular, the purpose of the Act is to identify, describe and evaluate the direct and indirect impacts of the proposed activity on the environment, to explain and compare the advantages and disadvantages of the*

proposed activity, including in comparison with the zero variant.

As no facts were found during the environmental impact assessment process that would seriously endanger any of the environmental components or the health of the inhabitants of the affected municipality, the competent authority approved the implementation of the proposed activity subject to the implementation of the conditions set out in Chapter VI.3. of this final opinion. Also, neither in the actual opinions received on the assessment report of the proposed activity no adequate supporting documents were submitted to demonstrate that the proposed activity would have a significant negative impact on the environment. The competent authority also sent the assessment report of the proposed activity to the competent authorities in the field of environmental protection for taking an expert opinion, which did not have any major objections to the proposed activity, the proposed activity is thus, according to the competent authority, feasible and acceptable from the environmental point of view.

The competent authority cannot interfere with or restrict the business activities of the proposer in the framework of the environmental impact assessment if it has not been demonstrated that its activities would have a significant negative impact on the environment. Also under the Constitution of the Slovak Republic, everyone has the right to a free choice of profession and training for it, as well as the right to engage in business and other gainful activity.

Therefore, the competent authority did not accept the objections.

The ban on the treatment of foreign RAW based on the hitherto valid final opinion No. 2276/2014-3.4/hp dated 14 November 2014 and on the decision issued in the screening process No. 2764/2019-1.7/zg-R dated 22 February 2019, resulted from the fact that within the proposed activities for which the final opinion or decision in question was issued, the treatment of foreign RAW was not anticipated. Thus, until the environmental impacts of the treatment of foreign waste were assessed, it was not possible to accept such treatment of foreign waste.

Pursuant to Article 3 (q) of the Act, the affected municipality is the municipality in whose territory the proposed activity or its modification is to be carried out or whose territory may be affected by the impact of the proposed activity.

As part of the procedure, the competent authority examined whether the town of Hlohovec would be affected by the proposed activity, in particular with regard to transport. Taking into account that after the implementation of the proposed activity and thus achieving the full increased treatment capacity of the technologies being solved, it is considered that the total transport requirements will be higher by about 200 trucks per year for the transport of raw materials, packaging and RAW and about 80 transports of fibre concrete containers to the regional RAW repository (i.e. an increase in transport frequency from 1-2 trucks/day to 2-3 trucks/day) the competent authority assessed that the town of Hlohovec will not be adversely affected by the proposed activity in terms of traffic intensity.

When operating the incineration plant in structure 808, the production of wastewater from wet flue gas cleaning is expected to be about 10 l/h (240 l/day, 24 m³ /year). No waste water will be generated from the operation of the rotary incineration plant in structure 809 as the flue gas cleaning will be carried out in a dry way. No wastewater is generated from the remelting technology, the pressing process or the change of use of structure 760-II.3,4,5:VI for the storage of RAW.

With regard to the impacts of the proposed activity on water conditions (discharges to surface water, impact on groundwater), the quality of the discharged wastewater does not change significantly, as indicated in the assessment report of the proposed activity.

The impact of the proposed activity on the water conditions are comparable to the current situation, i.e. insignificant, therefore the town of Hlohovec will not be affected by the proposed

activity either, and therefore the competent authority has not included it among the affected municipalities. At the same time, however, the competent authority states that by delivering the opinion in question, the town of Hlohovec has been granted in these proceedings the status of a party to the proceedings, which has rights and obligations under Article 14 of the Administrative Procedure Code and Article 24 of the Act. A party to the proceedings is one whose rights, legally protected interests or obligations are to be adjudicated or whose rights, legally protected interests or obligations may be directly affected by the decision.

Municipality of Špačince

It delivered an extract from the resolution of the municipal council, which states that the opinion sent by the mayor of the municipality PhDr. Július Zemko, together with the mayor of the municipality of Čhtelnica and the mayor of the municipality of Červeník, was a private opinion. The municipal council distances itself from the activities of the mayor of the municipality of Špačince PhDr. J. Zemko. Due to the additional burden on the environment in the vicinity of the municipality and the increase in a possible accident during the transport of RAW, the municipal council does not agree with the implementation of the proposed activity.

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority is aware of this fact. On 22 September 2020, the competent authority received a letter from Mr Zemko, in which he clarified the information regarding the received opinion on the assessment report of the proposed activity, which was signed, in addition to the mayor of the municipality of Čhtelnica and the mayor of the municipality of Červeník, also by his person (the opinion was delivered on 20 September 2019). In the letter in question, he asks that this opinion be taken as the opinion of his private person.

The competent authority states that it assessed the opinion in question at that time as the opinion of the municipalities on the grounds that on the opinion in question the persons in question also presented themselves as mayors of the municipalities and the stamp of the individual municipalities was used, thereby legitimising this opinion as a statement of the individual municipalities.

With regard to the letter by Mr Zemko, who asked to be treated as a private person, the competent authority considers him to be a natural person in the proceedings in question, i.e. an affected public within the meaning of Article 24 (2) of the Impact Assessment Act.

The municipality of Červeník and the municipality of Čhtelnica continue to be treated as municipalities in the proceedings, since the stamp of the individual municipalities was used, thus legitimising this opinion as a statement of the individual municipalities.

In particular, the purpose of the Act is to identify, describe and evaluate the direct and indirect impacts of the proposed activity on the environment, to explain and compare the advantages and disadvantages of the proposed activity, including in comparison with the zero variant. As no facts were found during the environmental impact assessment process that would seriously endanger any of the environmental components or the health of the inhabitants of the affected municipality, the competent authority approved the implementation of the proposed activity subject to the implementation of the conditions set out in Chapter VI.3. of this final opinion. Also, neither in the actual opinions received on the assessment report on the proposed activity were adequate supporting documents submitted to demonstrate that the proposed activity would have a significant negative impact on the environment. The competent authority also sent the assessment report of the proposed activity to the competent authorities in the field of environmental protection for taking an expert opinion, which did not have any major objections to the proposed activity, the proposed activity is thus, according to the competent authority, feasible and acceptable from the environmental point of view.

The competent authority cannot interfere with or restrict the business activities of the proposer in the framework of the environmental impact assessment if it has not been demonstrated that its activities would have a significant negative impact on the environment. Also under the Constitution of the Slovak Republic, everyone has the right to a free choice of profession and training for it, as well as the right to engage in business and other gainful activity.

Therefore, the competent authority did not accept the objection.

Michal Daniška

Objection No.1 - he questions the need to increase the capacities for the treatment of RAW by incineration. He demonstrates that the request to increase the limit for the treatment of

RAW by incineration is unjustified from the point of view of the needs for the treatment of RAW of domestic origin. The increase of the limit for the treatment of RAW by incineration is therefore probably not motivated by the public interest (to treat increased volumes of domestic RAW and thus accelerate the decommissioning process of the A1 and V1 power plants), but it is probably only a commercial interest of the proposer (to maintain or increase free capacities for the treatment of foreign RAW). In addition, the limits valid so far are the result of the 2014 Environmental Impact Assessment (EIA) analysis. The screening process for the proposed activity started in 2018. Thus, after only 4 years, the proposer is requesting an increase in the limits, which raises concerns that the currently requested limits are not the proposer's ultimate goal, but may plan to request a further increase within a few years using the salami method.

Using the conservative estimate of $1\text{m}^3 = 1\text{ t}$ for RAW, also used by the proposer in the assessment report of the proposed activity, thus it concludes that the proposer already has an import permit today, and thus probably already concluded contracts for treatment by incineration of more than 1500 t of foreign RAW. Considering the current limit of 130 t/year, this is the amount of RAW burnt in the past over a period of more than 10 years. If we consider that the limit of 130 t/year was not always met and, in addition, foreign RAW was also incinerated, it can be assumed that the mentioned amount of 1,500 t is close to the total amount of domestic RAW incinerated so far in the incinerator PS 06 during the whole period of its operation so far. It is therefore considered to be proven that the proposer intends to fundamentally change the current nature of the treatment of RAW by incineration in the Jaslovské Bohunice site towards commercial use by importing foreign RAW, while given the above quantities the incineration of foreign RAW (commercial activity) cannot be considered to be "supplementary activity" at all.

It therefore calls for the currently valid limit of 240 t/year to be maintained for the treatment of RAW by incineration.

Objection No. 2 - it questions the need to increase capacities for the treatment of metallic RAW by remelting

The proposer did not sufficiently justify the need to increase the capacity of the treatment of metallic RAW by remelting from 1,000 t/year to 4,500 t/year. In 2018, the proposer treated 0 tons of metallic RAW by remelting. The more detailed forecast data provided by the proposer on the amount of treated metallic RAW by remelting state the expected value of 1,500 t/year in the whole period of 2020–2023. It therefore sees no reason for such a large increase in the limit compared to the current situation, also taking into account the fact that according to the assessment report of the activity, the contribution of metallic RAW remelting to the individual effective population dose (10.1 nSv/year) is several times greater than the benefit from RAW incineration (1.94 nSv/year). It therefore calls for the currently valid limit of 1,000 t/year to be

maintained for the treatment of metallic RAW by remelting.

Objection No. 3 (on the treatment of foreign RAW)

The task of the proposer should be to decommission the A1 and V1 power plants as soon as possible into a state as close as possible to the "green field", including the disposal of environmental burdens caused by accidents at the A1 power plant. The treatment of RAW of foreign origin is not part of this framework, it considers it as a purely commercial activity, which will or may bring unnecessary negative impacts for the environment and the population in the affected area, not only as a result of additional discharges of radioactive substances, harmful gases, heavy metals, but also as a result of additional risks due to possible emergency situations and the intensification of the transport of RAW from abroad to the Jaslovské Bohunice site and back.

The treatment of foreign RAW significantly changes the expected impacts from the treatment of RAW in the locality of Jaslovské Bohunice. If only domestic RAW was treated, the combustion of most RAW (except for RAW contaminated with alpha nuclides) would be moved to a new incineration plant. According to the proposer, this new incineration plant is more modern and has a more efficient flue gas capture system, so despite the declared 50% increase in the incinerated domestic RAW, lower or only slightly increased levels of discharges of harmful substances (both radioactive and non-radioactive) could be expected compared to the current state. In the case of additional incineration of foreign RAW, it will be possible (also technologically) to incinerate up to 480 t of RAW per year during the parallel operation of new and old incinerators. With regard to the volumes of foreign RAW specified in the above-mentioned permits for the import of foreign RAW as well as with regard to data on the expected volume of RAW incinerated in 2019–2023 with the implementation of the proposed activity (variant No. 1) (Table A.II./05 in the assessment report of the proposed activity), which exceed in total (t + m³) the value of 400 t/year in the period 2020–2022 (and in the period of 2020–2021 also the assessed limit of 480 t/year), however, with the import of foreign RAW at least twofold increase in discharges from RAW incineration compared to the current state can be expected. With an incineration of 480 t/year, 240 t/year will be incinerated in the old incinerator (almost double compared to the current 130 t/year), so it is possible to expect approximately twofold increase in discharges. The incineration of the remaining 240 t/year at the new incinerator will result in additional discharges.

It therefore calls for the proposer to be prohibited from the treatment of RAW of foreign origin in any way.

Objection No. 4 (on socio-economic consequences)

It questions the need to increase the limits of treated RAW in order to maintain employment. In none of the addressed variants of the proposed activity are the limits reduced, they can only be maintained at the current level. In addition, as a result of the construction of a new RAW incinerator, technological barriers that effectively limit the amount of RAW incinerated will be eliminated, making it possible to increase from the current 130 t/year to the currently valid limit value of 240 t/year (i.e. almost twice). Thus, there are no logical arguments for the fact that after the construction of a new incinerator and the increase in the volume of incinerated RAW to the level of 240 t/year, the number of jobs of the proposer should decrease.

The proposer's statement may indicate that the proposer's ultimate plan is not to transfer the mentioned area, by the gradual decommissioning of the A1 and V1 power plants, into the "green field" status, but, on the contrary, the proposer may be interested in building a RAW treatment centre in this area for the provision of commercial services in areas of the treatment of (foreign) RAW. It fundamentally disagrees with such a use of the territory in question.

Statement of the MoE SR, NP BWM Section, EIA Department:

With regard to objections 1 to 4, the competent authority submits the following: In particular, the purpose of the Act is to identify, describe and evaluate the direct and indirect impacts of the proposed activity on the environment, to explain and compare the advantages and disadvantages of the proposed activity, including in comparison with the zero variant. As no facts were found during the environmental impact assessment process that would seriously endanger any of the environmental components or the health of the inhabitants of the affected municipality, the competent authority approved the implementation of the proposed activity subject to the implementation of the conditions set out in Chapter VI.3.

VI.3. of this final opinion. Also, neither in the actual opinions received on the assessment report on the proposed activity no adequate supporting documents were submitted to demonstrate that the proposed activity would have a significant negative impact on the environment. The competent authority also sent the assessment report of the proposed activity to the competent authorities in the field of environmental protection for taking an expert opinion, which did not have any major objections to the proposed activity, so the proposed activity is, according to the competent authority, feasible and acceptable from the environmental point of view.

The competent authority cannot interfere with or restrict the business activities of the proposer in the framework of the environmental impact assessment if it has not been demonstrated that its activities would have a significant negative impact on the environment. Also under the Constitution of the Slovak Republic, everyone has the right to a free choice of profession and training for it, as well as the right to engage in business and other gainful activity.

An incinerator capacity of 240 t x 2 does not automatically mean a twofold increase in discharges, as the new incinerator has 2 to 12 times lower set limits and the amount of discharges will depend on the distribution of RAW to the individual incinerators, which may also mean that with a larger volume of RAW incinerated in the new incinerator, the total emissions may be at a lower level than the current level achieved in the old incinerator when incinerating 130 t/year.

The treatment of RAW at the technological facilities of the NI RAW TCT is only possible under the condition of compliance with the applicable limits and conditions and other related legislative requirements and internal regulations, irrespective of their origin. All legislative provisions of the Slovak Republic and regulations of the European Union must be complied with when dealing with RAW originating from outside the Slovak Republic, one of the most important factors being the obligation of an absolute balance of imported and exported activity.

Therefore, the competent authority could not take into account the request not to permit the implementation of the proposed activity (variant No. 1).

Objection No. 5 (on disregard for cumulative effects)

The assessment report of the proposed activity does not in any way take into account the cumulative effects of the proposed activity, taking into account e.g. the previously assessed new nuclear source in the Jaslovské Bohunice nuclear site (source of air and water pollution by radioactive substances and many other negative impacts) or the steam-gas power plant Malženice (source of air pollution by non-radioactive substances). The obligation to assess in the assessment report of the proposed activity the cumulation of the impacts of the proposed activity with the impacts of other existing or approved activities is also subsequently explicitly stated in Annex No. 11 to the Act and similarly in Annex No. 10.

Failure to consider the cumulation of effects with other relevant activities is a fundamental error which justifies calling into question the legality of the whole assessment report of the proposed activity.

Statement of the MoE SR, NP BWM Section, EIA Department:

The assessment of cumulative effects in terms of radiation exposure of the population was assessed in the assessment report of the proposed activity, in Part C, Chapter III.17 in relation to existing sources of radioactive discharges.

Despite the fact that the contribution of the new nuclear installation to the radiation load was not indicated in the assessment report of the proposed activity, on the basis of the current legislative framework in the field of radiation protection in the case of the accumulation of nuclear installations or nuclear installations of different operators, the following is stated in Act 87/2018 Coll. on radiation protection and on the amendments to certain acts in Article 91 Discharge of Radioactive Substances into the Air and Water:

The limit dose of a representative person for the design, construction and operation of a nuclear installation for a single operator of a nuclear installation shall be 0,25 mSv per calendar year; for discharges into the air and to surface water, the value of the limit dose of a representative person shall be determined separately for each discharge as follows:

- a) an effective dose of 0.2 mSv per calendar year for discharges into the air; and*
- b) an effective dose of 0.05 mSv per calendar year for discharges into surface water.*

(3) If there are multiple nuclear installations in one site or region that affect the dose of a representative person, this value applies to the total exposure from all nuclear installations in the site or region.

On this basis, the valid limit dose for the proposer for the Jaslovské Bohunice site was determined to be 0.032 mSv, for NI V2 it is 0.05 mSv. It follows from the above that the cumulative impact on the nuclear site Jaslovské Bohunice is already predetermined and the redistribution is within the competence of the PHA SR.

The proposer is not requesting an increase in the representative person dose limit or an increase in the guideline values for released activity, the values of which are established in the applicable decisions of the PHA SR and on the basis of which the cumulative impact of the new nuclear facility with other nuclear facilities at the site has been evaluated.

The assessment of the cumulative impacts of non-radioactive pollutants from the discharges of the Malženice Combined Cycle Power Plant was not possible during the preparation of the report due to the unavailability of information (trade secrets according to the CCPP Malženice operator), the operator does not disclose information on air discharges according to Act No. 17/1992 Coll. on the environment.

With air discharges from the proposer's sources at the level of kilograms (up to a maximum of one ton) of pollutants emitted per year, the cumulative impact with other operations on site, which produce several hundred tons per year, is negligible.

In this respect, the MoE SR, NP BWM Section, EIA Department states that the above assessment of cumulative impacts carried out by the competent authority has not been disputed or objected to by any of the authorities concerned or the authorising authorities.

Objection No. 6 (on non-considering the effects due to the disposal of the equipment in the future)

The assessment report of the proposed activity does not in any way take into account the effects of the proposed activity associated with the disposal of equipment and technologies that are the subject of the proposed activity. There is no doubt that the lifetime of the proposed facilities and technologies is limited and the construction or modification of these facilities and technologies will necessitate their disposal in the future, which will inevitably result in further environmental impacts. Failure to consider the effects caused by the decommissioning of the proposed equipment and technologies is a fundamental error of the assessment report of the

proposed activity, which thus omits the significant negative effects (secondary) caused by the proposed activity.

Statement of the MoE SR, NP BWM Section, EIA Department:

The subject of the proposed activity is to supplement the existing treatment capacities of a set of technologies for treatment and conditioning of radioactive waste located in Jaslovské Bohunice. According to Annex 12 of the Act, the assessment report of the proposed activity should evaluate the expected impacts caused during the construction and implementation of the proposed activity. Therefore, at this point in time, the proposer is not obliged to evaluate the impact of the termination of the proposed activity associated with the disposal of the facilities and technologies that are the subject of the proposed activity in the assessment report of the proposed activity.

In the event that the proposer will be ceasing its operations, such termination of the proposed activity that is associated with disposal, remediation, reclamation, or with more than one of these activities will be separately the subject of proceedings under the Act.

Objection No. 7 (on insufficient definition of the set of affected municipalities)

The determined set of affected municipalities does not take into account the prevailing wind direction from northwest to southeast, nor does it take into account the direction of groundwater flow from the proposer's premises to the municipalities of Malženice, Žlkovce, Ratkovce, Pečeňady and further to the watercourses of Dudváh and Váh (i.e. for example Červeník, Madunice, Trakovice etc.). It does not take into account that wastewater discharges are led through the Socoman pipeline to Váh or through the Manivier Canal to Dudváh, with which they also affect the cadastral territories of municipalities in the direction of the flow of these streams - such as Madunice, Červeník, Leopoldov, Trakovice. Taking into account Article 3 (q) of the Act it is also clearly unacceptable for the affected municipalities to be defined by the condition "the urban area of the municipality extends into a circle with a radius of 5 km centered on the premises of JAVYS a.s.". In view of the above, it calls for a re-determination of the scope of the group of affected municipalities and also take into account the degree of their burden with effects of the proposed activity, which is undoubtedly very uneven.

Statement of the MoE SR, NP BWM Section, EIA Department:

Pursuant to Article 3 (q) of the Act, the affected municipality is the municipality in whose territory the proposed activity or its modification is to be carried out or whose territory may be affected by the impact of the proposed activity. The scope of the affected municipalities was determined on the basis of the scope of impacts evaluated in the plan and in the assessment report of the proposed activity, which was to evaluate which municipalities would be affected by the proposed activity. The competent authority has also taken into account the set of affected municipalities already identified in previous proceedings relating to the proposer's own proposed activities. The competent authority took into account, inter alia, the dispersion study, which concluded that the proposed activity does not have a significant impact on air quality in the monitored area. Based on the results of the dispersion study, it can be concluded that there is no need to change the scope of the affected municipalities. With regard to the impacts of the assessed optimisation on water conditions (discharges to surface water, impact on groundwater), the quality of the discharged wastewater does not change significantly, as indicated in the assessment report of the proposed activity. Therefore, in terms of impacts on water conditions, no other affected municipalities have been identified in relation to the receiving watercourses to which wastewater from the proposer's company site is discharged.

From the nuclear safety point of view, those municipalities that are affected by the declared emergency planning zone are considered to be affected. The proposer has for the V1 NPP, A1 NPP, RAW TCT and the spent fuel intermediate storage facility established an area

of danger as the territory delimited by the boundary of the site of the proposer's nuclear facilities in the Bohunice site, which is defined by the barrier of the guarded area of these NIs. This means that no municipalities are considered to be affected from a nuclear safety point of view.

Objection No. 8 (on the evaluation of data on the health status of the inhabitants of the affected area)

Data on the health status of the inhabitants of the affected area given in the assessment report of the proposed activity or in its annex "Public Health Impact Assessment", are assessed at the district level, not at the level of the endangered site, as a result of which the possibility of early detection of possible negative effects on the health of the population of the affected site is highly unlikely.

It requests that the assessment of the impact of the proposed activity on the population is carried out and will continue to be carried out in the future at the level of the endangered area. It calls for the assessment of the impact of the proposed activity on the population to be carried out and to continue to be carried out at the level of the affected area, in addition, by taking into account the population burden rate (effects of radioactive and non-radioactive discharges) due to wind direction, groundwater flow and discharges into the Manivier Canal and the Dudváh and Váh watercourses. It specifically requests that the impact on the health status of the population in the municipalities of Žilkovce and Ratkovce (or even Pečeňady), which are the most burdened by the impacts (also historical ones, e.g. related to the A1 power plant) of the Jaslovské Bohunice nuclear site, while at the same time they have relatively small population, so the possible manifestations of negative effects would probably not have been felt within the whole group of population in the affected area.

Statement of the MoE SR, NP BWM Section, EIA Department:

The expert opinion states that the assessment of the health status of the population concerned was carried out on the basis of data from the National Health Information Centre of the Slovak Republic and the Demographic Research Centre. Some data on health status were taken from the Statistical Office of the Slovak Republic. Data on health status are maintained at the district level, and records are not available at the level of individual municipalities. In the Slovak Republic, there is limited availability of data on the health status of the population. Most data are only available at the district or region level. Based on the data obtained, no significant differences were found between the health status of the inhabitants of the compared territorial units. In the light of the above, the competent authority concludes that the assessment has been made on the basis of the available data and therefore has no reason to question it. Also the assessment of the impact on the health status of the population was carried out by a professionally competent person who has a certificate of competence, and therefore the correctness of the applied methodological procedure and the results that have been found is guaranteed.

Objection No. 9 (on flue gas filtration efficiency and emissions of harmful substances)

The assessment report of the proposed activity declares the efficiency of capture of radioactive particles from the flue gases produced by the RAW incinerator at the level of 99.9%. It emphasizes that, according to the data published in the assessment report of the proposed activity, this level of filtration efficiency does not apply to common pollutants such as PM, NO_x, SO₂, HCl, HF, TOC, CO, heavy metals and PCDD/Fs. In addition, the proposer states that "emissions of heavy metals and PCDD/Fs are determined at a frequency of once every 3 years". It considers such a frequency of determination of emissions of heavy metals and substances of the PCDD/F type (dioxins) to be severely insufficient. It therefore calls for the level of emissions of heavy metals and PCDD/Fs (dioxins) as well as all other pollutants to be monitored continuously.

Statement of the MoE SR, NP BWM Section, EIA Department :

The cleaning process of the flue gases leaving the BRWTC incineration plant consists of four cleaning stages:

- *A sleeve filter, the filter cloth of which ensures both the mechanical capture of fine ash particles drifting from the combustion chamber and the catalytic decomposition of PCDF substances (dioxins). The method used in the BRWTC incineration plant consists of two technologies, namely catalytic and surface filtration. The system consists of an ePTFE (polytetrafluoroethylene) membrane and a catalytic felt substrate. Catalytic felts decompose gaseous PCDF substances at low temperatures into trace amounts of H₂O, CO₂ and HCl. This technology has a PCDF capture efficiency of 99.95%. The flue gases at the outlet of this filter generally contain less than 0.06 ng/m³ of PCDF substances (the limit for a BTC incineration plant is 0.1 ng/m³). The effectiveness of this system has also been confirmed by periodic measurements of PCDF concentrations in the flue gas of the BRWTC incineration plant. The last measurement was carried out in July 2019 and the measured concentration of PCDF substances was 0.01 ng/m³.*
- *Acid reverse jet scrubber (wet flue gas cleaning method), containing a scrubbing liquid with a pH value from 1-3, designed to capture gases (NO_x, SO₂, HCl, HF, TOC, CO) in the flue gas and to capture the residual fraction of particulate matter (PM) and heavy metals.*
- *Alkaline reverse jet scrubber, containing a scrubbing liquid with a pH value of 6–8, designed to capture the residual fraction of gases, PM and heavy metals.*
- *A set of HEPA filters that serve to capture mechanical particles that might still remain in the flue gases after all the previous cleaning steps. Only the flue gases cleaned in this way are discharged into the ventilation stack of the BRWTC incineration plant.*

From the aforementioned follows that the statement "flue gas filtration efficiency does not apply to common pollutants, heavy metals and PCDFs" is false.

The results of continuous measurements of NO_x, SO₂, HCl, HF, TOC, CO and PM concentrations as well as periodic measurements of heavy metals and PCDF concentrations confirm that the flue gas cleaning system is effective and efficient not only for the capture of radioactive substances but also for other pollutants.

As regards the frequency of periodic one-off measurements of the concentration of heavy metals and PCDFs, the proposer performs these measurements in accordance with the applicable limits and conditions approved by Decision No. 241/2019 of the Slovak Nuclear Regulatory Authority.

Objection No. 10 (on the manner of publishing a generally comprehensible final summary)

It objects to the correctness and manner of publication of the generally comprehensible final summary or its non-publication on the websites of the affected municipalities (Radošovce, Nižná and Malženice) prior to the first public hearing (August 2019).

Statement of the MoE SR, NP BWM Section, EIA Department:

On the basis of this objection, in order to ascertain accurately and completely the true state of affairs, the competent authority, pursuant to Article 32 of the Administrative Code, invited the affected municipalities to inform the competent authority of the fulfilment of its obligation under Article 34 (1) of the Act, in particular:

- *how they informed about the receipt of the assessment report of the proposed activity;*
- *how they have published a generally comprehensible final summary on the official notice board and on their website;*
- *how they communicated where and when the assessment report of the proposed activity can be consulted, where and when it is possible to make extracts or transcriptions*

thereof, etc.

The municipality of Malženice informed by letter No. MAL-859/2019-1 dated 31 October 2019 the competent authority that:

- *within three working days from the date of delivery of the assessment report of the proposed activity on 13*
13. August 2019 it informed the public of the delivery of the assessment report of the proposed activity, and at the same time
 - *it published a generally comprehensible final summary during 30 days on the official notice board on 13 August 2019 posted on the official notice board, and on 12 September 2019 taken away from the official notice board;*
 - *it published a generally comprehensible final summary within 30 days on its website on 13 August 2019 published on the website until 12 September 2019;*
 - *it announced on the official notice board of the municipality and on its website where and when the assessment report of the proposed activity can be consulted, where and when it is possible to make extracts or transcriptions or make copies at one's own expense thereof, and within what period of time the public can submit comments, and indicated the place where comments can be submitted.*

The municipality of Radošovce informed by letter No. OcÚ/2019/252 dated 29 October 2019 the competent authority that:

- *within three working days from the date of delivery of the assessment report of the proposed activity on 13*
14. August 2019 it informed the public of the delivery of the assessment report of the proposed activity, and at the same time
 - *it published a generally comprehensible final summary during 30 days on the official notice board on 14 August 2019 posted on the official notice board, and on 14 September 2019 taken away from the official notice board;*
 - *it published a generally comprehensible final summary during 30 days on its website on 14 August 2019 (it was not taken away);*
 - *it announced on the official board of the municipality and on its website where and when the assessment report of the proposed activity can be consulted, where and when it is possible to make extracts or transcriptions or make copies at one's own expense thereof, and within what period of time the public can submit comments, and indicated the place where comments can be submitted.*

The municipality of Nižná informed by letter No. 114/2019 dated 30 October 2019 the competent authority that:

- *within three working days from the date of delivery of the assessment report of the proposed activity, on 13 August 2019 it informed the public of the delivery of the assessment report of the proposed activity and at the same time:*
 - *it published a complete assessment report of the proposed activity and a generally comprehensible final summary within 30 days on the official notice board*
 - *the date of posting on the official notice board: 13 August 2019*
 - *the date of taking away from the official notice board: 13 September 2019*
 - *it announced on the official notice board of the municipality where and when the assessment report of the proposed activity can be consulted, where and when it is possible to make extracts or transcriptions or make copies at one's own expense thereof, and within what period of time the public can submit comments, and indicated the place where comments can be submitted.*

Based on insufficient information to the public about the received assessment report of the proposed activity, especially insufficient way of publishing a generally comprehensible final summary, the municipality of Nižná based on the call of the competent authority No. 1101/2019-1.7/zg (5914/2019) of 12 November 2019 repeatedly provided information to the public on the delivery of the assessment report of the proposed activity and published a generally comprehensible final summary for a period of min. 30 days in accordance with Article 34 of the Act.

On the basis of the above, the competent authority states that the aforementioned affected municipalities have complied with their obligations under Article 34 (1) of the Act.

Objection No. 11 (on the planned exceeding of the assessed limit for RAW incineration)

"Table A.II.10./05 in the assessment report of the proposed activity states that the proposer plans to treat a total of 500 tons of RAW by incineration in 2020 and a total of 610 tons of RAW in 2021. It calls for the proposer to clarify how it plans to achieve the incineration of the mentioned volumes of RAW if the technological capacity of the old (PS 06) and new (PS 45) incineration plant is 240 t/year, which gives a total of 480 t/year, which is less than 500 t/year or 610 t/year. It requests that the final opinion on the proposed activity includes the conditions that the proposer must not treat by incineration more than 240 t of RAW per year at each of the incineration plants PS 06 and PS 45 (at both plants combined max. 480 t per year)

Statement of the MoE SR, NP BWM Section, EIA Department:

This request has been resolved in the expert opinion which states that there was a summation error in the calculations when entering the data into the spreadsheet during the preparation of the assessment report for the proposed activity. The public was also informed of this error at a public hearing in Veľké Kostoľany. The corrected table was also sent to the Nuclear Regulatory Authority of the Slovak Republic, which was alerted to this fact and it was confirmed several times that the assessed combustion capacity is max. 480 t/year.

The subject of the proposed activity is the parallel operation of incineration technologies PS 06 in structure 808 of the BRWTC and PS45 in structure 809 with an annual treatment capacity of 240 t/year for each incineration plant. When both incinerators are operated simultaneously, the total annual treatment capacity for RAW incineration activities within the NI RAW TCT will be 480 t/year. In this final opinion, the competent authority approved the implementation of the proposed activity in the range of 480 t/year, i.e. 240 t/year for each incineration plant (see approved variant).

Control over compliance with the above capacity will be the responsibility of the NRA SR, and if the proposer wishes to increase its combustion capacity, this increase will constitute a change in the proposed activity within the meaning of the Act, for which it will be necessary to carry out the screening process under the Act.

Objection No. 12 (on the assessed limit for RAW treatment by incineration)

The proposer worked in the plan with the assessed limit for the treatment of RAW by incineration at the level of 500 t per year for variant No. 1. However, in the assessment report of the proposed activity, the values of 480 t per year are given for the proposed activity. It asks for an explanation what assessed limit is requested by the proposer and whether all estimates of the expected effects from the treatment of RAW by incineration relate to the assessed limit of 480 t/year or 500 t/year.

Statement of the MoE SR, NP BWM Section, EIA Department:

The expected effects from the treatment of RAW by incineration apply to the limit of 480 t/year (240 t/year shaft furnace, 240 t/year rotary kiln). The assessed limit for RAW treatment

by incineration is 480 t/year. In this final opinion, the competent authority approved the implementation of the proposed activity in the amount of 480 t/year, i.e. 240 t/year for each incineration plant (see approved variant).

Objection No. 13 (on informing the public)

It requests that the terms of the final opinion state the following conditions:

- the proposer shall publish on its website a summarizing technical report of the project documentation of the new incineration plant (PS 45) for the general public, making it available over a long period. The construction and building approval procedure for a new incineration plant shall include the condition that the plant can treat a maximum of 240 t of RAW per year;

Statement of the MoE SR, NP BWM Section, EIA Department:

The summarizing technical report of the new incineration plant cannot be made public as it is the designer's know-how and could also compromise nuclear safety. The competent authority has therefore made it a condition that the proposer publishes on its website only a basic description of the new incineration plant and a basic diagram of the combustion process. The subject of optimisation of RAW incineration capacities is the parallel operation of incineration technologies PS 06 in structure 808 of the BRWTC and PS 45 in structure 809 with an annual treatment capacity of 240 t/year for each incineration plant. In this final opinion, the competent authority approved the implementation of the proposed activity in the amount of 480 t/year, i.e. 240 t/year for each incineration plant.

- the proposer shall provide on its website and to all affected municipalities, at monthly intervals, an overview of the RAW treated by incineration on a monthly basis (in particular data on the type, quantity and radioactivity of the incinerated RAW and its origin, the quantity and activity of the ash produced and an indication of the incineration plant at which the RAW was treated). Along with the report for the current month, the archive of reports from previous months will always be freely accessible in the same way, starting with the report no later than for the first month following the month in which the final opinion becomes valid. The proposer shall also make available the above data from the previous period starting in January 2013, if available. Data on foreign RAW treated by other means (e.g. remelting) will be published in a similar way;
- the proposer will provide on its website and to all affected municipalities at monthly intervals an overview of discharges into the atmosphere and hydrosphere with an indication of the guideline value of discharges, real discharges, compliance with the annual limit, max. measured values of total daily discharges in a given month for all types of discharged harmful substances, specifically radioactive nuclides, harmful gases, heavy metals and dioxins. Discharge data must be sorted by source. Along with the report for the current month, the archive of reports from previous months will always be freely accessible in the same way, starting with the report no later than for the first month following the month in which the final opinion becomes valid. The proposer shall also make available the above data from the previous period starting in January 2013, if available.

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority has taken those requirements into account in determining the conditions set out in Chapter IV point 3. of this final opinion. However, the competent authority sees no reason to publish data from 2013 onwards as the whole process of optimisation of the treatment capacities of the technologies of JAVYS, a.s. will be implemented only after the validation of this final opinion and after the issuance of the decision of the Nuclear Safety

Authority of the Slovak Republic for permanent operation. Discharges into the hydrosphere and atmosphere are published at present in the State of the Environment Reports (annually) and EcoInformation (monthly) on the proposer's website. There is also information from 2013 onwards there.

- Each year, the proposer shall publish on its website an updated plan for the treatment of RAW by incineration, by remelting or in any other ways (for each method individually) for the next 5 years, so that it is accessible to the general public for consultation for a long time. This plan will contain, in particular, data on the amount and activity of the treated RAW, and these data will be sorted by source (V1, A1, EMO, EBO) and country of origin;

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority has taken those requirements into account in determining the conditions set out in Chapter IV point 3. of this final opinion. The above data can be published with a maximum of one year in advance, as both planned and unplanned shutdowns of technological equipment occur in the course of operation and the indicated RAW treatment assumptions by individual producers may vary slightly over the years.

- The final products of the treatment of foreign RAW by the proposer must be exported back abroad within 1 year from the date of import of this foreign RAW into the territory of the Slovak Republic;

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority has incorporated that requirement in the conditions set out in Chapter IV point 3. of this final opinion.

- The treated RAW of foreign origin may not be mixed with RAW of domestic origin at any stage of treatment.

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority has incorporated that requirement in the conditions set out in Chapter IV point 3. of this final opinion.

- Any contract on the import and the treatment of foreign RAW by the proposer must contain the consent of the proposer as well as other contracting parties to the publication of data under the above conditions.

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority has taken that requirement into account in determining the conditions set out in Chapter IV point 3. of this final opinion.

Objection No. 14 (on the treatment of RAW at the incineration plant PS 06)

It requests that the conditions of the final opinion on the proposed activity stipulate that only domestic RAW contaminated with alpha nuclides can be incinerated at the old PS 06 incineration plant after the construction of the new PS 45 incineration plant.

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority has taken that requirement into account in determining the conditions set out in Chapter IV point 3. of this final opinion.

Objection No. 15 (on disregard of certain facts in the public health impact assessment)

The public health impact assessment, in the section "V 3. Soil pollution", states "The

affected territory does not show anomalous content of contaminants in the soil" and "Monitoring results confirmed that the contents of natural and artificial radionuclides in the soil are close to the average content for the whole region, without distinguishable anomalies caused by the operation of the NF Jaslovské Bohunice". It states that these statements cannot be considered true, as they completely ignore e.g. radioactive contamination of the banks and riverbed of the Manivier Canal (which is owned by the proposer) and the Dudváh watercourse due to the leakage of radioactive substances from the Jaslovské Bohunice nuclear site, specifically the A1 power plant area.

At the beginning of the 1990s, the level of radioactivity of the soil was detected at the level of about 200 kBq/kg in some sections; it was considered to remove about 13,000 m³ of contaminated soil, which did not happen. Thus, the contaminated soil is still in the locality, which was also confirmed by measurements in May and June 2019, when the maximum activity levels were found to be at the level of approximately 10 kBq/kg. Due to the half-life of the ¹³⁷Cs isotope (approximately 30 years), which is the majority source of measured activity, and the more than twentyfold decrease in the level of measured activity between the early 1990s and the present, it can be concluded that radionuclides spread or have spread outside the originally contaminated areas further into the environment, otherwise the decrease should be only about twofold. According to available information, the limit value for radioactivity for release into the environment is 100 Bq/kg. It considers the above to be a serious shortcoming of the public health impact assessment and calls for a new assessment to be carried out in the light of the above facts.

Section "VIII 3.1 Routes of exposure" states *"The dermal and oral routes of exposure have not been considered due to the properties of the evaluated chemicals and the source of exposure."*

It calls for a deeper justification as to why only the inhalation route of exposure was only considered in the public health impact assessment or for the supplementation of the public health impact assessment with other routes of exposure, specifically the oral route of exposure.

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority considers it to be true that neither the Public Health Impact Assessment nor the assessment report for the proposed activity address radioactive contamination of the banks and bed of the Manivier Canal and the Dudváh watercourse. However, it should also be noted that the contamination of a selected portion of the banks and bed of the Manivier Canal has been present since 1978 and is not at all related to the proposer's activities. Since 1992, no technological and low-activity wastewater has been discharged into the Manivier Canal, which discharges into the Dudváh recipient. Only stormwater from the surface run-off, the presence and intensity of which depends on rainfall activity, is discharged into the Manivier Canal from the proposer and Slovenské elektrárne, a. s. On the basis of these facts, there was no reason to include them in the assessment of public health impacts.

Based on public doubts regarding the condition of the banks of the Manivier Canal, the proposer conducted bank monitoring between May and July 2019. The presence of the radionuclide ¹³⁷Cs above the limit for the release of materials into the environment (100 Bq/kg) was detected only in one section in the out-of-the town area, outside the built-up area of the municipality of Žilkovce. The detected radionuclide presence is in the form of small localised patches unevenly distributed along both banks of the Manivier Canal (past cleaning of the Canal). According to the calculation scenarios of the assessment of radiological risks for the population (hunter, farmer, general public, worker providing maintenance of bank vegetation - mower), it can be concluded that the radiation situation on the banks of the Canal does not require the implementation of any measures and there is no risk of receiving a dose for people moving on the banks and in the vicinity of the Manivier Canal, nor for workers providing

maintenance of the Canal banks. In none of the calculated residence scenarios, based on real monitoring results and the model situation, it is not possible to reach or exceed the annual per capita effective dose limit of 1 mSv set by Act No. 87/2018 Coll. on radiation protection.

The monitoring samples were evaluated in July 2019, and therefore it was not possible to provide updated data to RNDr. Drastichová, who prepared the Public Health Impact Assessment Report in May 2019.

The impacts of the activities assessed in the assessment report of the proposed activity have been evaluated in terms of gaseous discharges into the atmosphere, as the direct impact of the assessed activities on the hydrosphere and the pedosphere is not demonstrable. A contribution to discharges of radioactive substances into the hydrosphere is not considered in relation to the proposed changes. For this reason, only an exposure assessment by inhalation route has been carried out. The so-called HIA report was prepared by a professionally competent person whose methodology of preparation is not influenced by the proposer.

Objection No. 16 (on the manner of publishing a generally comprehensible final summary)

On the basis of screenshots of 12 September 2019, 26 November 2019 and 10 December 2019 of the website of the municipality of Radošovce (obecradosovce.sk) and the municipality of Malženice (malzenice.esmao.sk) it considers that these municipalities did not meet the condition of publishing a generally comprehensible final summary of the assessment report (hereinafter referred to as "GCFS") pursuant to Article 34 (1) of the Act (before the repeated public hearing in December 2019). It therefore requests that the competent authority re-examine whether the municipalities of Malženice and Radošovce have complied with the legal condition for the publication of GCFS on their website.

Statement of the MoE SR, NP BWM Section, EIA Department:

Publication of the GCFS falls within the competence of the affected municipality in accordance with the law. The municipalities of Radošovce and Malženice have sent a letter to the competent authority informing about the publication of the GCFS. The municipality of Malženice informed by letter No. MAL-859/2019-1 dated 31 October 2019 that it published a generally comprehensible final summary during a period of 30 days on the official notice board and on its website, from 13 August 2019 to 12 September 2019. The municipality of Radošovce informed by letter No. OcÚ/2019/252 dated 29 October 2019 that it published a generally comprehensible final summary during a period of 30 days on the official notice board and on its website, from 14 August 2019 to 14 September 2019.

On the basis of the above, the competent authority states that the aforementioned affected municipalities have complied with their obligations under Article 34 (1) of the Act.

17. Information on the ongoing "Petition against the import and treatment of foreign radioactive waste in the territory of the Slovak Republic"

As a representative of the Petition Committee of the ongoing "Petition against the import and treatment of foreign radioactive waste in the territory of the Slovak Republic", it would like to inform that this petition has already been electronically supported by more than 1,600 people.

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority takes note of this comment. The petition was delivered to the Ministry of Environment of the Slovak Republic, Department of Complaints and Petitions. The competent authority has duly dealt with the requirements set out in the petition in this final opinion, see below.

Citizens' Initiative

- requests that the proposed activity be implemented in variant No. 0, in which the limit for the treatment of RAW by incineration in the amount of 240 t/year and the limit for the treatment of metallic RAW by remelting in the amount of 1,000 t/year are maintained.
- It requests that the proposer be prohibited from the treatment of RAW of foreign origin in any way at the locality of Jaslovské Bohunice. It calls for the requirements to be enshrined in the final opinion on the proposed activity.

Statement of the MoE SR, NP BWM Section, EIA Department:

In particular, the purpose of the Act is to identify, describe and evaluate the direct and indirect impacts of the proposed activity on the environment, explain and compare the advantages and disadvantages of the proposed activity, including in comparison with the zero variant. As no facts were found during the environmental impact assessment process that would seriously endanger any of the environmental components or the health of the inhabitants of the affected municipality, the competent authority approved the implementation of the proposed activity subject to the implementation of the conditions set out in Chapter VI.3. of this final opinion. Also, neither in the actual opinions received on the assessment report of the proposed activity no adequate supporting documents were submitted to demonstrate that the proposed activity would have a significantly negative impact on the environment. The competent authority also sent the assessment report of the proposed activity to the competent authorities in the field of environmental protection for taking an expert opinion, which did not have any major objections to the proposed activity, the proposed activity is thus, according to the competent authority, feasible and acceptable from the environmental point of view.

The competent authority cannot interfere with or restrict the business activities of the proposer in the framework of the environmental impact assessment if it has not been demonstrated that its activities would have a significantly negative impact on the environment. Also under the Constitution of the Slovak Republic, everyone has the right to a free choice of profession and training for it, as well as the right to engage in business and other gainful activity.

Therefore, the competent authority did not accept the requirements.

- the opinion raises 9 objections, which are identical in content with objections 1 to 9 mentioned in the opinion of M. Daniška.

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority has duly dealt with the objections in this final opinion, see above as part of dealing with M. Daniška's comments (1 to 9).

Petition

- they fundamentally disagree with the import, treatment or conditioning of RAW of foreign origin in the territory of the Slovak Republic. They express disagreement for all categories of RAW and all forms of its treatment, especially incineration;
- they request the competent authority to determine in the process of assessing the impacts of the proposed activity that the proposed activity is to be implemented in variant No. 0 and further to determine that in the locality of Jaslovské Bohunice it is prohibited to treat RAW of foreign origin in any way;

Statement of the MoE SR, NP BWM Section, EIA Department:

In particular, the purpose of the Act is to identify, describe and evaluate the direct and

indirect impacts of the proposed activity on the environment, explain and compare the advantages and disadvantages of the proposed activity, including in comparison with the zero variant. As no facts were found during the environmental impact assessment process that would seriously endanger any of the environmental components or the health of the inhabitants of the affected municipality, the competent authority approved the implementation of the proposed activity in variant No. 1 subject to the implementation of the conditions set out in Chapter VI.3. of this final opinion. The competent authority cannot interfere with or restrict the business activities of the proposer in the framework of the environmental impact assessment if it has not been demonstrated that its activities would have a significantly negative impact on the environment. Also under the Constitution of the Slovak Republic, everyone has the right to a free choice of profession and training for it, as well as the right to engage in business and other gainful activity. Therefore, the competent authority did not accept the requirements.

- they request to propose and adopt such legislative changes and modifications that will prohibit the import of RAW of foreign origin into the Slovak Republic and the treatment and conditioning of RAW of foreign origin in the territory of the Slovak Republic, namely RAW of all types and all forms of its treatment and conditioning.

Statement of the MoE SR, NP BWM Section, EIA Department:

The legislative requirements are not at issue in these proceedings and are therefore considered irrelevant by the competent authority.

With regard to the comments and requests set out in the decision documents (abbreviated), the MoE SR, NP BWM Section, EIA Department, states as follows:

Town of Vrbové:

- In Chapter "V.2. SELECTION OF THE OPTIMAL VARIANT OR DETERMINATION OF THE ORDER OF

SUITABILITY FOR THE CONSIDERED VARIANTS" of the assessment report of the proposed activity the reasons are insufficiently (or not at all) described on the basis of which the numerical weights were assigned to the impacts on the individual environmental components for the evaluated variants (Table C.V.2. Comparison of suitability of the zero variant and variant No. 1 of the proposed activity). It asks that they be supplemented and also that the above table be reviewed, as there are currently a number of misleading assessments there. For example the use of treatment capacities is rated +2 for the current state and the planned expansion is rated +5 (why are we expanding capacities if, according to this assessment, they are not sufficiently used at present?). The town of Vrbové is of the opinion that the quality of the preparation of the documents (the assessment report of the proposed activity) does not allow the competent authority to make a sufficiently qualified decision in this matter and requests the supplementation of these documents with the above-mentioned facts.

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority agrees with the opinion of the town of Vrbové, admits that subjective factors are also involved in the impact assessment or in the preparation of the table comparing the suitability of variants. However, the table, which bears the hallmarks of subjectivity, forms only part of the decision document. At the same time, the MoE SR, NP BWM Section, EIA Department as a competent authority is not bound only by the proposals of the party to the proceedings, i.e. the proposer, when making a decision. The competent authority, after a thorough study and comprehensive assessment of all the decision documents, in particular the assessment report of the proposed activity, the expert opinion and also other opinions, is of the opinion that the proposed activity, even with regard to the increased outputs, is acceptable from the point of view of environmental impacts, i.e. it does not demonstrate a significantly adverse impact on the environment; the implementation of the proposed activity

will not exceed the limits resulting from the legislation.

- The author of the assessment report of the proposed activity evaluates only one variant of the proposed activity. The location of the activity reportedly does not allow for another zoning variant. It therefore also asks for the assessment to be supplemented by an alternative technological variant for the activity, which is the modernisation of the current treatment capacities without increasing their capacity.

Statement of the MoE SR, NP BWM Section, EIA Department:

The assessment report of the proposed activity was prepared based on the determined scope of the assessment of the proposed activity (letter No. 1101/2019-1.7zg, 5257/2019, 5258/2019-internal dated 28 January 2019), in which it was determined that a thorough assessment of the zero variant and variant No. 1 mentioned in the plan was identified for further, more detailed assessment of the impacts of the proposed activity. It was possible to comment on the given scope of the assessment of the proposed activity, but nobody took this opportunity. At this step, it is no longer possible to add another variant of the proposed activity. Therefore the competent authority considers the requirement in question to be irrelevant.

Town of Piešťany, town of Vrbové, Municipality of Veľké Kostoľany

- They request access to the decision documents in electronic form

Statement of the MoE SR, NP BWM Section, EIA Department:

Pursuant to the provisions of Article 33 (2) of the Administrative Procedure Code, the administrative authority is obliged to give the party to the proceedings the opportunity to comment on the basis of the decision and the manner in which it was arrived at, or to propose that it be supplemented before the decision is issued, while the above provision does not regulate the legal obligation of the administrative authority to acquaint the party to the proceedings with the decision document, or on its own initiative to make a copy of the administrative file and to send it to the party to the proceedings for comments.

Pursuant to Article 23 of the Administrative Procedure Code, the right to inspect files is a procedural manifestation of the right of the person concerned to have access to information in administrative proceedings, namely to the information that the file should - in view of its purpose - contain. The parties to the administrative procedure are obliged to demonstrate an active approach and an interest in the fair conduct of the entire administrative procedure. It is therefore on the parties to the proceedings to exercise their right to inspect the file and to acquaint themselves with the documents or, where appropriate, to request a copy of the file when inspecting it.

It follows from the foregoing that the administrative authority is not obliged to send the requested documents for the decision to a party to the proceedings on the basis of a request made by the party to the proceedings within the meaning of the Administrative Procedure Code and that this does not negate the basic principles of administrative proceedings, such as the principle of active cooperation of the parties to the proceedings and the principle of substantive truth. The rights of a party to the proceedings would be violated by the administrative authority only if the administrative authority did not allow the party to the proceedings to inspect the file or if it issued a decision on the merits of the case without informing the parties to the proceedings and the interested parties of the conclusion of the evidence and the opportunity to comment on the documents collected.

This request for electronic transmission of the file material is considered by the competent authority to be unjustified. The competent authority considers that the failure to provide the documents procured in the framework of the administrative proceedings in the form of a copy and sending a copy thereof, or the file material in electronic form, does not deny the party to

the proceedings the right to comment on the grounds of the decision pursuant to Article 33 (2) of the Administrative Procedure Code.

Joint opinion from the municipalities of Veľké Kosťany, Dubovany, Trebatice, Veselé, Šterusy, Vrbové, Ratnovce, Bašovce, Drahovce, Borovce, Dolný Lopašov

In order to ascertain accurately and completely the actual state of the matter pursuant to Article 32 of the Administrative Procedure Code, the competent authority, in accordance with Article 32 (1) of the Administrative Procedure Code, requested additional information from the proposer and the author of the expert opinion to clarify the conditions below resulting from the joint opinion of the municipalities. On the basis of their comments, the competent authority comments as follows:

1. The author of the expert opinion is a long-time employee of VÚJE a.s. It can be assumed that this company has an interest in the implementation of the proposed activity as it can be a technology supplier for the BRWTC. Based on the above, the municipalities suspect that the author of the expert opinion may have a conflict of interest with respect to the assessment of the proposed activity.

Statement of the MoE SR, NP BWM Section, EIA Department:

Pursuant to Article 36 of the Act, only a natural person or a legal person who is professionally qualified pursuant to Article 61 of the Act, designated by the competent authority, may prepare an expert opinion on the proposed activity. The competent authority has appointed the author of the expert opinion on the basis of his theoretical knowledge and practical experience in the relevant field of activity. The competent authority draws attention to the act which stipulates that an expert opinion cannot be prepared by a person who has participated in the preparation of the plan, the assessment report of the proposed activity or the notification of a change in the proposed activity, which has been complied with in this procedure. The competent authority, despite the fact that it is not required by law to ascertain whether a competent person has a conflict of interest, is of the opinion that the expert opinion, despite its formal shortcomings, has been sufficiently prepared without any indication of bias. The author of the expert opinion prepared the opinion as a natural person, not as an employee of VÚJE a.s., and therefore the competent authority considers the objection to be irrelevant.

2. Contents of Chapter II. B *Evaluation of opinions pursuant to Article 35 of the Act* shows a number of serious shortcomings in terms of objective, impartial and comprehensive evaluation of opinions. In that chapter, the author of the expert opinion uses the term "assessor's statement" in some parts of the response to the opinions and the term "opinion" elsewhere. They further note that, for example, the opinion of the author of the expert opinion on Mr Daniška's objections No. 1 and 2 shows an unacceptably high degree of consistency with the response to these objections presented by the proposer already in September 2019. The municipalities therefore suspect that the parts of the assessment labelled "opinion" are not the result of an independent and impartial analysis of the objections raised. In terms of content, it can further be noted that there is a fundamental argumentative inconsistency between number of objections raised and the responses thereto, and that a number of substantive parts of the objections raised have remained unaddressed.

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority is of the opinion that the author of the expert opinion has sufficiently assessed the opinions. Chapter II. B Evaluation of opinions pursuant to Article 35 of the Act has some formal deficiencies, but the author of the expert opinion has dealt properly with each opinion. The author of the expert opinion has the right to request additional information from the proposer, and also has the right to identify with its opinion, so from the above it may appear that the given opinion is identical with the proposer's statement. The expert

opinion is only part of the decision documents, the final opinion on the comments made in the opinions is held by the competent authority, which has duly evaluated them in the final opinion in question.

3. In the section "*Conclusion on the assessment of the opinions*", the author of the expert opinion explicitly states in the case of the municipality of Ostrov that this municipality withdrew its negative opinion from the joint opinion of 15 municipalities. At the same time, however, in the case of the Association of Towns and Municipalities of Jaslovské Bohunice, the author of the expert opinion provides only information on the positive opinion of 28 October 2019, but not on the negative opinion of 12 September 2019, this practice of explicitly stating in one case that the position has changed from negative to positive, but in the other case there is no information about the initially negative position, can be considered as an indication of bias.

Statement of the MoE SR, NP BWM Section, EIA Department:

In particular, the expert opinion should evaluate the current opinions. Opinions which have been superseded by another opinion thereby become irrelevant. The final opinions of the municipality, or the Association of Towns and Municipalities of Jaslovské Bohunice are therefore given in the conclusion of the expert opinion. The competent authority considers the objection to be irrelevant.

4. The opinions are presented in an illogical order in the expert opinion. Opinions favouring variant No. 1 are given at the top of the list. At the same time, in the section "*opinions of the public*", the author of the expert opinion included only the opinions of M. Daniška and M. Molda, while also e.g. professional organizations, the municipalities of Špačince, Červeník, Chtelnica, or the Association of Towns and Municipalities of Jaslovské Bohunice represent only the public and not the affected authority. The above can be considered as an indication of bias in the expert opinion.

Statement of the MoE SR, NP BWM Section, EIA Department:

It is up to the decision of the author of the expert opinion in what order to present the opinions. The author of the expert opinion drew up the opinions in the following order: the authorising authority, the departmental authority, the affected authority, the affected municipality, and the public. Civic associations and municipalities, which were not defined as affected but only as parties to the proceedings, were inadvertently not included among the public, but this is merely a formal error. The main objective of this chapter is to present the opinions received on the assessment report of the proposed activity and their subsequent evaluation. That chapter is, in the opinion of the competent authority, sufficiently drafted without any indication of bias. At the same time, the formal deficiencies in question had no impact on the decision of the competent authority in the case.

5. The author of the expert opinion states on Mr Daniška's objection No. 1 as follows: "*The maximum assessed capacity of 480 t/year is assessed from the point of view of the designed technological capacity - the theoretical maximum value, since the operated incinerator PS 06, in which waste contaminated with alpha radionuclides will be treated, has, according to previous experience, a realistic max. treatment capacity of 150 t/year. We also anticipate that the designed annual treatment capacity of the rotary incineration kiln will not be realistically achievable and will be in the range of 180–200 t of treated RAW per year*".

This statement of the expected maximum quantities of RAW treated by incineration is fundamentally at variance with the figures given in Table A.II.10./05 (and its corrected version). In the case of the proposer's conservative estimate of $1\text{m}^3 = 1\text{ t}$, then the proposer, according to the corrected version of the table, plans to burn 460.9 t of RAW in 2020, 423.1 t of RAW in 2021 and 446 t of RAW in 2022. These values far exceed the realistic maximum total annual

treatment capacity of the two incinerators of 330–350 t as stated by the proposer, on the contrary, they are very close to the assessed limit of 480 t of RAW.

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority acknowledges that there may have been errors within the table, but it should be borne in mind that the overall assessment of the proposed activity contemplates the incineration of up to 480 t of RAW per year, so that the proposer's operation of the incinerators may be at any capacity that does not exceed 480 t. The MoE SR also refers to the dispersion study which considered the incineration of 480 t of RAW per year and concluded that the proposed activity, in its proposed composition and expected mode of operation, does not have a significant impact on air quality in the monitored area and that the proposed activity, as proposed, will not cause a significant deterioration in the existing air quality in the assessed area.

6. In Table A.II.10/05 (both the original and the corrected versions), the proposer provides an apparently unrealistic plan for the treatment of RAW by incineration for 2019 of 343.7 t of RAW. The proposer must have known that it would not be able to burn those volumes, since it had not yet built, let alone put into operation an incineration plant. At the public hearing held on 16 December 2019 it was presented that only 100 tons will be burned at the old incinerator in 2019. On the basis of the above, they conclude that requirement 2.2.4. (*to describe in more detail the treatment capacities and the expected annual quantity of treated RAW for the proposed variant*) from the scope of the assessment of the proposed activity has not been fulfilled.

Statement of the MoE SR, NP BWM Section, EIA Department:

The 2019 Annual Report, which is published on the proposer's website, provides an overview of the quantities of RAW treated and conditioned in 2019. The table provides information on the amount of solid and liquid RAW incinerated - the total amount is 86.888 t of solid RAW and 21.113 m³ of liquid RAW. The competent authority considers that point 2.2.4 identified in the scope of the assessment has been met, even though the 2019 combustion in that table contained data that is now out of date. The competent authority does not consider the given information in the table to be a fundamental error as it does not affect the proposed activity itself, which is the subject of the environmental impact assessment.

7. The author of the expert opinion states on Mr Daniška's objection No. 1 as follows: "*The technological equipment of the PS 06 BTC incineration plant has been able to treat an average of 130 t of combustible RAW per year in its current operation*". The proposer's statement contradicts the proposer's previous statements, where it states that the real capacity of the old PS 06 incineration plant was at max. 130 tons of RAW per year.

Statement of the MoE SR, NP BWM Section, EIA Department:

According to the proposer's statistics to date, 126 t/year of RAW was incinerated from 2007 to 2019. Information on the quantity of RAW incinerated each year is provided in the annual report, which is published on the proposer's website. The above inconsistencies do not affect the object of the proposed activity, which is to burn 480 t/year at the facilities.

8. On this point, the municipalities question the need to increase the limit for incineration from 240 t to 480 t per year and the need to build a new combustion plant for the treatment of RAW of domestic origin. The municipalities rely on the national strategic document in the field of RAW management, which is the National Policy and Programme for Spent Nuclear Fuel and Radioactive Waste Management in the Slovak Republic.

9. They seriously suspect that the proposed capacity increase is not motivated by the needs of the Slovak Republic, but by the proposer's desire to create "spare capacity" that could be used

for the treatment or incineration of foreign RAW on a commercial basis.

Statement of the MoE SR, NP BWM Section, EIA Department on points 8 and 9:

In particular, the purpose of the Act is to identify, describe and evaluate the direct and indirect impacts of the proposed activity on the environment, explain and compare the advantages and disadvantages of the proposed activity, including in comparison with the zero variant. As no facts were found during the environmental impact assessment process that would seriously endanger any of the environmental components or the health of the inhabitants of the affected municipality, the competent authority approved the implementation of the proposed activity subject to the implementation of the conditions set out in Chapter VI.3. of this final opinion. Also, neither in the opinions received on the assessment report of the proposed activity no adequate supporting documents were submitted to demonstrate that the proposed activity would have a significantly negative impact on the environment. The competent authority also sent the assessment report of the proposed activity to the competent authorities in the field of environmental protection for taking an expert opinion, which did not have any major objections to the proposed activity, the proposed activity is thus, according to the competent authority, feasible and acceptable from the environmental point of view.

The competent authority cannot interfere with or restrict the business activities of the proposer in the framework of the environmental impact assessment if it has not been demonstrated that its activities would have a significantly negative impact on the environment. Also under the Constitution of the Slovak Republic, everyone has the right to a free choice of profession and training for it, as well as the right to engage in business and other gainful activity.

10. It objects to the requirement stating that foreign RAW will be treated additionally, in order to efficiently use available capacities in the maximum amount of 30% of treatment capacities. This share for the proposed activity (variant No. 1) represents a RAW treatment capacity of 3.799 t/year, and therefore even if 480 t/year of foreign RAW were hypothetically incinerated, the condition of a maximum 30% utilisation of the treatment capacity for foreign RAW would still be fulfilled.

Statement of the MoE SR, NP BWM Section, EIA Department:

The requirement that foreign RAW will be treated additionally, in order to efficiently use the available capacities up to a maximum of 30% of the treatment capacities, resulted from the position of the Association of Towns and Municipalities, Region of NPP Jaslovské Bohunice and the Joint Position of the Municipalities of Jaslovské Bohunice, Pečeňady, Malženice, Radošovce, Dolné Dubové. This requirement was subsequently incorporated by the author of the expert opinion as one of its recommended conditions in the expert opinion. Considering that the environmental impact assessment procedure did not show that the proposed activity would have a significantly negative impact on the environment, the competent authority does not have the authority to restrict the proposer in its activities. It does not, of course, restrict the proposer from reconsidering the quantities of foreign RAW it will process at its facility in the context of good relations with surrounding municipalities and the public.

11. The author of the expert opinion states on Mr Daniška's objection No. 1 as follows: "More than 18 years have elapsed since the current requirement to increase RAW incineration capacity as part of the new EIA process and so this cannot be considered a salami tactics by any means." They consider this statement to be misleading, as a final opinion was issued in 2014, in which all technologies within the BRWTC were assessed and for which the 240 t/year limit was also assessed. Thus, the new request for an increase of capacity did not come after more than 18 years, but after about 4 years. As another example of the salami tactics it considers a procedure that could lead to an effective circumvention of the conditions of Decision No.

2764/2019-1.7/zg-R of

22 February 2019, in particular the condition "*Not to treat in any way foreign RAW at the new combustion plant under construction*". The final opinion on the proposed activity in question will thus also replace the decision on the new incineration plant and the condition prohibiting the treatment of foreign RAW will thus disappear. Thus, the objection of the salami tactics in this case is that the project to build a new incineration plant for the incineration of foreign RAW is divided into at least two parts. First, the construction of a new incineration plant for Slovak RAW only is permitted, on the basis of this permit the plant is built, but at the moment when it is already put into operation or ready for putting into operation, there is an effort to allow the incineration of foreign RAW as well.

Statement of the MoE SR, NP BWM Section, EIA Department:

The incineration plant with a capacity of 240 t/year was built and put into operation in 2000 when it received the approval decision. The above mentioned incineration plant was subsequently additionally assessed with other activities within the environmental impact assessment process according to the law, which resulted in the Ministry of Environment of the Slovak Republic issuing the final opinion No. 2276/2014-3.4/hp dated 14 November 2014. Thus, the competent authority does not consider the increase of incineration capacity to be a salami tactics.

The MoE SR, NP BWM Section, EIA Department considers it a "salami tactics" when the proposer attempts to circumvent law by permitting its activity "in stages" so that, in accordance with Annex 8 of the Act, the proposed activity with its parameters does not reach the threshold values No. 8 of the Act, and thus the proposed activity would not be subject to the proceedings in accordance with the law, and the environmental impacts of the proposed activity would not be evaluated. In this case, the proposer was not attempting to circumvent law; the construction of the new incineration plant was the subject of separate proceedings where the environmental impacts were evaluated and the subsequent increase of capacity and the incineration of the foreign waste is the subject of an environmental impact assessment where the environmental impacts are also being evaluated in this case. Thus, in both cases, the environmental impacts were assessed even though the activities in question were carried out, in the so-called two processes.

12. With regard to Mr Daniška's objection No. 3, the author of the expert opinion states that the incineration plant capacity of 240 t x 2 does not automatically mean a twofold increase in discharges, as the new incineration plant has set limits that are 2 to 12 times lower and the amount of discharges will depend on the distribution of RAW to the individual incineration plants, which may mean that, even with a larger amount of RAW in the new incineration plant, the total emissions may be at a lower level than the current ones. They consider this statement to be misleading as the currently applicable limit of 240 t/year is not even half full (for 2019 it was about 100 t) and according to the declared plan of the proposer, the incineration plants should burn about 423–460 t/year in the period 2020–2022, i.e. about 200 t/year of RAW would have to be burned in the old incineration plant, which is twice the current volume. It is therefore logical to expect a twofold increase of real discharges from the old plant and to this the discharges from the new incineration plant of 240 t of RAW per year must be added.

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority notes that the proposer does not actually burn the maximum assessed capacity of 240 t/year at the old plant, and thus it may appear that increasing the capacity to 480 t will actually result in higher discharges into the air compared to the discharges that are currently discharged, e.g. at the claimed quantities of 100 t of burnt RAW/year. However, the proposer has a permitted incineration capacity of 240 t/year and therefore the highest possible treatment capacity must be taken into account in the

environmental impact assessment, thus ensuring that impacts are assessed for the so-called worst case scenario, i.e. the highest operation, i.e. the highest value of potential impacts. The environmental impact assessment assesses the impacts of the proposed activity (variant No. 1 with a capacity of 480 t) compared to the zero variant (with a capacity of 240 t). The zero variant is considered to be the capacity that has been assessed in the environmental impact assessment procedure and subsequently permitted by the Nuclear Regulatory Authority of the Slovak Republic. The competent authority states that the total discharges into the air will ultimately not exceed the limits set by the legislation, and therefore no negative impact of the proposed activity on air is expected.

13. At this point, the municipalities draw attention to the risks associated with the transport of RAW by trucks to and from Slovakia, as well as the emissions discharged into the air, dose rates and the future disposal of the treatment facilities. The assessment report of the proposed activity omits significant negative impacts caused by the future disposal of the treatment facilities.

Statement of the MoE SR, NP BWM Section, EIA Department:

When transporting RAW, only licensed transport equipment approved by the Nuclear Regulatory Authority of the Slovak Republic must be used, i.e. they are designed and calculated in such a way that they can handle the safe transport of these RAW not only in normal operation but also in case of emergency situations. The treatment of RAW at the technological facilities of the NI RAW TCT is only possible under the condition of compliance with the applicable limits and conditions and other related legislative requirements and internal regulations, irrespective of their origin. All legislative provisions of the Slovak Republic and regulations of the European Union must also be complied with when dealing with RAW originating from outside the Slovak Republic, one of the most important factors being the obligation of an absolute balance of imported and exported activity.

The subject of the proposed activity is to supplement the existing treatment capacities of a set of technologies for treatment and conditioning of radioactive waste located at the Jaslovské Bohunice site. Pursuant to Annex 12 of the Act, the assessment report of the proposed activity should evaluate the expected impacts caused during the construction and implementation of the proposed activity. Therefore, at this moment, the proposer is not obliged to evaluate the impact of the termination of the proposed activity associated with the disposal of the facilities and technologies that are the subject of the proposed activity in the assessment report of the proposed activity. In the event that the proposer will be ceasing its operations, such termination of the proposed activity that is associated with disposal, remediation, reclamation, or with more than one of these activities will be separately the subject of proceedings according to the law.

14. They do not agree with increasing the limit for RAW treatment, import and treatment of foreign RAW.

Statement of the MoE SR, NP BWM Section, EIA Department:

In particular, the purpose of the Act is to identify, describe and evaluate the direct and indirect impacts of the proposed activity on the environment, explain and compare the advantages and disadvantages of the proposed activity, including in comparison with the zero variant. As the environmental impact assessment process has not identified any facts that would seriously endanger any environmental component or the health of the inhabitants of the affected municipality, the competent authority agreed to the implementation of the proposed activity, subject to the implementation of the conditions set out in Chapter VI.3. of this final opinion. Also, neither in the opinions received on the assessment report of the proposed activity no adequate supporting documents were submitted to demonstrate that the proposed activity would

have a significantly negative impact on the environment. The competent authority also sent the assessment report of the proposed activity to the competent authorities in the field of environmental protection for taking an expert opinion, which did not have any major objections to the proposed activity, the proposed activity is thus, according to the competent authority, feasible and acceptable from the environmental point of view.

Town of Piešťany, letter dated 28 April 2020

In that letter, it reports on a contract between the proposer and Italy concerning the incineration of foreign RAW. In the submitted expert opinion, the town of Piešťany lacks justification of the necessary need for the construction of a new incineration plant, since, according to the town of Piešťany, this construction is unjustified.

The town of Piešťany is convinced that the requested capacity increase is not justified in terms of the needs of the Slovak Republic and is primarily motivated only by the proposer's side to create additional capacities for the purpose of treatment of foreign RAW. It categorically rejects the import and treatment of foreign RAW in this area. From a radiation protection point of view, it is important that profit cannot be more important than harm to the health of workers, the population and the environment. It considers it essential that the public and local authorities have the tools for effective public scrutiny of activities at the Bohunice nuclear complex and can participate fully and in a timely manner in the relevant proceedings.

It is clear from the proposer's statement on objections that the proposer admits that foreign RAW needs to be incinerated in the new incineration plant mainly because of the contamination of the PS 06 incineration plant with alpha nuclides, i.e. the proposer wants to put the new incinerator into operation only for commercial use and not for the use of RAW generated in nuclear facilities in the Slovak Republic. The assessment report of the proposed activity omits significant negative impacts caused by the future disposal of the facilities used for RAW disposal. The impact on the environment and, in the case of a radiation incident, the remediation of the consequences of the radiation incident are not sufficiently mentioned in the assessment.

The town of Piešťany does not agree with the import and subsequent treatment of RAW and the construction of a new incineration plant for the incineration of foreign RAW.

Statement of the MoE SR, NP BWM Section, EIA Department:

In particular, the purpose of the Act is to identify, describe and evaluate the direct and indirect impacts of the proposed activity on the environment, explain and compare the advantages and disadvantages of the proposed activity, including in comparison with the zero variant. As no facts were found during the environmental impact assessment process that would seriously endanger any of the environmental components or the health of the inhabitants of the affected municipality, the competent authority approved the implementation of the proposed activity subject to the implementation of the conditions set out in Chapter VI.3. of this final opinion. Also, neither in the actual opinions received on the assessment report of the proposed activity were adequate supporting documents submitted to demonstrate that the proposed activity would have a significant negative impact on the environment. The competent authority also sent the assessment report of the proposed activity to the competent authorities in the field of environmental protection for taking an expert opinion, which did not have any major objections to the proposed activity, the proposed activity is thus, according to the competent authority, feasible and acceptable from the environmental point of view.

The competent authority cannot interfere with or restrict the business activities of the proposer in the framework of the environmental impact assessment if it has not been demonstrated that its activities would have a significantly negative impact on the environment. Also under the Constitution of the Slovak Republic, everyone has the right to a free choice of profession and training for it, as well as the right to engage in business and other gainful

activity.

The subject of the proposed activity is to supplement the existing treatment capacities of a set of technologies for treatment and conditioning of radioactive waste located at the Jaslovské Bohunice site. Pursuant to Annex 12 of the Act, the assessment report of the proposed activity should evaluate the expected impacts caused during the construction and implementation of the proposed activity. Therefore, at this moment, the proposer is not obliged to evaluate the impact of the termination of the proposed activity associated with the disposal of the facilities and technologies that are the subject of the proposed activity in the assessment report of the proposed activity. In the event that the proposer will be ceasing its operations, such termination of the proposed activity that is associated with disposal, remediation, reclamation, or with more than one of these activities will be separately the subject of proceedings according to the law.

Michal Daniška, letter dated 12 May 2020, supplemented by letter dated 2 June 2020

1. He insists on his objections Nos. 10 and 16 set out in his opinion on the assessment report of the proposed activity. He is convinced that he has sufficiently demonstrated (in the form of screenshots of the relevant websites) that the municipalities of Malženice and Radošovce have not published a generally comprehensible final summary on their websites. Despite the apparent contradiction between the opinions of the affected municipalities of Malženice and Radošovce and the evidence he provided, the competent authority accepted the opinion of the aforementioned municipalities. Thus, he again requests that the competent authority direct the aforementioned municipalities to publish the Generally Understandable Final Summary during a period of 30 days and provide for a public hearing according to the law.

Statement of the MoE SR, NP BWM Section, EIA Department:

Pursuant to Article 32 (1) of the Administrative Procedure Code, the administrative authority is obliged to ascertain accurately and completely the true state of affairs and, to that end, to obtain the necessary supporting documents for the decision. At the same time, it is not bound only by the proposals of the parties to the proceedings.

Publication of the GCFS falls within the competence of the affected municipality in accordance with the law. The municipalities of Radošovce and Malženice have sent a letter to the competent authority informing about the publication of the GCFS. The municipality of Malženice informed by letter No. MAL-859/2019-1 dated 31 October 2019 that it published a generally comprehensible final summary during a period of 30 days on the official notice board and on the municipality's website, from 13 August 2019 to 12 September 2019. The municipality of Radošovce informed by letter No. OcÚ/2019/252 dated 29 October 2019 that it published a generally comprehensible final summary during a period of 30 days on the official notice board and on its website, from 14 August 2019 to 14 September 2019. On the basis of the above, the competent authority states that the aforementioned affected municipalities have complied with their obligations under Article 34 (1) of the Act. The competent authority has no reason to question the official document signed by the mayor.

Points 2 to 13 are identical in content to points 1 to 12 in the joint statement on the decision documents from the municipalities of Veľké Kostoľany, Dubovany, Trebatice, Veselé, Šterusy, Vrbové, Ratnovce, Bašovce, Drahovce, Borovce, Dolný Lopašov.

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority has duly dealt with the objections in this final opinion, see above as part of dealing with comments 1 to 12 from municipalities of Veľké Kostoľany, Dubovany, Trebatice, Veselé, Šterusy, Vrbové, Ratnovce, Bašovce, Drahovce, Borovce, Dolný Lopašov.

14. On that point, he has objections to the set of affected municipalities. In order for a

municipality to be designated as affected by the proposed activity, its urban area must fall within a radius of 5 km with its centre on the premises of BRWTC. In its opinion, the said condition, which refers to the urban area and not to the cadastral territory, is not in accordance with Article 3 (q) of the Act, the area of which may be affected by the impact of the proposed activity, where the area is to be understood as the cadastral territory of the municipality. Thus, even if the area that may be affected by the proposed activity corresponds to the quoted circle with a radius of 5 km, all the municipalities that extend their cadastral territory into this circle would have to be identified as affected municipalities. However, given the reasons detailed in its opinion (e.g. groundwater flow, wind predominantly from the NW to the SE, the central transport route through the municipality of Žilkovce, etc.), it is logical to expect that the affected territory should be stretched in the SE direction. The author of the expert opinion on objection No. 7 attributed to it a statement about the impossibility for residents other than residents of the affected municipalities to comment on the assessment report of the proposed activity. This is a misrepresentation of the facts, as in relation to objection No. 7 he submitted that the inhabitants of these municipalities were not properly informed about the proposed activity and the risks associated with it due to the established scope, and had a significantly impeded opportunity to learn about the proposed activity and to participate in the proceedings.

Statement of the MoE SR, NP BWM Section, EIA Department:

Pursuant to Article 3 (q) of the Act, the affected municipality is the municipality in whose territory the proposed activity or its modification is to be carried out or whose territory may be affected by the impact of the proposed activity. The scope of the affected municipalities was determined on the basis of the scope of impacts evaluated in the plan and in the assessment report of the proposed activity, which were to evaluate which municipalities would be affected by the proposed activity. The competent authority has also taken into account the set of affected municipalities already identified in previous proceedings relating to the proposer's proposed activities. The competent authority took into account the dispersion study, which concluded that the proposed activity does not have a significant impact on air quality in the monitored area. Based on the results of the dispersion study, it can be concluded that there is no need to change the scope of the affected municipalities. With regard to the impacts of the assessed optimisation on water conditions (discharges into surface water, impact on groundwater), the quality of the discharged wastewater does not change significantly, as indicated in the assessment report of the proposed activity. Therefore, in terms of impacts on water conditions, no other affected municipalities have been identified in relation to the recipients to which wastewater from the proposer's company site is discharged.

From the nuclear safety point of view, those municipalities that are affected by a declared emergency planning zone are considered to be affected. The proposer has for the nuclear facilities V1 NPP, A1 NPP, RAW TCT and the spent fuel intermediate storage facility established an area of danger as the territory delimited by the boundary of the site of the proposer's nuclear facilities in the Bohunice site, which is defined by the barrier of the guarded area of these NIs. This means that no municipalities are considered to be affected from the nuclear safety point of view.

The public has therefore been informed of the proposed activity in accordance with the law. The public of the affected municipality has been informed about the proposed activity by the affected municipality under Article 34 of the Act, the other public has been informed about the proposed activity through the Ministry's website under Article 24 of the Act.

15. The claim that the Manievere Canal and its radioactive contamination is unrelated to the proposed activity is considered unacceptable. Activities at the Jaslovské Bohunice nuclear site may have a direct or indirect impact in relation to the volume of precipitation water discharged into the Manievere Canal. For example, if the V1 and A1 sites were transformed to at least

brownfield status, a decrease in the amount of precipitation water discharged from the current site of the proposer into the Maniever Canal could be expected. This also reduces the potential risk of disturbance to the banks of the Maniever Canal, which could lead to leaching of radioactively contaminated soil from the banks, or the risk of leaching of contaminated water directly from the Jaslovské Bohunice nuclear site. In the case of capacity expansion of the BRWTC (variant No. 1), the likelihood of such a positive development is assumed to decrease. In addition, the cumulative impacts of the BRWTC with the pre-existing load presented by the radioactive contamination of the Maniever Canal need to be explicitly considered. Already in the 1990s, radiation monitoring was carried out, which confirmed significant exceedances of the permitted activity limits for both Maniever and Dudvák. The above provides information on the radioactive contamination of the Manivier Canal.

Statement of the MoE SR, NP BWM Section, EIA Department:

The proposed activity that is the subject of these proceedings does not affect the decommissioning of A1 and V1 or is not expected to extend the decommissioning period of A1 and V1. Within this final opinion, the impacts on surface water are evaluated under Chapter IV. COMPREHENSIVE ASSESSMENT OF THE IMPACTS OF THE PROPOSED ACTIVITY ON

THE ENVIRONMENT, INCLUDING HEALTH The proposed activity should not substantially alter the volumes of precipitation water; the proposed activity does not require a change in the limits for liquid discharges currently established by the decisions of PHA SR. The proposer has conducted monitoring of the banks of the Canal. The presence of the radionuclide ^{137}Cs above the limit for the release of materials into the environment (100 Bq/kg) was detected only in one section in the out-of-the town area, outside the built-up area of the municipality of Žlkovce. The detected radionuclide presence is in the form of small localised patches unevenly distributed along both banks of the Manivier Canal (past cleaning of the Canal). According to the calculation scenarios of the assessment of radiological risks for the population (hunter, farmer, general public, worker providing maintenance of bank vegetation - mower), it can be concluded that the radiation situation on the banks of the Canal does not require the implementation of any measures and there is no risk of receiving a dose for people moving on the banks and in the vicinity of the Manivier Canal, nor for workers providing maintenance of the Canal banks. In none of the calculated residence scenarios, based on real monitoring results and the model situation, it is not possible to reach or exceed the annual per capita effective dose limit of 1 mSv set by Act No. 87/2018 Coll. on radiation protection. Given the nature of the proposed activity, it can be concluded that even in the case of a cumulative effect, the proposed activity will not significantly affect the current status.

16. In this point, it draws attention to the risks associated with the transport of RAW by trucks to Slovakia and, after its treatment, back abroad, and reminds that air emissions and dose rates remain in the territory of Slovakia. The assessment report of the proposed activity omits negative impacts caused by the future disposal of the treatment facilities. It also considers as insufficient the evaluation of the cumulative impacts of the proposed activity with respect to the already existing or permitted proposed activities, environmental loads and a sustainable extent of the territory load. The opinion concludes by expressing its opposition to the import and treatment of foreign RAW and to increasing the limits for the treatment of RAW.

Statement of the MoE SR, NP BWM Section, EIA Department:

When transporting RAW, only licensed transport equipment approved by the Nuclear Regulatory Authority of the Slovak Republic must be used, i.e. they are designed and calculated in such a way that they can handle the safe transport of these RAW not only in normal operation but also in case of emergency situations. The treatment of RAW at the technological facilities of the NI RAW TCT is only possible under the condition of compliance with the applicable limits

and conditions and other related legislative requirements and internal regulations, irrespective of their origin. All legislative provisions of the Slovak Republic and regulations of the European Union must also be complied with when dealing with RAW originating from outside the Slovak Republic, one of the most important factors being the obligation of an absolute balance of imported and exported activity.

A dispersion study has been prepared for the proposed activity (Ing. Viliam Carach, PhD. 05/2019), which concludes that the proposed activity in its proposed composition and anticipated mode of operation does not have a significant impact on the air quality in the monitored area and variant No. 1 in the proposed design will not cause a significant deterioration of the existing air quality in the assessed area.

The subject of the proposed activity is to supplement the existing treatment capacities of a set of technologies for treatment and conditioning of radioactive waste located at the Jaslovské Bohunice site. Pursuant to Annex 12 of the Act, the assessment report of the proposed activity should evaluate the expected impacts caused during the construction and implementation of the proposed activity. Therefore, at this moment, the proposer is not obliged to evaluate the impact of the termination of the proposed activity associated with the disposal of the facilities and technologies that are the subject of the proposed activity in the assessment report of the proposed activity. In the event that the proposer will be ceasing its operations, such termination of the proposed activity that is associated with disposal, remediation, reclamation, or with more than one of these activities will be separately the subject of proceedings under the Impact Assessment Act.

The cumulative impacts are assessed in Chapter III.17. SPATIAL SYNTHESIS OF THE IMPACTS OF ACTIVITIES IN THE TERRITORY. Given the nature of the proposed activity, the competent authority considers the assessment of cumulative impacts in the assessment report to be sufficient. Even in the case of a cumulative effect, the proposed activity will not significantly affect the current status.

As no facts were found during the environmental impact assessment process that would, after implementing measures proposed in the assessment report and this final opinion, seriously endanger any of the environmental components or the health of the inhabitants of the affected municipality, the competent authority approved the implementation of the proposed activity in variant No. 1 subject to the implementation of the conditions set out in Chapter VI.3. of this final opinion. The competent authority cannot interfere with or restrict the business activities of the proposer in the framework of the environmental impact assessment if it has not been demonstrated that its activities would have a significantly negative impact on the environment.

17. During the public hearing, the proposer was asked a question concerning the indication of the share of foreign RAW in the incineration. The proposer's representative indicated a share of foreign RAW in all treatment to be 12%. It considers it misleading that the proposer did not indicate the share of foreign waste in incineration but in total treatment. According to the available data, the share of foreign RAW in incineration has been continuously at 40% of the total volume of incinerated RAW since 2015. It can be assumed that if the proposer had given the correct value of the share in incineration, this could substantially affect the content of the opinions sent to the assessment report of the proposed activity.

Statement of the MoE SR, NP BWM Section, EIA Department:

The subject of the impact assessment of the proposed activity is, inter alia, to increase the current assessed incineration capacity from 240 t/year to 480 t/year, with no limit on the incineration of foreign RAW within that capacity. Thus, the proposer is not limited by the proportion of foreign RAW incinerated in the incineration plant in question. The competent authority notes that the proportion of foreign RAW to be incinerated at the site in question does not have a significant impact on the area under consideration. In terms of the impact on air,

the impact would be comparable to that which would arise from the incineration of domestic RAW. The incineration or, as the case may be, the treatment of foreign RAW at the proposer's site will incur transport requirements. In terms of the generated freight traffic load of the site, with a conservative approach (i.e. assessment of the maximum traffic frequency), it can be stated that the contribution of the activity in question is insignificant from the point of view of the affected territory.

18. Attached to this statement, Mr Daniška provides a document containing the responses to his objections (objections No. 1 and 2), which are presented by the proposer. On the basis of this document, he had no reason to doubt that the opinion of the author of the expert opinion on objections Nos. 1 and 2 showed a high degree of consistency with the proposer's response.

Statement of the MoE SR, NP BWM Section, EIA Department:

The author of the expert opinion has the right to request additional information from the proposer, and also has the right to identify with his opinion, so from the above it may appear that the given opinion is identical with the proposer's statement. The competent authority states that the expert opinion is only part of the decision documents, the final opinion on the comments made in the opinions is held by the competent authority, which has duly evaluated them in the final opinion in question.

19. The final opinion No. 2276/2014-3.4/hp dated 14 November 2014 on the proposed activity "RAW Treatment and Conditioning Technologies JAVYS a.s. at the Jaslovské Bohunice site" in the section "recommended variant" states:

"These technologies are used for the treatment and conditioning of very low, low and intermediate level waste - generated during the decommissioning of NPP A1, V1, originating from existing operations of nuclear facilities in the Slovak Republic and institutional radioactive waste and captured radioactive waste". The use of the BRWTC and specifically the incineration plant for the treatment/incineration of foreign RAW is not in compliance with the final opinion No. 2276/2014-3.4/hp dated 14 November 2014, while this foreign waste has been incinerated in our country since 2013.

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority takes note of the above information and agrees with the finding that the current treatment or incineration of foreign RAW is inconsistent with the final opinion No. 2276/2014-3.4/hp dated 14 November 2014. The competent authority does not have the authority to interfere with the activities currently carried out by the proposer; supervision of the activities carried out by the proposer falls within the competence of the NRA SR.

The competent authority draws attention to the fact that pursuant to Article 38 of the Act, the proposer is obliged to ensure that the proposal submitted by the proposer for the commencement of the permitting proceedings for the proposed activity or its modification complies with this Act, with the decisions issued pursuant to this Act and with their conditions.

On the basis of the above, the proposer has requested the competent authority to carry out an environmental impact assessment for the proposed activity, the subject of which is, inter alia, the treatment or incineration of foreign waste.

20. According to the available information, only about 10% of the activity of the RAW entering the incineration process remains in the ash after incineration. It asks for an explanation of where the rest of the activity escapes to (e.g. during drying, capture on filters, on wet scrubbers, on incinerator walls...) along with an indication of the approximate percentage of activity escaping through each pathway. How is the balance of activity calculated and how is it ensured that the "missing" activity is added to the ash exported back abroad? Is the missing activity in the ash supplemented by radioactive material captured during the incineration of foreign RAW, or is it

supplemented from Slovak RAW and the captured radioactive material of foreign origin remains in Slovakia? What % of the activity in RAW re-exported abroad originates in the incoming foreign RAW?

Statement of the MoE SR, NP BWM Section, EIA Department:

For each request (contract) for the treatment of foreign RAW, a methodology for declaring the aliquot activity exported in secondary treatment waste is developed, drawn up by the proposer, agreed to by the customer and subsequently attached to the application for a licence to import and treat RAW pursuant to Annex 2 of the Atomic Act. The application together with the methodology of the declared activity is approved by the Nuclear Regulatory Authority of the Slovak Republic before each import of RAW from abroad. Approximately 0.00025% of the activity is discharged into the environment via the ventilation stack. The difference between the input activity and the ash activity is due to several factors such as the type composition of the incinerated RAW, the mathematical deviation of the measurements of the input activity and the ash activity, and the cleaning of the technological equipment after the individual incineration campaigns. In the case of treatment of foreign RAW by incineration, the proposer is obliged to comply with the requirement of Article 21 (12) of the Atomic Act. When carrying out RAW management activities for a foreign customer, the proposer must always comply with the decision issued by the NRA SR, which is regularly supervised by the NRA SR as part of its inspection activities, which are carried out on a daily basis by a local inspector, as well as by carrying out inspections aimed at controlling and evaluating the implementation of RAW management activities for foreign customers. It follows from the above that it is not possible to change the established RAW treatment procedures and also the evaluation of the RAW treatment procedure resulting from the approved operational and safety documentation of the nuclear installations affected by this activity.

21. The author of the expert opinion, when dealing with his objection No. 5, omits the cumulative impacts with loads such as the Manivier Canal or other historical loads related to the Jaslovské Bohunice nuclear site or other activities.

Statement of the MoE SR, NP BWM Section, EIA Department:

When assessing the impacts, the competent authority took into account the Manivier Canal or other possible loads at the Jaslovské Bohunice site. Given the nature of the proposed activity, it can be concluded that even in the case of a cumulative effect, the proposed activity will not significantly affect the current status. The proposed activity will comply with all limits set by the legislation. The competent authority informs that the proposer has carried out monitoring of the banks of the Canal. The presence of the radionuclide ^{137}Cs above the limit for the release of materials into the environment (100 Bq/kg) was detected only in one section in the out-of-the town area, outside the built-up area of the municipality of Žlkovce. The detected radionuclide presence is in the form of small localised patches unevenly distributed along both banks of the Manivier Canal (past cleaning of the Canal). According to the calculation scenarios of the assessment of radiological risks for the population (hunter, farmer, general public, worker providing maintenance of bank vegetation - mower), it can be concluded that the radiation situation on the banks of the Canal does not require the implementation of any measures and there is no risk of receiving a dose for people moving on the banks and in the vicinity of the Manivier Canal, nor for workers providing maintenance of the Canal banks. In none of the calculated residence scenarios, based on real monitoring results and the model situation, it is not possible to reach or exceed the annual per capita effective dose limit of 1 mSv set by Act No. 87/2018 Coll. on radiation protection.

22. In terms of the impact on health and the environment, it does not consider compliance with the set limits to be a clear criterion. Exceeding the set limits cannot be accepted under any circumstances, but this does not mean that any activity that fits within those limits is acceptable.

Based on the ALARA principle, everything must be done to keep discharges as low as possible. The treatment of domestic RAW is justified or necessary, the treatment of foreign RAW is not necessary.

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority, despite the fact that the proposed activity complies with all the limits set by the legislation, has identified measures within this final opinion to exclude or reduce the significantly adverse impacts of the proposed activity, including e.g. to respect the requirements of the best available technologies (the so-called BAT technology). BAT technologies are the most effective in achieving the environmental protection. By respecting the requirements of BAT technology, negative impacts on the environment are minimised.

23. The author of the expert opinion, when dealing with his objection No. 2, still did not justify with specific data the increase of the remelting capacity from 1,000 t to 4,500 t. According to the assessment report of the proposed activity, 1,500 t/year should be sufficient. The author of the expert opinion stated that higher quantities of contaminated metal materials are expected to be produced from 2018 onwards. Since we are already in 2020, it would be appropriate to provide the statement based on the current situation in 2020, not 2018. It would be appropriate to provide specific data on the quantities of metallic RAW produced, its current stockpiles and predictions for the development of these quantities in the future.

Statement of the MoE SR, NP BWM Section, EIA Department:

Table A.II.10/05 on the estimated quantities of actually treated RAW is only informative, the competent authority considered a maximum capacity of 4,500 t in the framework of the environmental impact assessment. As it was not demonstrated in the environmental impact assessment that the proposed activity, also associated with the increase of the remelting capacity to 4,500 t, would have a significantly negative impact on the environment, the competent authority approved the implementation of the proposed activity. Also, neither in the opinions received on the assessment report on the proposed activity were adequate supporting documents submitted to demonstrate that the proposed activity would have a significant negative impact on the environment. The competent authority cannot interfere with or restrict the business activities of the proposer in the framework of the environmental impact assessment if it has not been demonstrated that its activities would have a significantly negative impact on the environment. Also under the Constitution of the Slovak Republic, everyone has the right to a free choice of profession and training for it, as well as the right to engage in business and other gainful activity.

24. The author of the expert opinion makes the recommended variant No. 1 subject to a set of 12 conditions. It requests clarification of condition No. 10. Is the condition "foreign RAW will be treated ... at a maximum rate of 30% of the treatment capacity" to be interpreted as meaning that the proposer may treat a maximum of 3,799 t of foreign RAW per year, irrespective of the technology by which it treats that RAW?

Statement of the MoE SR, NP BWM Section, EIA Department:

The requirement that foreign RAW will be treated additionally, in order to efficiently use the available capacities up to a maximum of 30% of the treatment capacities, resulted from the position of the Association of Towns and Municipalities, Region of NPP Jaslovské Bohunice and the Joint Position of the Municipalities of Jaslovské Bohunice, Pečeňady, Malženice, Radošovce, Dolné Dubové. This requirement was subsequently incorporated by the author of the expert opinion as one of its recommended conditions in the expert opinion. Considering that the environmental impact assessment procedure did not show that the proposed activity would have a significantly negative impact on the environment, the competent authority does not have the authority to restrict the proposer in its activities. It does not, of course, restrict the proposer

from reconsidering the quantities of foreign RAW it will treat at its facility in the context of good relations with surrounding municipalities and the public. In the light of the above, the competent authority considers the explanation of the condition to be irrelevant.

Proposer, letter dated 28 July 2020

It points out that the opinions of the municipalities of Kátlovce, Dubovany and Dolný Lopášov were received by the Ministry of Environment of the Slovak Republic after the deadline set by the Act on Impact Assessment. The intention of the municipalities in question is only to prolong the administrative procedure. Regarding the request to include the aforementioned municipalities among the affected municipalities, the proposer stated that the proposed activity is not located in their cadastral territory and will not be affected by the proposed activity either, as evidenced by the dispersion study, in which the impact was evaluated up to 800 m from the source of air pollution, which is outside the out-of-town area of the aforementioned municipalities. On the basis of the above, it is of the opinion that the said municipalities do not meet the definition of an affected municipality within the meaning of Article 3 (q) of the Act. The proposer also draws attention to the fact that for the activities assessed by the other operator of the Jaslovské Bohunice nuclear facility (the proposer Slovenské elektrárne a. s.) the extent of the affected municipalities is smaller, even despite the fact that in the case of emergencies the area of danger at the proposer's site is its internal area and for the operator Slovenské elektrárne a. s. 21 km, which are diametrically opposed values.

Statement of the MoE SR, NP BWM Section, EIA Department:

In determining the extent of the affected municipalities, the competent authority has taken into account the statement in question.

Michal Daniška, letter dated 24 July 2020

1. The proposer, in its opinion on the decision document of 20 May 2020, states "JAVYS a.s., did not present in September 2019 (as stated in the joint opinion of the municipalities) any opinions elaborated on Mr Daniška's comments on the assessment report, which would have been available to the municipalities as part of the documents prior to the issuance of the decision by the Ministry of Environment of the Slovak Republic". It notes that he has attached the quoted opinion to his statement dated 2 June 2020, therefore, it was already part of the decision document while commenting on the decision document. It further notes that neither the proposer nor the assessor has sent any new statement on the decision document, i.e. not on the quoted September 2019 opinion provided by me either. From this, it assumes that there is no dispute as to the existence of this September 2019 opinion.

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority takes note of this information.

2. Based on the National Policy and Programme for SNF and RAW Management in the Slovak Republic, it assumes that the implementation of the proposed activity in variant No. 0 will not jeopardise the schedule for the decommissioning of A1 NPP and V1NPP. It justifies the aforementioned by the fact that in the case of the incineration technology, the data in the assessment report on the quantity of RAW incinerated by the proposer in 2015–2019, where the amount of domestic incinerated RAW was only about 60–85 tons per year, which is well below even the current limit of 240 tons per year, let alone the new required limit of 480 tons per year, also testify to this.

The formulation given in the assessment report of the proposed activity where it is stated that "*by the proposed optimization of the treatment capacities, modification of structure 760-II.3,4,5 while using the existing facilities, the deadline for decommissioning of A1 NPP and V1 NPP according to the approved strategic documents and the obligations of the Slovak Republic*

towards the EU will be met." could substantially influence the opinion of the affected authorities on the assessment report of the proposed activity.

In view of the above contradiction and the fact that, in its opinion, the expert opinion on the assessment report of the proposed activity does not address this contradiction sufficiently or at all, it proposes that the competent authority draws the attention of at least the affected authorities to this fact, which have had the opportunity to comment on the assessment report of the proposed activity.

Statement of the MoE SR, NP BWM Section, EIA Department:

The question whether the schedule for decommissioning of A1 NPP and V1 NPP will or will not be respected in case of non-implementation of the proposed activity is irrelevant in the context of these proceedings, since the purpose of these proceedings is to identify and evaluate the impact of the proposed activity on the environment. The environmental impacts of the proposed activity are thus particularly taken into account when issuing a favourable or unfavourable final opinion, irrespective of whether or not the decommissioning schedule will be complied with as a result.

3. According to the Environmental Regionalisation of the Slovak Republic, most of the surroundings of the Jaslovské Bohunice nuclear site are categorised as "moderately disturbed environment", but the NW part of the Hlohovec district up to about the Váh River is categorised as "disturbed environment", and a part of it (estimated to be the surroundings of the D1 motorway) is even categorised as "severely disturbed environment". According to the targets set, areas with the severely disturbed environmental should be eliminated by 2025 and areas with the disturbed environment by 2050. In my opinion, the implementation of the proposed activity is not consistent with these objectives. The information from the Environmental Categorisation is a further evidence of the already high level of environmental burden in the vicinity of the municipality of Žilkovce (the quoted Environmental Regionalisation of the Slovak Republic dates back to 2016, and therefore apparently does not take into account the impacts of the Malženice CCPP put into operation again recently, or the future impacts of the approved new nuclear source at the Jaslovské Bohunice site). This makes it all the more necessary to thoroughly assess the cumulative impacts of the proposed activity.

Statement of the MoE SR, NP BWM Section, EIA Department:

The fact that the surroundings of the proposed activity fall into the category of moderately disturbed to disturbed environment is also taken into account in the assessment report of the proposed activity in Chapter

III.17. SPATIAL SYNTHESIS OF THE IMPACTS OF ACTIVITIES IN THE TERRITORY and in Chapter II.17. OVERALL ENVIRONMENTAL QUALITY - A SYNTHESIS OF POSITIVE AND NEGATIVE FACTORS. Given the nature of the proposed activity, it can be concluded that even in the case of a cumulative effect, the proposed activity will not significantly affect the current status.

4. According to data obtained only recently, the ash radioactivity may be significantly lower than that of the incoming RAW. Authorisations to import and treat foreign RAW are conditional only on balancing the activity of the imported RAW and the RAW exported back abroad. It is not aware of any guarantee that the radionuclide composition of the incoming and outgoing RAW will be the same. Given the very low proportion of radioactivity captured in the ash (i.e. a significant proportion of radionuclides from the incoming RAW gets away from the ash) and depending on how the activity is brought back to the original level, the risk of changes to the domestic radionuclide inventory as a result of the treatment of foreign RAW is expected. For example, foreign long-living radionuclides could ultimately be exchanged for domestic short-living radionuclides (while maintaining the same activity). Neither the assessment report nor its

expert opinion analyses this type of impact, which I consider to be a fundamental error and I ask for a remedy.

Statement of the MoE SR, NP BWM Section, EIA Department:

For each request (contract) for the treatment of foreign RAW, a methodology for declaring the aliquot activity exported in secondary treatment waste is developed, drawn up by the proposer, agreed to by the customer and subsequently attached to the application for a licence to import and treat RAW pursuant to Annex 2 of the Atomic Act. The application, together with the methodology of the declared activity, is approved by the Nuclear Regulatory Authority of the Slovak Republic before each import of RAW from abroad. Approximately 0.00025% of the activity is discharged into the environment via the ventilation stack. The difference between the input activity and the ash activity is due to several factors, such as the type composition of the incinerated RAW, the mathematical deviation of the measurements of the input activity and the ash activity, and the cleaning of the technological equipment after the individual incineration campaigns. In the case of treatment of foreign RAW by incineration, the proposer is obliged to comply with the requirement of Article 21 (12) of the Atomic Act. When carrying out RAW management activities for a foreign customer, the proposer must always comply with the decision issued by the NRA SR, which is regularly supervised by the NRA SR as part of its inspection activities, which are carried out on a daily basis by a local inspector, as well as by carrying out inspections aimed at controlling and evaluating the implementation of RAW management activities for foreign customers. It follows from the above that it is not possible to change the established RAW treatment procedures and also the evaluation of the RAW treatment procedure resulting from the approved operational and safety documentation of the nuclear installations affected by this activity.

5. It notes that on the basis of the map (delimitation of the affected territory with a radius of about 5 km) it can be concluded that the affected territory also includes the urban area of the municipality of Dubovany. However, in the assessment report only the municipalities of Veľké Kostolany, Pečeňady, Ratkovce, Žilkovce, Malženice, Jaslovské Bohunice, Radošovce, Dolné Dubové and Nižná are considered in the assessment of socio-economic and population characteristics, not the municipality of Dubovany. It considers this to be a serious error in the assessment report and suggests that it should be rectified.

Statement of the MoE SR, NP BWM Section, EIA Department:

Pursuant to Article 3 (q) of the Act, the affected municipality is the municipality in whose territory the proposed activity or its modification is to be carried out or whose territory may be affected by the impact of the proposed activity. The scope of the affected municipalities was determined on the basis of the scope of impacts evaluated in the plan and in the assessment report of the proposed activity, which were to evaluate which municipalities would be affected by the proposed activity. The competent authority has also taken into account the set of affected municipalities already identified in previous proceedings relating to the proposer's proposed activities. The competent authority took into account the dispersion study, which concluded that the proposed activity does not have a significant impact on air quality in the monitored area. Based on the results of the dispersion study, it can be concluded that there is no need to change the scope of the affected municipalities. With regard to the impacts of the assessed optimisation on water conditions (discharges into surface water, impact on groundwater), the quality of the discharged wastewater does not change significantly, as indicated in the assessment report of the proposed activity. Therefore, in terms of impacts on water conditions, no other affected municipalities have been identified in relation to the recipients to which wastewater from the proposer's company site is discharged.

From the nuclear safety point of view, those municipalities that are affected by a declared

emergency planning zone are considered to be affected. JAVYS, a.s. has for nuclear facilities VINPP, A1 NPP, RAW TCT and ISFS established an area of danger as the territory delimited by the boundary of the premises of the nuclear facilities of JAVYS, a.s. at the Jaslovské Bohunice site, which is defined by the barrier of the guarded area of these NIs. This means that no municipalities are considered to be affected from the nuclear safety point of view.

In the course of the procedure, the competent authority examined whether the aforementioned municipality will be affected by the proposed activity and came to the conclusion that the territory of the municipality in question will not be affected by the implementation of the proposed activity, and therefore did not include them among the affected municipalities. The competent authority did not consider it necessary for this municipality to be included in the assessment of socio-economic and population characteristics.

Michal Daniška, letter dated 25 August 2020

In his opinion, he claims that he has credibly demonstrated that the municipalities of Malženice and Radošovce did not publish the assessment report of the proposed activity in accordance with the Impact Assessment Act. Further, he considers to be contrary to the Impact Assessment Act that the affected

municipalities of Dubovany, Krakovany and Dolný Lopášov are not considered to be the affected municipality in relation to the proposed activity.

In his opinion, the prolongation of the proceedings is mainly due to the fact that the proposer provided incomplete, misleading or false information, e.g. also at the public hearing.

Statement of the MoE SR, NP BWM Section, EIA Department:

This comment has been repeated several times in its previous opinions. The competent authority has dealt with these comments in its above-mentioned opinions.

The formulation given in the assessment report of the proposed activity where it is stated that "by the proposed optimization of the treatment capacities, modification of structure 760-II.3,4,5 while using the existing facilities, the deadline for decommissioning of A1 NPP and V1 NPP according to the approved strategic documents and the obligations of the Slovak Republic towards the EU will be met" could substantially influence the opinion of the Trnava Self-Governing Region (opinion dated 28 August 2019). At the same time, the National Policy for SNF and RAW Management in the Slovak Republic clearly declares that the capacity of BRWTC process lines is not a limiting factor in system solutions for the management of RAW from the operation and decommissioning of nuclear facilities. Also the data on the amount of incinerated RAW originating from the Slovak Republic show that at least in terms of incineration technology the existing capacities are fully sufficient for the needs of the Slovak Republic, even with a sufficient reserve.

Statement of the MoE SR, NP BWM Section, EIA Department:

This comment has been repeated several times in its previous opinions. The competent authority has dealt with these comments in its above-mentioned opinions.

In the next item, it informed on the public civil opposition to the treatment of foreign waste.

The letter further argues that the group of the parties to the proceedings does not appear to have been correctly defined and that the facts are therefore not reliably established. Pursuant to the conclusions of the extraordinary session of the municipal council of the municipality of Špačince of 12 August 2020 it can be stated that the opinion sent by Mr Zemko, Mr Horváth and Mr Mihálik is not the opinion of the municipality of Špačince, but only of Mr Zemko as a natural person, which was explicitly confirmed by Mr Zemko during the quoted meeting of the municipal council of Špačince. At the same time, the members of the municipal council of the municipality of Špačince were not aware of the opinion in question until July/August 2020 and by Resolution No. 71/2020 they distanced themselves from this opinion of Mr Zemko and expressed their disagreement with the proposed activity. The party to the proceedings should therefore not be the municipality of Špačince, but PhDr. Július Zemko. Considering the fact that this is a joint opinion of 3 persons, I suppose that probably neither the municipality of Červeník nor the municipality of Čhtelnica should be a party, but Mr Ing. Ján Horváth and Mr Marián Mihálik.

Statement of the MoE SR, NP BWM Section, EIA Department:

The competent authority is aware of this fact. On 22 September 2020, the competent authority received a letter from Mr Zemko, in which he clarified the information regarding the received opinion on the assessment report of the proposed activity, which was signed, in addition to the mayor of the municipality of Čhtelnica and the mayor of the municipality of Červeník, also by his person (the opinion delivered on 20 September 2019). In the letter

inquestion, he asks that this opinion be taken as the opinion of his private person.

The competent authority states that it assessed the opinion in question at that time as the opinion of the municipalities on the ground that the persons in question also presented themselves in the opinion in question as mayors of the municipalities and the stamp of the respective municipalities was used, thereby legitimising the opinion as a statement of the respective municipalities.

With regard to the letter by Mr Zemko, who asked to be treated as a private person, the competent authority considers him to be a natural person in the proceedings in question, i.e. an affected public within the meaning of Article 24 (2) of the Act.

The municipality of Červeník and the municipality of Čhtelnica continue to be treated as municipalities in the proceedings, since the stamp of the respective municipality was used, thus legitimising this opinion as a statement of the individual municipalities.

It considers it to be a fundamental deficiency that the assessment report of the proposed activity does not analyse in any way the environmental impacts caused by the treatment of foreign RAW in the Slovak Republic, in particular the change of the RAW inventory. At the same time, the RAW incineration data for the period March-June 2020 shows that the ratio of activity in the ash to the activity of the incoming RAW before incineration was 11.3%, in March 2020 (7.55 tons of RAW from abroad, 10.03 tons of RAW overall); 6.4% (156 out of 2440 MBq) in April 2020 (0 ton of RAW from abroad, 6.83 tons of RAW overall); 99.8% (2310 out of 2314 MBq) in May 2020 (5.45 tons of RAW from abroad, 6.81 tons of RAW overall) and 42.28% (4330 out of 10115 MBq) in June 2020 (5.64 tons of RAW from abroad, 6.25 tons of RAW overall). Thus, balancing the level of activity of imported and re-exported RAW, probably carried out by "topping up" RAW from other sources (e.g. Slovak RAW), does not represent a negligible part of the re-exported material. Balancing the activity balance does not guarantee that a situation cannot arise where foreign RAW with long-living radionuclides after incineration and upon re-export could be largely replaced by short-living radionuclides of Slovak origin (i.e. there will be an increase of the inventory of long-living radionuclides in Slovakia representing a load of a long-term nature). It is not guaranteed that the radionuclide composition of imported RAW and re-exported ash is identical. This impact has not been sufficiently or at all analysed so far. Therefore, I do not consider that the facts have been reliably established and, in my view, it is therefore not possible for the competent authority to issue a final opinion in the proceedings on the proposed activity.

Statement of the MoE SR, NP BWM Section, EIA Department:

This comment has been repeated several times in its previous opinions. The competent authority has dealt with these comments in its above-mentioned opinions.

In view of the above-mentioned shortcomings, the objections raised earlier concerning the objectivity and impartiality of the expert opinion, as well as the objections raised in my earlier opinions, it states that it has no confidence in the assessment report and its annexes (e.g. the dispersion study, the so-called HIA study).

Finally, it argues that in the invitation sent by the MoE SR, EAWM Section, EIA Department to comment on the decision document of 24 July 2020, it is not stated that it also sent its opinion on the decision document within the set time limit on 24 July 2020, which gives the impression that it either did not send the opinion or did not send it within the set time limit.

It states that the opinion in question was sent within the set time limit laid down in the relevant provisions of the Administrative Procedure Code and that, if other documents were explicitly mentioned as new decision documents, they should also have probably included my opinion of

24 July 2020.

Statement of the MoE SR, NP BWM Section, EIA Department:

At the time of the issuance of the notification of the decision documents (letter dated 24 July 2020) the competent authority was not yet aware of M. Daniška's opinion of 24 July 2020). However, the competent authority took this opinion into account after it was delivered and dealt with it in the framework of this final opinion. At the same time, the competent authority points out that it issued a final notification on the decision documents, in the framework of which all parties to the proceedings had the right to familiarize themselves with all the decision documents, including the opinion of Mr Daniška dated 24 July 2020.

Michal Daniška (representative of the Petition Committee), letter dated 10 March 2021

The opinion argues that the impacts associated with changes of the radionuclide inventory of the Slovak Republic due to the treatment of foreign RAW have not been analysed as part of the previous environmental impact assessment process. The letter states that on average only 65% (sometimes as little as 10%) of the RAW radioactivity remains in the ash. The proposer has not documented in any way any analysis of the active flows in the RAW management process. It further assumes that there may be a very significant proportion of foreign radionuclides remaining permanently in the Slovak Republic and that the depletion of radioactivity is replenished by Slovak radionuclides. He did not observe either that the previously objected facts concerning the insufficient delimitation of the affected municipalities, the independent and objective expert assessment of the proposed activity, or the manner of publication of the GCFS by the municipalities of Malženice and Radošovce had been rectified. Subsequently, the letter questions the need to increase RAW incineration capacity.

Statement of the MoE SR, NP BWM Section, EIA Department:

The above-mentioned comments (concerning ash activity, possible supplementation of radioactivity depletion by Slovak radionuclides, insufficient delimitation of the affected municipalities, independent and objective expert assessment of the proposed activity, or the method of publication of the GCFS by the municipalities of Malženice and Radošovce) have already been repeated several times in his previous opinions. The competent authority has dealt with these comments in its above-mentioned opinions.

CONFIRMATION OF THE ACCURACY OF THE DATA

4. The authors of the final opinion

Ministry of Environment of the Slovak Republic
Department of Environmental Impact Assessment Mgr.
Zuzana Gelingerová

5. Confirmation of the accuracy of the data

Ministry of Environment of the Slovak Republic
Department of Environmental Impact Assessment
Ing. Roman Skorka
Department Director

6. Place and date of issue of the final opinion

Bratislava, 24 March 2021

VIII. INFORMATION FOR THE AUTHORISING AUTHORITY ON THE AFFECTED PUBLIC

The affected public means, under Article 3 (s) of the Act, the public that is affected or likely to be affected by, or has an interest in, proceedings relating to the environment; a non-governmental organisation promoting the environmental protection and meeting the requirements set out in the Act is deemed to have an interest in such proceedings.

Pursuant to Article 24 (2) of the Act, the affected public has the status of a party to the proceedings referred to in the third part of the Act and consequently the status of a party to the permitting proceedings for the proposed activity if it applies the procedure under Article 24 (3) or (4) of the Act, i.e. it expresses an interest in the proposed activity and in the proceedings for its authorisation by submitting a reasoned written opinion on the plan pursuant to Article 23 (4) of the Act, reasoned comments on the scope of the assessment of the proposed activity pursuant to Article 30 (8) of the Act, a reasoned written opinion on the assessment report pursuant to Article 35 (2) of the Act, or lodging an appeal against the final opinion pursuant to Article 24 (4) of the Act, if its participation in the proceedings is no longer required by Article 14 of the Administrative Procedure Code.

In the process of assessing the impacts of the proposed activity, the affected public was identified, namely:

- Michal Daniška, Žilkovce 111, 920 42 Žilkovce
- Michal Daniška, Žilkovce 111, 920 42 Žilkovce (representative of the petition)
- Marek Molda, Žilkovce 110, 920 42 Žilkovce (representative of the citizens' initiative)
- PhDr. Július Zemko, Hlavná 183/16, 919 51 Špačince
- Basic trade union organization JAVYS, Jaslovské Bohunice, Tomášiková 22, 821 02 Bratislava
- Alternative trade unions JAVYS, a.s., Jaslovské Bohunice 360, 919 30 Jaslovské Bohunice
- Municipality of Špačince, Hlavná 183/16, Špačince, 919 51 Špačince
- Municipality of Chtelnica, nám. 1. mája, 495/52, 922 05 Chtelnica
- Municipality of Červeník, Kalinčiakova 26, 920 42 Červeník
- Town of Piešťany, Nám. SNP 1475/3, 921 45 Piešťany
- Municipality of Banka, Topoľčianska cesta 23, 921 01 Banka
- Municipality of Bašovce, Bašovce 160, 922 01 Bašovce
- Municipality of Borovce, Borovce 168, 922 09 Borovce
- Municipality of Dolný Lopašov, Dolný Lopašov 79, 922 04 Dolný Lopašov
- Municipality of Drahovce, Hlavná 429/127, 922 41 Drahovce
- Municipality of Dubovany, Dubovany 200, 922 08 Dubovany
- Municipality of Krakovany, Nám. sv. Mikuláša 406/4, 922 02 Krakovany
- Municipality of Ostrov, Ostrov 315, 922 01 Ostrov
- Municipality of Ratnovce, Ratnovce 152, 922 31 Ratnovce
- Municipality of Šterusy, Šterusy 117, 922 03 Vrbové
- Municipality of Trebatice, Hlavná ulica 247/107, 922 10 Trebatice
- Municipality of Veselé, Veselé 346, 922 08 Veselé
- Town of Vrbové, Ul. gen. M. R. Štefánika 15/4, 922 03 Vrbové
- Municipality of Kátlovce, 919 55 Kátlovce
- Town of Hlohovec, M. R. Štefánika 1, 920 01 Hlohovec

NOTICE OF APPEAL

1. Indication of whether the final opinion is a final decision or whether it can be appealed

The final opinion is, pursuant to Article 37 (1) of the Act, a decision which is binding for further permitting proceedings. The final opinion shall entitle the proposer of the proposed activity to submit a motion to commence the permitting proceedings for the proposed activity or its modification in the variant agreed by the competent authority in the final opinion.

A remonstrance may be lodged against this final opinion pursuant to Article 61 (1) of the Administrative Procedure Code.

Pursuant to Article 24 (4) of the Act, the public has the right to lodge a remonstrance against the final opinion even if it was not a party to the proceedings for issuing the final opinion.

2. Within what time limit, with which authority and where an appeal can be lodged

A remonstrance may be lodged with the Ministry of Environment of the Slovak Republic, Námestie Ľudovíta Štúra 1, 812 35 Bratislava, within 15 days from the date of notification by delivering a written copy of the final opinion to a party to the proceedings.

In the case of the public pursuant to Article 24 (4) of the Act, the date of delivery of the final opinion shall be deemed to be the fifteenth day of publication of the final opinion by the competent authority pursuant to Article 37 (7) of the Act.

3. Indication of whether the final opinion is reviewable by a court

This final opinion is reviewable by a court under Act No. 162/2015 Coll., the Administrative Judicial Code, after the exhaustion of the ordinary remedies allowed for it.

Delivered (electronically):

1. Dentons Europe CS LLP, branch office, Štefánikova 15, 811 05 Bratislava (the proposer's representative)
2. Municipality of Jaslovské Bohunice, Municipal Authority in Jaslovské Bohunice, 919 30 Jaslovské Bohunice
3. Municipality of Radošovce, Municipal Authority in Radošovce, land registry No.: 70, 919 30 Jaslovské Bohunice
4. Municipality of Ratkovce, Municipal Authority in Ratkovce, land registry No.: 97, 920 42 Červeník
5. Municipality of Pečeňady, Municipal Authority, land registry No.: 93, 922 07 Veľké Kostol'any
6. Municipality of Veľké Kostol'any, Municipal Authority in Veľké Kostol'any, M. R. Štefánika, land registry No.: 800/1, 922 07 Veľké Kostol'any
7. Municipality of Malženice, Municipal Authority Malženice 294, 919 29 Malženice
8. Municipality of Dolné Dubové, Municipal Authority Dolné Dubové, 919 52 Dolné Dubové
9. Municipality of Žilkovce, Municipal Authority Žilkovce, No. 158 (Palace of Culture building), 920 42 Červeník
10. Municipality of Nižná, Municipal Authority Nižná, Nižná No. 80, 922 06 Nižná
11. Municipality of Špačince, Hlavná 183/16, Špačince, 919 51 Špačince
12. Municipality of Čhtelnica, nám. 1. mája, 495/52, 922 05 Čhtelnica
13. Municipality of Červeník, Kalinčiakova 26, 920 42 Červeník
14. Town of Piešťany, Nám. SNP 1475/3, 921 45 Piešťany
15. Municipality of Banka, Topoľčianska cesta 23, 921 01 Banka
16. Municipality of Bašovce, Bašovce 160, 922 01 Bašovce
17. Municipality of Borovce, Borovce 168, 922 09 Borovce
18. Municipality of Dolný Lopašov, Dolný Lopašov 79, 922 04 Dolný Lopašov
19. Municipality of Drahovce, Hlavná 429/127, 922 41 Drahovce
20. Municipality of Dubovany, Dubovany 200, 922 08 Dubovany
21. Municipality of Krakovany, Nám. sv. Mikuláša 406/4, 922 02 Krakovany
22. Municipality of Ostrov, Ostrov 315, 922 01 Ostrov
23. Municipality of Ratnovce, Ratnovce 152, 922 31 Ratnovce
24. Municipality of Šterusy, Šterusy 117, 922 03 Vrbové
25. Municipality of Trebatice, Hlavná ulica 247/107, 922 10 Trebatice
26. Municipality of Veselé, Veselé 346, 922 08 Veselé
27. Town of Vrbové, Ul. gen. M. R. Štefánika 15/4, 922 03 Vrbové
28. Municipality of Kátlovce, 919 55 Kátlovce
29. Town of Hlohovec, M. R. Štefánika 1, 920 01 Hlohovec
30. Basic trade union organization JAVYS, Jaslovské Bohunice, Tomášiková 22, 821 02 Bratislava
31. Alternative trade unions JAVYS, a.s., Jaslovské Bohunice 360, 919 30 Jaslovské Bohunice
32. Ministry of Interior of the Slovak Republic, Crisis Management Section, Drieňová 22, 826 04 Bratislava;
33. Ministry of Interior of the Slovak Republic, Presidium of the Fire and Rescue Corps, Drieňová 22, 826 86 Bratislava;
34. Ministry of Transport, Construction and Regional Development of the Slovak Republic, Railway Construction Authority Department, Námestie slobody No. 6, P.O.BOX 100, 810 05 Bratislava;

35. Regional Monuments Office Trnava, Cukrová 1, 917 01 Trnava;
36. Trnava Self-Governing Region Office, Starohájska 10, 917 01 Trnava;
37. Trnava District Office, Department of Environmental Care, Section of State Water Administration and Selected Environmental Components of the Region, Kollárova 8, 917 02 Trnava;
38. Trnava District Office, Department of Environmental Care, Section of Nature Protection and Selected Environmental Components of the Region, Kollárova 8, 917 02 Trnava
39. Trnava District Office, Department of Environmental Care, Section of Nature Protection and Selected Environmental Components, Kollárova 8, 917 02 Trnava;
40. Piešťany District Office, Department of Environmental Care, Section of Nature Protection and Selected Environmental Components, Krajinská cesta 5053/13, 921 01 Piešťany;
41. Hlohovec District Office, Department of Environmental Care, Section of Nature Protection and Selected Environmental Components, Jarmočná 3, 920 01 Hlohovec;
42. Regional Directorate of the Fire and Rescue Corps in Trnava, Vajanského 22, 917 77 Trnava;
43. Trnava District Office, Crisis Management Department, Kollárova 8, 917 02 Trnava;
44. Piešťany District Office, Crisis Management Department, Krajinská 13, 921 25 Piešťany;
45. Hlohovec District Office, Crisis Management Department, Jarmočná 3, 920 01 Hlohovec;
46. Trnava District Office, Department of Road Transport and Roads, Kollárova 8, 917 02 Trnava;
47. Trnava District Office, Department of Construction and Housing Policy, Kollárova 8, 917 02 Trnava;
48. Piešťany District Office, Department of Road Transport and Roads, Krajinská cesta 5053/13, 921 01 Piešťany;
49. Regional Public Health Authority with the registered office in Trnava, Limbová 6, P.O. BOX 1, 917 09 Trnava;
50. Ministry of Environment of the Slovak Republic, Section of Environmental Assessment and Waste Assessment, Department of Environmental Risks and Biosafety, Námestie Ľ. Štúra 1, 812 35 Bratislava;
51. Nuclear Regulatory Authority of the Slovak Republic, Bajkalská No. 27, P.O. BOX No. 24, 820 07 Bratislava 27;
52. Public Health Authority of the Slovak Republic, Trnavská cesta 166/52, 826 45 Bratislava;
53. Ministry of Economy of the Slovak Republic, Energetics Section, Mlynské nivy 44/a, 827 15 Bratislava 212;
54. Slovak Water Management Enterprise, state enterprise, Branch plant Piešťany, Nábřežie I., Krasku No. 3/834, 921 80 Piešťany;
55. Association of Towns and Municipalities, Region of NPP Jaslovské Bohunice, Trhová 2, 917 00 Trnava
56. Michal Daniška, Žilkovce 111, 920 42 Žilkovce
57. Michal Daniška, Žilkovce 111, 920 42 Žilkovce (representative of the petition)

Delivered (by post):

58. Marek Molda, Žilkovce 110, 920 42 Žilkovce
59. PhDr. Július Zemko, Hlavná 183/16, 919 51 Špačince

60. Dr. Hunor ORBÁN, Hungarian contact point to the Espoo Convention, Ministry of Agriculture, Apáczai Csere János Str. 9, 1051 BUDAPEST, Hungary
61. Dorota TORYFTER-SZUMANSKA, Head of Division of transboundary EIA/SEA and strategic environmental assessments, Department of Environmental Impact Assessment, Wawelska Str. 52/54, 00-922 Warsaw, Poland