

Prague, 30 October 2023

"New Nuclear Source at the Dukovany Site" - information on the issuance of zoning decisions

I. In accordance with Section 13 of Act No. 100/2001 Coll., on Environmental Impact Assessment and Amending Some Related Acts (Act on Environmental Impact Assessment), as amended (hereinafter referred to as the "EIA Act"), the project "New Nuclear Source at the Dukovany Site" was subject to an interstate assessment, which was concluded by the issuance of a consenting binding opinion on the assessment of environmental impact of the implementation of the project pursuant to Section 9a of the EIA Act no. MZP/2019/710/7762 of 30 August 2019.

By letter no. MZP/2021/710/3123 of 17 August 2021, supplemented by letter no. MZP/2021/710/4553 of 2 September 2021, on the basis of Article 7(3) of Directive 2011/92/EU of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment, as amended by Directive 2014/52/EU ("EIA Directive"), and in accordance with Article 13(6) of the EIA Act, we informed you about the commencement of zoning proceedings for the project "New nuclear power plant at the Dukovany site", about the possibility for the public concerned to register as a participant in the zoning proceedings, about the possibility to comment on the ongoing zoning proceedings, and we sent you a link to download the documentation for the zoning proceedings.

Now we inform you, as the state concerned, on the basis of Article 9(1) and (2) of the EIA Directive and in accordance with Section 13(6) of the EIA Act, about the issuance of zoning decisions for the project "New Nuclear Source at the Dukovany Site" in the framework of zoning proceedings, which are follow-up proceedings pursuant to Section 3(g) of the EIA Act. These are the decisions that situate the project in the territory. They are not construction permits, which are known as building permits under Czech law and the EIA Directive.

Specifically, they are

1) zoning proceedings for the construction "Connection of the NNS of the NPPD to the transport infrastructure" and

2) joint zoning proceedings for the construction "Drainage of rainwater from the NNS of the NPPD through the Lipňanský brook incl. retention", "Set of buildings in the area of the nuclear facility "New Nuclear Source at the Dukovany Site", "Underground 110 kV cable lines of the NNS of the NPPD from the TR Slavětice substation", "400 kV line - power output V883 and V884 for the NNS of the NPPD", "Raw water supply lines from the Mohelno reservoir and the new water tank for the NNS of the NPPD", "Drainage of wastewater from

the NNS of the NPPD and SHPP", "Wastewater discharge from the construction of the NNS of the NPPD to the Skryjská reservoir", "Drainage of rainwater from the NNS of the NPPD area to the Skryjská reservoir", "Drainage of rainwater from the NNS of the NPPD construction site facilities to the Lipňanský brook", "Drainage of rainwater from the NNS of the NPPD site facilities to the Heřmanický brook" and "Dedicated roads for access to other land on the NNS of the NPPD site".

II. On 30 October 2023, the Ministry of the Environment of the Czech Republic received a notification from the Ministry of Industry and Trade of the Czech Republic (which, with effect from 1. 7. 2023, became the building authority competent to conduct both zoning proceedings instead of the Municipal Office Třebíč) of the **following decisions concerning the project "New Nuclear Source at the Dukovany Site"**, which were issued in the above-mentioned zoning proceedings:

1) **Zoning decision no. MPO 76833/23/423 - SÚ dated 30 October 2023 for the construction "Connection of the NNS of the NPPD to the transport infrastructure", which was posted on the official board of the Ministry of Industry and Trade of the Czech Republic on 30 October 2023.**

The subject of the zoning decision is the location of the above-mentioned construction (see statement no. I) and the permission to cut down trees for the purpose of this construction (see statement no. II). The validity of both of the aforementioned statements was set at 5 years from the date of their legal force, pursuant to Section 93(1) of Act No. 183/2006 Coll., the Building Act, as amended (hereinafter referred to as the "Building Act"), with the proviso that they will not expire if a valid building permit or other similar decision pursuant to the Building Act or special legislation is issued on the basis of an application submitted during their validity.

The conditions for the location and project preparation of the construction and felling of trees, including conditions taken from the binding opinions of the authorities concerned (including the binding opinion of the EIA) and other conditions set out on the basis of opinions and statements of other entities (including technical infrastructure managers), are contained in the individual statements of the decision.

It follows from the justification of the decision that the Ministry of Industry and Trade of the Czech Republic based its decision on the documentation for the zoning decision (including its annexes), the binding opinions of the authorities concerned, the opinions, statements and consents of the authorities concerned, owners and administrators of public infrastructure and other entities, and in accordance with Section 9b para. 5 of the EIA Act, as well as on EIA documentation (including annexes), notifications, public comments and statements of the states concerned (which are recapitulated in the EIA report and the binding opinion of the EIA) and the results of the public hearing held on the New Nuclear Power Plant at the Dukovany Site within the EIA process, as well as on all other documents for the issuance of the decision included in the administrative file. The Ministry of Industry and Trade of the Czech Republic found that these documents are up-to-date and form a sufficient and complete basis for the decision in the matter (see the "Assessment of the application" section of the zoning decision).

The zoning decision (see the sections "Assessment of the application" and "Reasons for the decision and justification of the conditions of the decision") further shows that the Ministry of Industry and Trade of the Czech Republic decided to issue the zoning decision in question also on the basis that it verified:

- which conditions of the binding EIA opinion were already relevant for the preparation of the documentation for the zoning proceedings, including how their fulfilment is ensured.

- mutual consistency between the binding opinion of the EIA and other submitted binding opinions of the concerned authorities required by special legal regulations, with the conditions set out in these binding opinions being included in full in the conditions of the zoning decision.

- compliance of the proposed construction with all legal requirements and aspects (including requirements arising from the spatial planning documentation, binding opinions and other requirements under the Building Act and its implementing legislation, in particular with general requirements for the use of the territory and technical requirements for buildings, and with the requirements for public transport or technical infrastructure, the conditions of the protection and safety zones concerned, including zoning measures and sanitary protection zones) and found it permissible also in terms of the interest in environmental protection and other interests resulting from special legislation protected by the authorities concerned and other entities.

The objections and comments raised by the parties to the proceedings (including the public concerned) are dealt with in the justification for the zoning decision.

2) Joint zoning decision no. MPO 76834/23/422 - SÚ dated 30 October 2023 for the constructions "Drainage of rainwater from the NNS of the NPPD through the Lipňanský brook incl. retention", "Set of buildings in the area of the nuclear facility "New Nuclear Source at the Dukovany Site", "Underground 110 kV cable lines of the NNS of the NPPD from the TR Slavětice substation", "400 kV line - power output V883 and V884 for the NNS of the NPPD", "Raw water supply lines from the Mohelno reservoir and the new water tank for the NNS of the NPPD", "Wastewater discharge from the NNS of the NPPD and SHPP", "Wastewater discharge from the construction of the NNS of the NPPD to the Skryjská reservoir", "Drainage of rainwater from the area of the NNS of the NPPD to the Skryjská reservoir", "Drainage of rainwater from the NNS of the NPPD area to the Lipňanský brook", "Drainage of rainwater from the NNS of the NPPD construction site facilities to the Heřmanický brook" and "Dedicated roads for access to other land on the NNS of the NPPD site", which was posted on the official board of the Ministry of Industry and Trade of the Czech Republic on 30 October 2023.

The subject of this zoning decision is:

(i) the location of all the constructions listed (see Statements I to XI);

(ii) the determination of protection zones for the constructions "Raw water supply lines from the Mohelno reservoir and the new water tank for the NNS of the NPPD" (see statement no. XII), "Wastewater discharge from the NNS of the NPPD and SHPP " (see statement no. XIII), "Wastewater discharge from the construction of the NNS of the NPPD to the Skryjská reservoir" (see statement no. XIV), "Drainage of rainwater from the NNS of the NPPD area to the Skryjská reservoir" (see statement no. XV), "Drainage of rainwater from the NNS of the NPPD area to the Lipňanský brook" (see statement no. XVI) and "Drainage of rainwater from the NNS of the NPPD construction site facilities to the Heřmanický brook" (see statement no. XVII);

(iii) permission to cut down trees for the purposes of the constructions "Drainage of rainwater from the NNS of the NPPD through the Lipňanský brook, incl. retention" (see statement no. XVIII), "Set of buildings in the area of the nuclear facility "New Nuclear Source at the Dukovany Site" (see statements no. XIX and XX), 'Underground 110 kV cable lines of the NNS of the NPPD from the TR Slavětice substation' (see statement no. XXI), "Raw water supply lines from the Mohelno reservoir and the new water tank for the NNS of the NPPD" (see statement no. XXII), "Wastewater discharge from the NNS of the NPPD and the SHPP" (see statement no. XXIII), "Drainage of rainwater from the area of the NNS of the NPPD to the Skryjská reservoir" (see statement no. XXIV), "Drainage of rainwater from the NNS of the NPPD area to the Lipňanský brook" (see statement no. XXV) and "Drainage of rainwater from the NNS of the NPPD site facilities to the Heřmanický brook" (see statement no. XXVI).

Validity of statements I to XI and XVIII - XXVI) was set, according to Section 93 (1) of the Building Act, at 5 years from the date of their entry into force, with the proviso that they will not expire if a final building permit or other similar decision is issued on the basis of an application submitted during their validity under the Building Act or special legislation. Statements no. XII - XVII are valid for the duration of the construction according to Section 93(6) of the Building Act.

The conditions for the location and project preparation of individual constructions, the performance of activities in protection zones and the felling of trees, including conditions taken from the binding opinions of the authorities concerned (including the binding opinion of the EIA) and other conditions set out on the basis of opinions and statements of other entities (including technical infrastructure managers), are contained in the individual statements of the decision.

It follows from the justification of the decision that the Ministry of Industry and Trade of the Czech Republic based its decision on the documentation for the zoning decision (including annexes), the binding opinions of the authorities concerned, the opinions, statements and consents of the authorities concerned, owners and administrators of public infrastructure and other entities and in accordance with Section 9b para. 5 of the EIA Act, as well as on EIA documentation (including annexes), notifications, public comments and statements of the states concerned (which are recapitulated in the EIA report and the binding opinion of the EIA) and the results of the public hearing held on the New Nuclear Power Plant at the Dukovany Site within the EIA process, as well as on all other documents for the decision included in the administrative file. The Ministry of Industry and Trade of the Czech Republic found that these documents are up-to-date and form a sufficient and complete basis for the decision in the matter (see the "Assessment of the application" section of the zoning decision).

The zoning decision (see the sections "Assessment of the application" and "Reasons for the decision and justification of the conditions of the decision") further shows that the Ministry of Industry and Trade of the Czech Republic decided to issue the zoning decision in question also on the basis that it verified:

- which conditions of the binding EIA opinion were already relevant for the preparation of the documentation for the zoning procedure, including how their fulfilment is ensured.

- mutual consistency between the binding opinion of the EIA and other submitted binding opinions of the concerned authorities required by special legal regulations, with the conditions set out in these binding opinions included in full in the conditions of the zoning decision.

- compliance of the proposed constructions with all statutory requirements and aspects (including requirements resulting from spatial planning documentation, binding opinions and other requirements under the Building Act and its implementing legislation, in particular with general requirements for the use of the territory and technical requirements for construction, as well as with the requirements for public transport or technical infrastructure, the conditions of the protection and safety zones concerned, including zoning measures and sanitary protection zones) and found them to be permissible also from the point of view of the interest in environmental protection and other interests resulting from special legal regulations protected by the authorities concerned and other entities.

The objections and comments raised by the parties to the proceedings (including the public concerned) and the public are dealt with in the justification of the zoning decision.

III. We hereby request you to publish the following information without delay in the manner provided for by the national legislation of your country:

- This letter of the Ministry of the Environment of the Czech Republic no. MZP/2023/710/3680 of 30 October 2023 (in English)

- Decision of the Ministry of Industry and Trade of the Czech Republic no. MPO 76833/23/423 - SÚ of 30 October 2023 (in Czech)

- Machine translation of the decision of the Ministry of Industry and Trade of the Czech Republic no. MPO 76833/23/423 - SÚ of 30 October 2023 into English, German, Polish and Hungarian

- Decision of the Ministry of Industry and Trade of the Czech Republic no. MPO 76834/23/422 - SÚ of 30 October 2023 (in Czech)

- Machine translation of the decision of the Ministry of Industry and Trade of the Czech Republic no. MPO 76834/23/422 - SÚ of 30 October 2023 into English and German, Polish and Hungarian

For information, we would like to add that in the Czech Republic, the zoning decisions in question are published on the official board of the Ministry of Industry and Trade of the Czech Republic (the administrative authority that conducted both zoning proceedings) and on the official boards of the Třebíč Municipal Office, the Rouchovany Municipal Office, the Dukovany Municipal Office and the Slavětice Municipal Office.

The date of publication will be determined by the date of posting on the official board of the Ministry of Industry and Trade of the Czech Republic (i.e., 30 October 2023). On the fifteenth day after the posting on the official board of the Ministry of Industry and Trade <https://www.mpo.cz/cz/rozcestnik/uredni-deska/stavebni-urad/>, both zoning decisions will be deemed to have been delivered (notified) pursuant to Section 25(2) of Act No. 500/2004 Coll., the Administrative Code, as amended (hereinafter referred to as the "Administrative Code"). The English version of the notice board is available at the following link <https://www.mpo.cz/en/guidepost/official-notice-board/building-authority/>

IV. We request information on the date and method of publication of the information. Please send information on the date and method of publication according to the national legislation of your country in writing to the address **Ministerstvo průmyslu a obchodu ČR, Na Františku 32, 110 15 Praha 1, Česká republika**, and a copy to the Ministry of the Environment of the Czech Republic at the address **Ministerstvo životního prostředí České republiky, Vršovická 65, 100 10 Praha 10, Česká republika**.

V. Information on the conditions of participation of the public concerned

An appeal may be lodged against **both of the above-mentioned zoning decisions, as an ordinary appeal, to the Minister of Industry and Trade of the Czech Republic through the Ministry of Industry and Trade of the Czech Republic** as the competent building authority that issued these decisions, under the conditions set out in the Administrative Code and the EIA Act.

The deadline for filing an appeal against both decisions is 15 days in the case of the public concerned pursuant to Section 83(1) of the Administrative Procedure Code and runs from the day following the date of delivery (notification) of the decision (i.e., from 15 November 2023). The public concerned, as referred to in Section 3(i)(2) of the EIA Act, may also lodge an appeal against both zoning decisions even if it was not a party to the proceedings at first instance. The public concerned is a legal entity under private law, the subject of which, according to the founding legal act, is the protection of the environment or public health, and whose main activity is not business or any other gainful activity, which was established at least 3 years prior to the date of publication of information on the follow-up proceedings pursuant to Section 9b(1) of the EIA Act, or which is supported by the signatures of at least 200 persons. Compliance with the conditions pursuant to Section 3(i)(2) of the EIA Act shall be demonstrated by the public concerned in the appeal pursuant to Section 9c(4) of the EIA Act. The public concerned, whose status is given by the supporting signatures of at least 200 persons, shall provide signature documents that meet the requirements prescribed in Section 9e of the EIA Act.

The deadline for filing an appeal as an ordinary appeal shall be maintained, pursuant to Section 40(1)(d) of the Administrative Procedure Code, if on the last day of the time limit the appeal is filed with the Ministry of Industry and Trade of the Czech Republic or if on that day a postal item addressed to this administrative authority and containing the appeal is submitted to the holder of a postal licence or a special postal licence or to a person in your country with a similar status. If the deadline falls on a Saturday, Sunday or public holiday, the last day of the deadline shall be the following business day in accordance with Article 40(1)(c) of the Administrative Procedure Code.

All submissions (appeals against zoning decisions) should be directed in writing by the public concerned to the address of the building authority:

**Ministerstvo průmyslu a obchodu ČR
Na Františku 32
110 15 Praha 1
Česká republika**

or, where applicable, electronically signed with a recognised electronic signature issued in accordance with EU Regulation No 910/2014 on electronic identification and trust services for electronic transactions in the internal market at:

posta@mpo.cz

For the sake of clarity, we clarify that submissions made only by email without a recognised electronic signature or by bulk email cannot be considered admissible under the Administrative Procedure Code.

Please note that all submissions made to the building authority must be made in Czech on the basis of Section 16 of the Administrative Code. Documents drawn up in a foreign language (except Slovak) must be submitted in the original text and simultaneously in an officially certified translation into Czech.

In the event that an official translation into Czech is not submitted together with the submission in a foreign language, the prescribed formalities of the submission will not be fulfilled. In such a case, the Ministry of Industry and Trade of the Czech Republic shall invite the applicant to eliminate the deficiencies of the submission, i.e., to add the official translation, in accordance with Section 37(3) of the Administrative Procedure Code, and shall set a reasonable deadline.

VI. The main supporting documents for the above-mentioned zoning decisions (including the documentation for the zoning decisions, binding opinions of the authorities concerned and opinions and statements of technical infrastructure managers and other entities, their updates, etc.) are available on the web repository, as they have been continuously published, at the following addresses:

- <https://next.mzp.cz/s/f3ftynYKRXLc947> (password: QwEr2019);
- <https://next.mzp.cz/s/wSbbKTMD9BqqoPf> (password: 2jMQWN47);
- <https://next.mzp.cz/s/qXoZK9FsAWf35Zf> (password: qrWkcXgk);
- <https://next.mzp.cz/s/6sqmdmgYnpjJEEH> (password: YLZGQbQK).

The documents obtained during the EIA process for the project "New Nuclear Source at the Dukovany Site" including the resulting binding EIA opinion are available at:

https://portal.cenia.cz/eiasea/detail/EIA_MZP469?lang=en

Annexes:

Decision of the Ministry of Industry and Trade of the Czech Republic no. MPO 76833/23/423 - SÚ of 30 October 2023 (in Czech)

Machine translation of the decision of the Ministry of Industry and Trade of the Czech Republic no. MPO 76833/23/423 - SÚ of 30 October 2023 into English, German, Polish and Hungarian

Decision of the Ministry of Industry and Trade of the Czech Republic no. MPO 76834/23/422 - SÚ of 30 October 2023 (in Czech)

Machine translation of the decision of the Ministry of Industry and Trade of the Czech Republic no. MPO 76834/23/422 - SÚ of 30 October 2023 into English and German, Polish and Hungarian

All of the above annexes can be downloaded here:
<https://next.mzp.cz/s/Gkokx6y6XGMacyR>

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