

### **1.1.1 OBJECTION NO. 1 OF THE CHILDREN OF THE EARTH ASSOCIATION OF 13.9.2021 - SYSTEMIC BIAS**

*By Objection No. 1 of 13 September 2021, the Children of the Earth association, in accordance with Section 14 of the Administrative Procedure Code, draws attention to the systemic risk of bias of the entire Třebíč Municipal Office (i.e. all employees, including the Secretary) and the City of Třebíč (i.e. all employees), as it has reasonable doubts as to whether the proceedings will be conducted without political and financial influence from the superiors of the Municipal Office and the City .*

***Pursuant to Section 14(1) and (2) of the Administrative Procedure Code, Children of the Earth object to the bias of all relevant employees of the Třebíč Municipality, including the Secretary and the Mayor, as they could have a significant interest in the decision being issued expeditiously and also in violation of the law and the rights of the parties to the proceedings, including Children of the Earth.***

***According to the Children of the Earth, the proof is not only the political and media activities of various politicians of the Czech government and at the regional level, but also at the municipal level, including a number of associations that are involved in the energy sector of the region or actively support the operation of the EDU and the construction of the NPP EDU (e.g. Energetické Třebíčsko, ENERGOREGION 2020, s.p.o., etc.), in order to expeditiously locate the building (possibly regardless of the law) with the aim of expeditiously starting its construction (in 2029).***

*Children of the Earth also draws attention to the political and media pressures exerted by a number of politicians at the national, regional and municipal level, as well as lobbyists, including associations, on the City Council's (or the Regional Council's) officials.*

*In their objections, the Children of the Earth then summarize the applicable legal regulation on systemic bias, the Ministry of the Interior's methodological aid on Section 14 of the Administrative Procedure Code of 9 May 2017 entitled "Systemic Bias" and refer to the Supreme Administrative Court's decision-making practice on the systemic risk of bias.*

*In the opinion of the Children of the Earth, the long-standing and strongly politically and financially conditioned discussions represent a significant risk in the public administration's decision-making on the location and permitting of the subject NPP EDU project (resp. It is therefore desirable (for the participants in the proceedings and for the administrative authorities at the Municipality) that the **decision on this project should be made by a different Municipality than the Municipality of Třebíč, or outside the Třebíč region**, or even outside the Vysočina Region (which also has an interest in accelerated permitting and construction), based on the precautionary principle and the maximum reduction of the risk of so-called systemic bias.)*

*In their objections, the Children of the Earth express their doubts as to whether the construction office of the Třebíč Municipal Authority is capable of guaranteeing impartiality in the conduct of these proceedings and whether it will issue an objective decision when it will "have" to comply with the expected tasks of the Třebíč management (the Secretary and the Mayor), respectively the company Elektrárna Dukovany II, a. s. or local lobby associations with close ties to politicians at all levels.*

***In the opinion of the Children of the Earth, in this situation, all employees of the Třebíč Municipal Office and the town of Třebíč who will decide on the application and on the comments and objections of the parties to the proceedings (including the Children of the Earth) must be considered biased, so it is necessary that another municipal office outside the Třebíč region (or outside the Vysočina Region) decide on the application.***

*In support of their claims, Children of the Earth present a number of media outputs by various politicians or lobby groups that demonstrate the so-called risk of systemic bias, as these outputs are made by politicians at all levels of public administration, i.e. from the leadership of the town of Třebíč, through the leadership of the region to the leadership of the state. At the same time, Children of the Earth point to the close personal relationships of local/local private or public entities (the Energy Třebíč and ENERGOREGION 2020 platforms) with local/local, regional and national politicians in order to expeditiously permit and build the NJZ EDU, and this activity may pose a so-called risk of systemic bias for all employees of the Municipality.*

*In their objections, the Children of the Earth conclude that all persons working at the Třebíč Municipal Office (including all employees at the construction office) have been under great media and political pressure for many years and are therefore heavily biased against the subject plan for the location of the NPP EDU in favour of the speedy processing of the application of Elektrárna Dukovany II, a. s., and the swift issuance of a zoning decision so that the project could be built immediately, even at the risk of an illegal decision being issued, so that it is highly doubtful that the construction office at the Municipality would have made an impartial and diligent decision according to the law as a fair and professional public administration (although the communication between the construction office and Children of the Earth after the application was sent to the proceedings has been procedurally and temporally correct).*

***Children of the Earth believes that it is necessary for another building authority outside Třebíč to be in charge of this procedure.***

*According to the Children of the Earth, when deciding on the so-called risk of systemic bias of the employees of the Municipal Office, including the mayor and the secretary, the KÚ should take into account a similar case, which is the placement and permitting of the D0136 Říkovice - Přerov motorway, as among others. This is also the case of the KÚ in Olomouc of 20 June 2018, no. KUOK 52031/2018 in the procedure for amending the zoning decision and of 2 July 2021, no. KUOK 70760/2021 in the procedure for permitting five buildings.*

### **Settlement:**

**The objections of systemic bias were discussed as follows:**

On 11 January 2022, the Ministry of Regional Development issued a resolution under No. MMR-870/2022-83, which decided on the objection of bias of all officials of the Regional Office of the Vysočina Region raised by the Children of the Earth Association that the Director of the Regional Office of the Vysočina Region is not excluded from the deliberations and decision-making in the joint planning proceedings. The Children of the Earth filed an appeal against this decision, which was rejected by the Minister for Regional Development in a decision issued on 29 April 2022 under No. MMR-21033/2022-31 and confirmed the decision of the Ministry for Regional Development of 11 January 2022, No. MMR-870/2022-83.

On 9 February 2022, the Director of the Regional Office of the Vysočina Region issued a resolution under No.: KUJI 12443/2022, by which he decided on the objection of bias of all official persons of the Třebíč Municipal Office raised by the Children of the Earth Association that this objection is rejected and that the Mayor of Třebíč and other official persons assigned to the Třebíč Municipal Office are not excluded from deliberations and decision-making in the joint zoning proceedings. The Children of the Earth association filed an appeal against this resolution, which the Ministry of Regional Development rejected by decision issued on 11 May 2022 under No.: MMR-23415/2022-83 and confirmed the resolution of the Director of the Regional Office of the Vysočina Region dated 9 February 2022, No.: KUJI 12443/2022.

On the basis of the above, it can be concluded that the objection of systemic bias was duly assessed and decided by the relevant superior authorities, and that it was found to be unfounded both in relation to the Mayor of Třebíč and the officials of the Třebíč Municipal Office, and in relation to the Director of the Regional Office of the Vysočina Region (who decided on the objection of bias of the Mayor and the officials of the Třebíč Municipal Office).

Moreover, as a result of legislative changes, the competence to issue this decision was subsequently transferred to the Ministry of Industry and Trade with effect from 1 July 2023, which completed the above-mentioned proceedings and decided on the matter. In doing so, the Ministry of Industry and Trade familiarised itself with the complete contents of the administrative file, verified its completeness, examined the correctness of the previous course of the procedure and verified that it had all the documents and information necessary for the decision to be issued, or that all the necessary steps had been taken so that a decision on the matter could be issued on the basis of the collected documents (including proper familiarisation of the parties to the procedure with all the decision documents pursuant to Article 36(3) of the Administrative Procedure Code). On that basis, the Ministry of Industry and Trade

then assessed the merits of the application and issued this decision. Thus, the Ministry of Industry and Trade, as the competent construction authority, decided on the merits of the case, to which the objections of systemic bias raised against the Třebíč Municipal Office and the Regional Office of the Vysočina Region do not apply.

### **1.1.2. OBJECTIONS OF THE ASSOCIATION CHILDREN OF THE EARTH NO. 2 OF 29.9.2021 - TO THE PROCEDURE FOR THE LOCATION OF 11 PARTS OF THE PROJECT NJZ EDU**

#### ***1.1.2.1 In their submission of 29.9.2021, the Children of the Earth argue the following:***

*On the content of the file - request to check and possibly complete missing or outdated documents*

#### ***1. Children of the Earth demand a check to prove that the project complies with the ZÚR and the Master Plan***

##### **Settlement:**

Compliance of the submitted documentation for the issuance of the zoning decision with the Czech Republic's Spatial Development Policy, with the Principles of Spatial Development of the Vysočina Region, with the Zoning Plan of the Municipality of Dukovany to the extent that decisions can be made according to the Zoning Plan of the Municipality of Dukovany, with the Zoning Plan of the Municipality of Slavětice to the extent, in which decisions can be made according to the Zoning Plan of the municipality of Slavětice, and with the Zoning Plan of the municipality of Rouchovany in the scope in which decisions can be made according to the Zoning Plan of the municipality of Rouchovany, is supported by the following binding opinions of the Municipal Office of Třebíč, Department of Development and Spatial Planning, Department of the Office of Spatial Planning:

- Binding opinion: no. ORÚP 86422/20 - SPIS 1497/2021/HaD of 24 February 2021 for the construction of the *Drainage of rainwater from the NJZ EDU through the Lipňanský brook, including its retention*,
- Binding opinion: no. ORÚP 86430/20 - SPIS 1498/2021/HaD of 26 February 2021 for the *Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"*,
- Binding opinion: no. ORÚP 83180/20 - SPIS 1487/2021/HaD of 25 February 2021 for the construction of the *110 kV underground cable line from the TR Slavětice substation*,
- Binding opinion: no. ORÚP 83207/20 - SPIS 1494/2021/HaD of 25 February 2021 for the construction of the *400 kV line - power output of V883 and V884 for NJZ EDU*,
- Binding opinion: no. ORÚP 86434/20 - SPIS 1501/2021/HaD of 26 February 2021 for the construction of the *raw water supply line from the Mohelno hydroelectric power station and a new water reservoir for the EDU NPP*,
- Binding opinion: no. ORÚP 86437/20 - SPIS 1500/2021/HaD dated 26.2.2021 for the construction of the *Waste Water Diversion from the NJZ EDU and the HPP*,
- Binding opinion: no. ORÚP 83201/20 - SPIS 1493/2021/HaD of 24 February 2021 for the construction of the *Wastewater diversion from the construction of the NJZ EDU to the Skryje reservoir*,
- Binding opinion: no. ORÚP 83215/20 - SPIS 1496/2021/HaD of 24 February 2021 for the construction of the *Drainage of rainwater from the area of the NJZ EDU to the Skryje reservoir*
- Binding opinion: no. ORÚP 83195/20 - SPIS 1491/2021/HaD of 24 February 2021 for the construction of the *Drainage of rainwater from the area of the NJZ EDU to the Lipňanský brook*,

- Binding opinion: no. ORÚP 83200/20 - SPIS 1492/2021/HaD of 26 February 2021 for the construction of the *Drainage of rainwater from the NPP EDU construction site into the Heřmanický Brook*,
- Binding opinion: no. ORÚP 83191/20 - SPIS 1490/2021/HaD dated 25.2.2021 for the construction of a *purpose-built road to provide access to other people's land on the area of the NJZ EDU*.

The planning authority followed up these binding opinions with written communications in which the planning authority states that the project is still in compliance with the ZÚR and PÚR and that there has been no substantial change in the conditions under which the binding opinions were issued:

- DECREE of 19.10.2022, No: ORÚP 75444/22 - SPIS 1497/2021/HaD,
- DECREE of 19.10.2022, No: ORÚP 75354/22 - SPIS 1496/2021/HaD,
- DECREE of 19.10.2022, No: ORÚP 75368/22 - SPIS 1490/2021/HaD,
- DECREE of 19.10.2022, No: ORÚP 75373/22 - SPIS 1491/2021/HaD,
- DECREE of 19.10.2022, No: ORÚP 75385/22 - SPIS 1492/2021/HaD,
- DECREE of 19.10.2022, No: ORÚP 75395/22 - SPIS 1493/2021/HaD,
- DECREE of 19.10.2022, No: ORÚP 75398/22 - SPIS 1500/2021/HaD,
- DECREE of 19.10.2022, No: ORÚP 75403/22 - SPIS 1501/2021/HaD,
- DECREE of 19.10.2022, No: ORÚP 75404/22 - SPIS 1494/2021/HaD,
- DECREE of 19.10.2022, No: ORÚP 75407/22 - SPIS 1487/2021/HaD,
- DECREE of 19.10.2022, No: ORÚP 75442/22 - SPIS 1498/2021/HaD.

The continuing validity of these binding opinions was subsequently confirmed by the following communications from the planning authority:

- DECREE of 26.1.2023, Ref: ORÚP 2761/23 - SPIS 1497/2021/HaD,
- DECREE of 26.1.2023, Ref: ORÚP 2699/23 - SPIS 1498/2021/HaD,
- DECREE of 26.1.2023, No: ORÚP 2708/23 - SPIS 1487/2021/HaD,
- DECREE of 26.1.2023, Ref: ORÚP 2711/23 - SPIS 1494/2021/HaD,
- DELEGATION of 26.1.2023, Ref: ORÚP 2731/23 - SPIS 1501/2021/HaD,
- DECREE of 26.1.2023, Ref: ORÚP 2733/23 - SPIS 1500/2021/HaD,
- DECREE of 26.1.2023, Ref: ORÚP 2734/23 - SPIS 1493/2021/HaD,
- DECREE of 26.1.2023, Ref: ORÚP 2744/23 - SPIS 1496/2021/HaD,
- DECREE of 26.1.2023, Ref: ORÚP 2745/23 - SPIS 1491/2021/HaD,
- DECREE of 26.1.2023, Ref: ORÚP 2762/23 - SPIS 1492/2021/HaD,
- DECREE of 26.1.2023, Ref: ORÚP 2763/23 - SPIS 1490/2021/HaD,

The Building Authority has familiarised itself with the content of the above-mentioned communications of the planning authority and considers them to be a complete, up-to-date and comprehensive basis for the decision, which sufficiently demonstrates the compliance of the permitted project with the current Principles of Spatial Development and the spatial plans of the municipalities concerned (see the justification of the assessment of compliance with the currently valid spatial planning documentation in the section Assessment of the application above).

## **2. Children of the Earth demand control of the verification of the EIA binding opinion**

**Settlement:**

On 1 September 2021, the Ministry of the Environment, Department of Environmental Impact Assessment and Integrated Prevention, issued a consent binding opinion on the verification of changes to the project that could have a significant negative impact on the environment, under No. MZP/2021/710/2951, pursuant to Section 9a(6) of the EIA Act, in relation to the binding opinion EIA. All binding conditions resulting from the EIA binding opinion have been fully incorporated into the conditions of this decision.

Subsequently, on 16 September 2021, the Ministry of the Environment issued Resolution No. MZP/2021/710/4699, correcting an obvious inaccuracy - a typing error - in the issued binding opinion on the verification of the changes to the plan.

In accordance with the requirements of Section 9a(6) of the EIA Act, the subject EIA Verification Binding Opinion was issued in relation to the current version of the documentation for the zoning decision, which was submitted by the applicant together with its application for a zoning decision and served as the basis for the issuance of this decision, without any changes. The Building Authority has read this and the binding EIA opinion and has no objections to it.

**3. *Children of the Earth request control of the documentation of a convincing analysis of the fulfilment of the requirements of the binding EIA opinion (2019) on the location of the construction***

**Settlement:**

In accordance with Decree No. 499/2006 Coll., on documentation of buildings, as amended, the fulfilment of the requirements resulting from the binding EIA opinion is described in the chapter designated for this purpose (B.6.d) of Part B. Summary Technical Report, which is always part of the documentation for the application for a zoning decision on the location of individual structures forming the NPP EDU project (with the exception of the structure "Set of structures on the site of the nuclear facility "New nuclear source at the Dukovany site"", for which the fulfilment of the requirements resulting from the binding EIA opinion is described in Chapter B.3.d) of Part B. Summary Technical Report). As already mentioned in the description of the reasons for the decision and the justification of the conditions of the decision, all the conditions of the EIA binding opinion have been incorporated into the conditions of the planning decision in accordance with Section 149(1) of the Administrative Code. At the same time, the construction authority has considered and commented in detail on the fulfilment of all the conditions of the EIA binding opinion relevant to the subject matter of the present planning procedure and has concluded that the fulfilment of all the conditions of the EIA binding opinion is sufficiently ensured (see in detail the section of the justification of this decision entitled '*Reasons for the decision and justification of the conditions of the decision*'). The Ministry of the Environment has also issued a binding consent pursuant to Section 9a(6) of the EIA Act under the binding opinion No MZP/2021/710/2951 of 1 September 2021 to verify changes to the project that could have a significant negative effect on the environment. On 16.9.2021, it then issued Resolution No. MZP/2021/710/4699, which corrected an apparent inaccuracy in the issued consent binding opinion - a typing error (see above).

The conditions of the binding EIA opinion are implemented in a manner appropriate to the current stage of the permitting process, taking into account their specific wording, purpose and the period of time when they are to be implemented. All binding conditions resulting from the EIA binding opinion have been fully incorporated into the conditions of this Decision.

The applicable legislation does not require the applicant to submit any further analyses and supporting documents regarding compliance with the requirements of the binding EIA opinion. The documents submitted by the applicant as described above constitute a sufficient basis for the issuance of this decision. .

**4. *Children of the Earth demand a check on the documentation of binding opinions on the intervention into the VCP and the landscape character within the meaning of Act No.***

***114/1992 Coll., including a study on the impact on the landscape character with visualizations and a study on the impact on light pollution of the landscape***

**Settlement:**

The following documents issued by the Regional Authority of the Vysočina Region, Department of Environment and Agriculture, have been placed in the administrative file:

- No. KUJI 111315/2020 OZPZ 2268/2020 of 16 December 2020 for the construction of the *Drainage of rainwater from the NJZ EDU by the Lipňanský brook incl. their retention* - contains a binding consent opinion on the intervention in the HCP with the condition that the construction will be implemented and operated in such a way that it will not be necessary to interfere with trees growing outside the forest outside the trees directly affected by the construction (listed in the documentation), the binding opinion on the intervention in the landscape character was not issued, because according to the communication of the concerned authority, the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location,
- No. KUJI 107147/2020 OZPZ 2268/2020 of 26 January 2021 (as amended by correction resolution No. KUJI 13409/2021 OZPZ 2268/2020 of 17 February 2021). 2021) for the *Complex of buildings in the nuclear facility "New nuclear source in the locality of Dukovany"* - contains a consent binding opinion on the intervention in the VCP without conditions and a consent binding opinion on the intervention in the landscape character with the condition that at least 3 years before the construction starts the applicant will address in writing the municipalities (whose territory will be directly affected visually by the construction) with an offer of the possibility of planting trees to mitigate the visual impact of the construction on the intravilan of the settlement,
- No. KUJI 86729/2020 OZPZ 2268/2020 of 13 November 2020 for the construction of the *Underground cable line 110 kV from the TR Slavětice substation* - contains a binding opinion in favour of the intervention in the VCP without conditions, the binding opinion on the intervention in the landscape character was not issued, because according to the communication of the concerned authority, the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location;
- No. KUJI 86751/2020 OZPZ 2268/2020 of 18 November 2020 for the construction of the *400 kV power line V883 and V884 for the NJZ EDU* - contains a binding opinion on the intervention into the landscape without conditions, the binding opinion on the intervention into the HCP has not been issued, since according to the communication of the concerned authority the HCP will not be affected by the construction,
- No. KUJI 86743/2020 OZPZ 2268/2020 dated 8 December 2020 for the construction of the *Raw water supply lines from Mohelno hydroelectric power station and a new water reservoir for the NJZ EDU* - it contains a consent binding opinion on the intervention into the VCP with the condition that the construction will be implemented and operated in such a way that it will not hydrologically affect the flow of the Skryjský Brook and its valley floodplain west of the crossing with the construction of the gravity line with the Skryjský Brook (i.e. above this crossing) and a binding consent opinion on the encroachment on the landscape character without conditions,
- No. KUJI 86749/2020 OZPZ 2268/2020 of 18 January 2021 for the construction of the *Wastewater Diversion from the NJZ EDU and the HPP* - it contains a binding opinion on the intervention in the VCP without conditions, the binding opinion on the intervention in the landscape character was not issued, because according to the communication of the concerned authority the construction will not be applied in view due to its location,
- No. KUJI 72361/2020 OZPZ 2268/2020 of 13.11.2020 as amended by the correction resolution under No. KUJI 110714/2020, OZPZ 2268/2020 of 23.11.2020. 2020 for the construction of the *Wastewater Diversion from the construction of the NJZ EDU to the Skryje Reservoir* - contains a binding opinion on the intervention in the HCP without conditions, a binding opinion on the intervention in the landscape character was not issued, because according to the communication

of the concerned authority, the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location,

- No. KUJI 72354/2020 OZPZ 2268/2020 of 13 November 2020 for the construction of the *Drainage of rainwater from the area of the NJZ EDU to the Skryje reservoir* - contains a binding opinion on the intervention in the VCP without conditions, a binding opinion on the intervention in the landscape character was not issued, because according to the communication of the concerned authority, the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location;
- No. KUJI 64147/2020 OZPZ 2268/2020 dated 20.11.2020 for the construction of the *Drainage of rainwater from the area of the NJZ EDU to the Lipňanský brook* - it contains a consenting binding opinion on the intervention in the VCP with the conditions that (1) the open object of the brewery will be sloped on one side at a slope of 1:1 and more gradual, the surface of this part will be roughened; (2) felling will be carried out in the period September - February. Any trees with cavities present that could be inhabited by bats will be identified by the biological supervisor and will only be felled between 1 September and 31 October under the supervision of the biological supervisor, who may suggest other measures for the protection of bats if necessary. The loss of roosts and food supply for birds and mammals caused by the encroachment and felling to the extent specified in the project documentation will be compensated for by the implementation of additional measures such as the installation of bird boxes, the construction of dry-stacked walls below the frost depth, or other minor measures to be determined by the biological supervision. The trunks of the selected felled trees will be left in situ to decay spontaneously. The location and number of the above elements will be determined in individual stages by the biological control; (3) Excess soil from excavation will be deposited in the NPP EDU site equipment area on the nuclear facility site, see the documentation for the planning permission in Part B. Summary Technical Report Chapter B.5 and a binding opinion on landscape impact has not been issued, as according to the communication of the concerned authority, the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location,
- No. KUJI 64144/2020 OZPZ 2268/2020 of 13 November 2020, as amended by the correction resolution No. KUJI 110702/2020 OZPZ 2268/2020 of 24 November 2020 and the amendment of the binding opinion No. KUJI 4229/2021 OZPZ 2268/2020 of 5 February 2020. 2021 for the construction of the *Drainage of rainwater from the areas of the NJZ EDU construction site to the Heřmanický Brook* - contains a binding opinion in favour of the intervention in the VCP with the conditions that (1) the open structure of the brewhouse will be sloped on one side at a slope of 1:1 and more gradual, the surface of this part will be roughened; (2) Excess soil from excavation works will first be deposited on the area of the NPP EDU construction site and subsequently used during construction, see documentation for the zoning decision in Part B. (3) As part of the separate action "Disposal of site equipment objects including final rough landscaping on the site equipment area", an assessment will be made of the necessity to retain the object "end collector of storm water into the Heřmanický Brook" after the completion of the construction of the NPP EDU and its reuse for the drainage of rainwater/drainage water from the reclaimed site equipment area. The possibility of blanking or removal of the facility will be examined, or at least measures will be proposed to allow for the gradual drainage of rainfall and a binding opinion on the impact on the landscape character has not been issued, since according to the communication of the concerned authority, the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location,
- No. KUJI 71683/2020 OZPZ 2268/2020 of 18 November 2020 for the construction of a *purpose-built road to provide access to foreign land on the area of the NJZ EDU* - a binding opinion on the intervention in the HCP was not issued, since according to the communication of the concerned authority none of the roads exceeds the HCP; also a binding opinion on the intervention in the landscape character was not issued, since according to the communication of the concerned authority the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location.

The issue of the impact of the project on significant landscape elements and landscape character was therefore addressed in detail during the above-mentioned proceedings and the building authority had sufficient documentation to assess the issue and issue a decision, including binding opinions and communications from the relevant nature protection authority. Insofar as these binding opinions contained certain conditions, these conditions were fully taken into account in the operative part of the decision. At the same time, these conditions have been taken into account in the determination of the height limitation of the construction of the 'Complex of buildings on the site of the nuclear installation 'New nuclear source at the Dukovany site" (see the justification of these conditions above for details).

In the above-mentioned documents it is also explicitly stated that the applicant has requested the Regional Authority of the Vysočina Region to issue binding opinions and all other administrative acts under the Act on Nature and Landscape Protection falling within the competence of this authority, including binding opinions in terms of interference with significant landscape elements and landscape character. After evaluating the content of the project documentation, the Vysočina Regional Authority concluded in the case of the selected buildings (see above) that binding opinions and other administrative acts will not be issued for these buildings, as no impacts on significant landscape elements can be expected and the buildings cannot have an impact on the reduction of the landscape character of the sites in question. This conclusion seems logical in view of the nature of the structures in question and their location, as these structures are by their nature sub-surface or low-rise structures with a negligible visual impact on the surrounding area, or by their nature extending an already existing extensive network of overhead power lines.

The evaluation of the effects of the entire New Nuclear Power Plant project at the Dukovany site on the landscape, including the preparation of a corresponding background study, was also the subject of the environmental impact assessment process (EIA process). Attention was also paid to the issue of light pollution in this process and in the documentation of the environmental impact of the project (EIA documentation). The Ministry of the Environment, in the resulting consent EIA binding opinion, set out the relevant conditions to be fulfilled in the framework of the documentation for the building permit or before the application for the building permit (see in particular conditions 7, 9 and 10 of the EIA binding opinion). It is therefore clear that this issue is to be dealt with in greater detail at later stages of the project documentation, which appears logical and reasonable in the present case. The permitted project involves a specific set of buildings on the site of the nuclear installation, the basic parameters and limitations of which are defined in the planning procedure, but without their specific technical design being known. However, without knowing the specific design, some of the possible effects of the construction cannot be definitively assessed, including the effects on light pollution.

##### ***5. Children of the Earth demand control of the documentation of binding opinions according to Act No. 254/2001 Coll. on the protection of water conditions***

###### **Settlement:**

Binding opinions to the extent required under Act No. 254/2001 Coll., on Water and on Amendments to Certain Acts (Water Act), as amended, are the basis for the issuance of the decision. In particular, the following binding opinions of the water authority issued by the Regional Authority of the Vysočina Region, Department of Environment and Agriculture were submitted:

- No. KUJI 13400/2021 OŽPZ 294/2021 PP-2 of 26 February 2021 for the construction of the *Drainage of rainwater from the NJZ EDU through the Lipňanský brook, including its retention* - consent binding opinion with the conditions that (1) During the implementation of construction works, the risk of disturbance of melioration (drainage) facilities, which are water works structures, will be minimized. In the event that a drainage (drainage) facility is damaged/interrupted during the works, the contractor will be obliged to restore the drainage facility in order not to interrupt its drainage (drainage) function; (2) According to the central register of watercourses, the construction will affect an unnamed small watercourse - IDVT 10441281, managed by Povodí Moravy, s.r.o. This nameless small watercourse, a right-side tributary of the Lipňanský Brook, must be respected. In the project documentation, this small



watercourse is listed as one of the three drainage systems. It will be included as a minor watercourse in the project documentation for the construction permit;

- No. KUJI 13420/2021 OŽPZ 295/2021 PP-2 of 1 March 2021 for the *Set of buildings in the nuclear facility "New nuclear source in the locality of Dukovany"* - consenting binding opinion with the condition that the project documentation for the construction procedure will address in detail the requirements of the NPP EDU for water management, including the management of surface water, groundwater and wastewater in accordance with the legal regulations in force at the time of the documentation, in particular the Water Act and the Government Regulation to implement the provisions of Section 38 of the Water Act,
- No. KUJI 105340/2020 OŽPZ 2214/2020 PP-2 of 12 November 2020 for the construction of the *Underground cable line 110 kV from the TR Slavětice substation* - consent binding opinion with the condition that the construction work will be carried out in such a way as to minimize the risk of disturbance of land reclamation facilities, which are water works structures. In the event that a drainage facility is damaged/interrupted during the works, the contractor will be obliged to restore the drainage facility so that its drainage function is not interrupted
- No. KUJI 105333/2020 OŽPZ 2213/2020 PP-2 of 12 November 2020 for the construction of the *400 kV line - power output V883 and V884 for NJZ EDU* - consent binding opinion with the condition that the newly built and relaid line must be located outside the protection zone of water infrastructure structures (water supply, sewerage),
- No. KUJI 113212/2020 OŽPZ 2361/2020 PP-2 of 15 January 2021 for the construction of the *raw water supply line from the Mohelno VD and a new water reservoir for the NJZ EDU* - consent binding opinion with the conditions that (1) the route of the raw water pipeline from the Mohelno VD and the cable line will cross the existing transport (class II roads, special purpose roads) and technical (underground/underground cable lines, water supply pipelines) infrastructure. This must be taken into account in the preparation and processing of project documentation for the construction procedure, including the protection zones of this transport and technical infrastructure. It is also necessary to respect the opinions and conditions of the administrators and owners of this transport and technical (water management) infrastructure; (2) the next stage of the project documentation, i.e. the documentation for the construction procedure, will include, among other things, the calculation of the capacity of the existing pipeline of the blocked part of the water flow Skryjský potok in order to connect the safety overflow from the water reservoir. The calculation, including the next stage of the project documentation, will be submitted to the Morava River Basin Authority for comment and its conditions will be incorporated into the project documentation for the construction procedure;
- No. KUJI 113227/2020 OŽPZ 2362/2020 PP-2 of 22.12.2020 for the construction of the *Waste Water Diversion from the NJZ EDU and the HPP* - consent binding opinion with conditions that (1) the route of the waste water pipeline from the NJZ EDU and the cable line will cross the existing transport (class II roads, special purpose roads) and technical (water management) infrastructure (underground/underground cable lines, water supply pipeline, existing DN 800 pipeline). This must be taken into account in the preparation and processing of project documentation for construction proceedings, including the protection zones of this transport and technical infrastructure. It is also necessary to respect the opinions and conditions of the administrators and owners of this transport and technical (water management) infrastructure; (2) the next stage of the project documentation, i.e. the documentation for the construction procedure, will include, among others, the method of crossing the watercourse Skryjský potok, which must be discussed with its direct administrator, i.e. Povodí Moravy, s.p., and its conditions must be incorporated into the project documentation for the construction procedure
- No. KUJI 88439/2020 OŽPZ 1930/2020 PP-2 of 7.10. 2020 for the construction of the *Waste Water Diversion from the construction of the NPP EDU to the Skryje Reservoir* - consent binding opinion with the conditions that (1) the route of the waste water collector will cross the technical infrastructure of the existing nuclear power plant (water supply pipeline, raw water supply, storm water sewerage) and the Slavětice-Dukovany water supply line managed by VODÁRENSKÁ AKCIOVÁ SPOLEČNOSTI, a.s. This must be respected when preparing and

processing the project documentation for the construction procedure, including the protection zones of this technical (water management) infrastructure. It is also necessary to respect the opinions and conditions of the administrators and owners of this water management infrastructure; (2) the next stage of the project documentation, i.e. the documentation for the construction procedure, will include, among other things, a proposal for the scope and location of monitoring of wastewater that will be discharged into surface waters after pre-treatment - the Skryj reservoir on the Skryjský brook. The wastewater treatment plant must also include equipment for chemical precipitation of phosphorus

- No. KUJI 88424/2020 OŽPZ 1929/2020 PP-2 of 7.10. 2020 for the construction of the *Drainage of rainwater from the area of the NJZ EDU to the Skryje reservoir* - consent binding opinion with the conditions that (1) the route of the rainwater collectors will cross the technical infrastructure of the existing nuclear power plant (water pipelines, raw water supply, rainwater sewerage) and the Slavětice-Dukovany water supply line managed by VODÁRENSKÁ AKCIOVÁ SPOLEČNOSTI, a.s. This must be respected when preparing and processing the project documentation for the construction procedure, including the protection zones of this technical (water management) infrastructure. It is also necessary to respect the opinions and conditions of the administrators and owners of this water management infrastructure; (2) the next stage of the project documentation, i.e. the documentation for the construction procedure, will include, among others. (3) the next stage of the project documentation for the construction procedure must also address the provision of sufficient capacity of the Skryj reservoir for the transfer of rainwater and treated wastewater, and an assessment of whether the increase in the amount of water transferred will require a change in the handling rules of this water reservoir
- No. KUJI 82298/2020 OŽPZ 1622/2020 PP-3 of 9 September 2020 for the construction of the *Drainage of rainwater from the NJZ EDU area into the Lipňanský brook* - consent binding opinion without conditions,
- No. KUJI 82919/2020 OŽPZ 1623/2020 PP-3 of 10. 9. 2020 for the construction of the *Drainage of rainwater from the NPP EDU construction site into the Heřmanický Brook* - consent binding opinion with the condition that the proposed construction site area is located on the existing drainage facility (a separate sewer used to drain rainwater from the site of the existing nuclear power plant), which is subsequently discharged into the small watercourse Heřmanický Brook. This existing storm water drainage facility must be respected during the preparation and processing of the project documentation for the construction procedure and construction works
- No. KUJI 88455/2020 OŽPZ 1932/2020 PP-2 of 21.9.2020 as amended by the resolution after correction under No. KUJI 5459/2021, OŽPZ 144/2021 PP-1 of 21.1.2020 for the construction of a *dedicated road to provide access to other people's land on the area of the EDU NW* - consent binding opinion with the condition that in the area of the construction there is an existing drainage facility for the drainage of rainwater, i.e. surface water from the EDU 1-4. The construction affects the storm (rain) sewer DN 800 - crossing point - dedicated road branch B, km 0.595. Prior to the construction, the existing condition of this sewer will be checked with the owner of the sewer and in case of any defects, their removal will be ensured. Drainage of rainwater from the EDU 1-4 site must be respected during the preparation and processing of project documentation for the construction procedure.

The Building Authority has verified that these binding opinions are complete and constitute a sufficient basis for the decision. The conditions of those binding opinions have been taken over in full in the operative part of this decision.

**6. *Children of the Earth demand a check on the documentation of binding opinions according to Act No. 201/2012 Coll. on air protection, including a dispersion study***

**Settlement:**

The following binding opinions and communications issued by the Regional Authority of the Vysočina Region, Department of Environment and Agriculture pursuant to Act No. 201/2012 Coll., on Air Protection, are among the documents for the issuance of the decision:

- No. KUJI 111317/2020 OZPZ 1531/2020 of 1 December 2020 for the construction of the *Drainage of rainwater from the NJZ EDU by the Lipňanský brook, including its retention* - after studying all available documents, the concerned authority concluded that it is not necessary to issue a binding opinion for this type of action according to Act No. 201/2012 Coll, as the above mentioned project is neither a listed stationary source of air pollution nor a non-listed stationary source of air pollution not listed in Annex 2 of this Act No 201/2012 Coll,
- No. KUJI 111319/2020 OZPZ 2318/2020 Rů of 14 December 2020 for the *Set of buildings in the nuclear facility "New nuclear source in the locality of Dukovany"* - consent binding opinion (without conditions),
- No. KUJI 86734/2020 OZPZ 1531/2020 of 23 September 2020 for the construction of the *Underground 110 kV cable lines from the TR Slavětice substation* - after studying all available documents, the concerned authority concluded that there is no need to issue a binding opinion for this type of action according to Act No. 201/2012 Coll, as the above mentioned project is neither a listed stationary source of air pollution nor a non-listed stationary source of air pollution not listed in Annex 2 of this Act No 201/2012 Coll,
- No. KUJI 86739/2020 OZPZ 1531/2020 of 23 September 2020 for the construction of the *400 kV line - power output of V883 and V884 for NJZ EDU* - after studying all available documents, the concerned authority concluded that there is no need to issue a binding opinion for this type of action according to Act No. 201/2012 Coll, as the said project is neither a listed stationary source of air pollution nor a non-listed stationary source of air pollution not listed in Annex 2 of this Act No 201/2012 Coll,
- No. KUJI 86742/2020 OZPZ 1531/2020 of 23 September 2020 for the construction of the *Raw water supply line from Mohelno hydroelectric power station and a new water reservoir for the EDU NPP* - after studying all available documents, the concerned authority concluded that it is not necessary to issue a binding opinion for this type of action according to Act No. 201/2012 Coll, as the above mentioned project is neither a listed stationary source of air pollution nor a non-listed stationary source of air pollution not listed in Annex 2 of this Act No 201/2012 Coll,

On 1.12.2020, due to a modification of the documentation, a communication was issued under reference KUJI 111302/2020 OZPZ 1531/2020 confirming the validity of the original communication,

- No. KUJI 86735/2020 OZPZ 1531/2020 of 23 September 2020 for the construction of the *Waste Water Diversion from the NJZ EDU and the HPP* - after studying all available documents, the concerned authority concluded that there is no need to issue a binding opinion for this type of action according to Act No. 201/2012 Coll, as the above mentioned project is neither a listed stationary source of air pollution nor a non-listed stationary source of air pollution not listed in Annex 2 of this Act No 201/2012 Coll,

On 1.12.2020, due to a modification of the documentation, a communication was issued under reference KUJI 111300/2020 OZPZ 1531/2020 confirming the validity of the original communication,

- No. KUJI 71673/2020 OZPZ 1531/2020 of 5 August 2020 for the construction of the *Wastewater Diversion from the construction of the NJZ EDU to the Skryje Reservoir* - after studying all available documents, the concerned authority concluded that there is no need to issue a binding opinion for this type of action according to Act No. 201/2012 Coll, as the above mentioned project is neither a listed stationary source of air pollution nor a non-listed stationary source of air pollution not listed in Annex 2 of this Act No 201/2012 Coll,
- No. KUJI 71674/2020 OZPZ 1531/2020 of 5 August 2020 for the construction of the *Drainage of rainwater from the area of the NJZ EDU to the Skryje reservoir* - after studying all available documents, the concerned authority concluded that there is no need to issue a binding opinion for this type of action according to Act No. 201/2012 Coll, as the above mentioned project is neither a listed stationary source of air pollution nor a non-listed stationary source of air pollution not listed in Annex 2 of this Act No 201/2012 Coll,

- No. KUJI 64136/2020 OZPZ 1531/2020 of 3 August 2020 for the construction of the *Drainage of rainwater from the area of the NJZ EDU into the Lipňanský Brook* - after studying all available documents, the concerned authority concluded that there is no need to issue a binding opinion for this type of action according to Act No. 201/2012 Coll, as the said project is neither a listed stationary source of air pollution nor a non-listed stationary source of air pollution not listed in Annex 2 to Act No 201/2012 Coll,
- No. KUJI 64141/2020 OZPZ 1531/2020 of 3 August 2020 for the construction of the *Drainage of rainwater from the areas of the NPP EDU construction site into the Heřmanický Brook* - after studying all available documents, the concerned authority concluded that there is no need to issue a binding opinion for this type of action according to Act No. 201/2012 Coll, as the said project is neither a listed stationary source of air pollution nor a non-listed stationary source of air pollution not listed in Annex 2 to Act No 201/2012 Coll,
- No. KUJI 71676/2020 OZPZ 1531/2020 of 5 August 2020 for the construction of a *purpose-built road to provide access to foreign land in the area of the NJZ EDU* - after studying all available documents, the concerned authority concluded that there is no need to issue a binding opinion for this type of action according to Act No. 201/2012 Coll, as the above mentioned project is neither a listed stationary source of air pollution nor a non-listed stationary source of air pollution not listed in Annex 2 of this Act No 201/2012 Coll.

Among the supporting documents for the decision is a statement issued by the Municipal Authority of Dukovany pursuant to Act No. 201/2012 Coll., on Air Protection:

- No. OUDUK-423/2020-02-ŽP dated 18.11.2020 for the *Set of buildings in the nuclear facility "New nuclear source in the locality of Dukovany"* - the concerned authority has no objections to the location of the set of buildings "Set of buildings in the nuclear facility "New nuclear source in the locality of Dukovany".

Therefore, the issue of air protection was addressed in detail during the above proceedings and the building authority had sufficient documents to assess the issue and issue a decision, including binding opinions and communications from the competent air protection authority .

In addition to the above conclusions made by the competent air protection authority, it can be added for completeness that the evaluation of the effects of the entire project of the New Nuclear Source at the Dukovany site on the dispersion situation, including the preparation of a corresponding background study, was the subject of the environmental impact assessment process (EIA process). The Ministry of the Environment, in the resulting EIA binding consent opinion, imposed condition No. 29 dealing with, among other things, ensuring the minimisation of air quality impacts during the construction period or selecting measures to minimise the impact of emissions from vehicle movements on site roads. This condition has subsequently been adopted in full in the operative part of this decision.

The documentation of the environmental impact of the project is part of the documents for the issuance of this decision and is also published on the Internet at [https://portal.cenia.cz/eiasea/detail/EIA\\_MZP469](https://portal.cenia.cz/eiasea/detail/EIA_MZP469). The binding EIA opinion is part of the documentary part of the documentation for the decision on the location of the construction. The relevant conditions of the EIA binding opinion concerning the minimisation of emissions from site traffic are thus fully respected.

## ***7. Children of the Earth demand a check on the documentation of binding opinions according to Act No. 258/2000 Coll. for the protection of public health, including a noise study***

### **Settlement:**

Binding opinions to the extent required under Act No. 258/2000 Coll., on the protection of public health and on amendments to certain related acts, as amended, are the basis for the issuance of the decision. In particular, the following binding opinions of the public health protection authority issued by the Regional Hygiene Station of the Vysočina Region, based in Jihlava, were submitted:

- No. KHSV/26371/2020/JI/HOK/Sme, 2 of 5 February 2021 for the construction of the *Drainage of rainwater from the NJZ EDU through the Lipňanský brook, including its retention* - consent binding opinion without conditions,
- No. KHSV/25439/2020/JI/HOK/Sme of 18.12. 2020 for the *Set of constructions in the nuclear facility "New nuclear source in the locality of Dukovany"* - consent binding opinion with the conditions that (1) the project documentation for the construction procedure will include an updated noise study from the operation of the NPP EDU, which will be based on a specific design solution according to the selected contractor; (2) the project documentation for the construction procedure will include an updated noise study from the construction activity, which will be prepared on the basis of the construction organization plan of the NPP EDU
- No. KHSV/20325/2020/JI/HOK/Sme of 24 September 2020 for the construction of the *110 kV underground cable line from the TR Slavětice substation* - consenting binding opinion without conditions,
- No. KHSV/20323/2020/JI/HOK/Sme of 24 September 2020 for the construction of the *400 kV power line V883 and V884 for NJZ EDU* - consent binding opinion without conditions,
- No. KHSV/20322/2020/JI/HOK/Sme of 24 September 2021 and No. KHSV/26373/2020/JI/HOK/Sme of 10 December 2020 for the construction of the *raw water supply line from the Mohelno Waterworks and a new water reservoir for the EDU NPP* - consent binding opinion without conditions,
- No. KHSV/20324/2020/JI/HOK/Sme of 25 September 2020 and No. KHSV/26372/2020/JI/HOK/Sme of 10 December 2020 for the construction of the *Wastewater Diversion from the NJZ EDU and the SHPP* - consenting binding opinion without conditions,
- No. KHSV/16937/2020/JI/HOK/Sme of 12 August 2020 for the construction of the *Wastewater diversion from the construction of the NJZ EDU to the Skryje reservoir* - consent binding opinion without conditions,
- No. KHSV/16934/2020/JI/HOK/Sme of 12 August 2020 for the construction of the *Drainage of rainwater from the area of the NJZ EDU to the Skryje reservoir* - consent binding opinion without conditions,
- No. KHSV/00038/2021/JI/HOK/Deš of 4 January 2021 for the construction of the *Drainage of rainwater from the NJZ EDU area into the Lipňanský brook* - consent binding opinion without conditions,
- No. KHSV/14961/2020/JI/HOK/Deš of 16 July 2020 for the construction of the *Drainage of rainwater from the NPP EDU construction site into the Heřmanický Brook* - consent binding opinion without conditions,
- No. KHSV/16932/2020/JI/HOK/Sme dated 10.8.2020 for the construction of a *purpose-built road to provide access to other people's land on the area of the NJZ EDU* - consent binding opinion without conditions.

To the extent that conditions have been set out in the above-mentioned binding opinions, they have been taken over in full in the operative part of this Decision. This concerns in particular the requirement to update the noise study as part of the documentation for the construction procedure, following the choice of a specific design solution and the adoption of a construction organisation plan.

These conditions also correspond with the conclusions of the binding EIA opinion, where the EIA process included an evaluation of the effects of the entire New Nuclear Power Plant project at the Dukovany site on the noise situation, including the preparation of a corresponding background study. On this basis, the Ministry of the Environment, in the resulting EIA binding opinion, set out conditions 25, 26, 30 and 44 containing requirements for the preparation of acoustic studies or noise measurements for defined periods and further stages of the project (e.g. after the selection of the contractor or before the start of construction, etc.) (see above). These conditions have subsequently been taken over in full in the operative part of this decision.

The binding opinion of the EIA (see in particular pages 11 - 12 and 32) shows, among other things, that in the prospective state, the operation of the NPP EDU in a two-block layout with 4 cooling towers can still be expected to comply with the hygiene limits, even in cumulative noise from the operation of the extended Slavětice substation.

It is therefore obvious that the noise issue should be addressed in greater detail only in later stages of the project documentation, which seems logical and reasonable in the case under consideration. In fact, the authorised project involves a specific set of buildings on the site of a nuclear installation, the basic parameters and limitations of which are defined in the planning procedure, but without their specific technical design being known. However, without knowledge of the specific design, it is not possible to assess definitively some of the possible impacts of the construction, including noise.

The documentation of the environmental impact of the project is part of the documents for the issuance of this decision and is also published on the Internet at [https://portal.cenia.cz/eiasea/detail/EIA\\_MZP469](https://portal.cenia.cz/eiasea/detail/EIA_MZP469). The binding EIA opinion is part of the documentary part of the documentation for the decision on the location of the construction. The relevant conditions of the EIA opinion concerning noise protection are thus fully respected.

**8. *Children of the Earth demand a check on the documentation of binding opinions according to Act No. 289/1995 Coll. on the protection of 50 metres from the edge of the forest for the location of the construction***

**Settlement:**

One of the bases for the decision are the following binding opinions issued by the Regional Authority of the Vysočina Region, Department of Environment and Agriculture, for buildings that encroach into the zone 50 m from the edge of the forest:

- No.: KUJI 238/2021, file No.: OŽPZ 10/2021 Vo-2 of 6 January 2021 for the construction of the *Drainage of rainwater from the NJZ EDU by the Lipňanský brook, including its retention*, includes the consent to issue a decision on the location of the construction within 50 m from the edge of the forest with the conditions that (1) the construction will be implemented as it results from the documentation for the application for the issuance of a zoning decision on the location of the construction "Drainage of rainwater from the NJZ EDU by the Lipňanský brook, incl. retention", which was attached to the application (order number - 29-5320-30-011, October 2020); (2) construction or excavation materials shall not be deposited on the forest land in question during the construction. Neighbouring land intended for the performance of forest functions and the vegetation growing thereon shall not be affected or damaged by the preparation of the project, its implementation or its operation. Access roads to the construction site must not be built across the forest land in question. Furthermore, neither the preparation of the construction, nor its implementation, nor its operation shall restrict or prevent access to the forest land in question
- No. KUJI 14203/2021, file No. OŽPZ 301/2021 Vo-3 of 16.2.2021 as amended by the correction resolution under No. KUJI 18211/2021, file No. OŽPZ 301/2021 Vo-6 of 26.2.2021. 2021 for the construction of *raw water supply lines from Mohelno HPP and new water tank for NJZ EDU* - includes consent to issue a decision on the location of the construction within 50 m from the edge of the forest with conditions; that (1) The construction will be implemented as indicated in the documentation for the application for the issuance of a location decision for the construction "Raw water supply lines from Mohelno HPP and new water reservoir for NJZ EDU", which was attached to the application (contract number - 29-5320-30-008, October 2020, archive number EGP 859-3-F-2020-0200); (2) After the zoning decision on the placement of the construction becomes legally valid, the builder shall apply to the regional authority for temporary withdrawal (for permanent withdrawal - geometric survey of the construction is required) of the land fulfilling forest functions (§ 15 - § 18 of the Forest Act). The requirements for the application for withdrawal are specified in the Decree of the Ministry of Agriculture No. 77/1996 Coll, (3) the consent does not authorise the felling or damaging of trees, the carrying out of construction or excavation works, or the depositing of materials on the forest function

land in question; (4) in the "construction protection zone" (see defined above), any restrictions on the use of the forest function land will be in the pipeline protection zone regime pursuant to Act No. 274/2001 Coll, No. 458/2000 Coll., on the conditions of business and the exercise of state administration in the energy sectors and on the amendment of certain acts (Energy Act), as amended, or the protection zone of a cable line pursuant to Act No. 127/2005 Coll., on the conditions of business and the exercise of state administration in the energy sectors and on the amendment of certain acts (Energy Act), as amended, or the protection zone of a communication line pursuant to Act No. 127/2005 Coll, on electronic communications and on amendments to certain related acts (Electronic Communications Act), as amended; (5) construction or excavation materials may not be deposited on the forest land in question during the construction. Neither the preparation of the project, its implementation nor the actual operation may affect or damage the land intended for the fulfilment of forest functions and the vegetation growing thereon. Access roads to the construction site must not be built across the forest land in question. Furthermore, neither the preparation of the construction, nor its implementation, nor the operation itself shall restrict or prevent access to the forest land in question

- no. j. KUJI 14213/2021, file no. OŽPZ 302/2021 Vo-3 of 16. 2. 2020 for the construction of the *Waste Water Diversion from the NJZ EDU and the HPP* - contains the consent to issue a decision on the location of the construction, which is to affect land intended for the performance of the forest function with an area of over 1 ha and land within 50 m from the edge of the forest with conditions; that (1) the construction will be implemented as indicated in the documentation for the application for the issuance of the construction location decision "Raw water supply lines from Mohelno HPP and new water reservoir for NJZ EDU", which was attached to the application (order number - 29-5320-30-008, October 2020, archive number EGP 859-3-F-2020-0200); (2) after the zoning decision on the placement of the construction becomes legally valid, the builder shall apply to the regional authority for temporary withdrawal (for permanent withdrawal - geometric survey of the construction is required) of land fulfilling forest functions (§ 15 - § 18 of the Forest Law). The requirements for the application for withdrawal are specified in the Decree of the Ministry of Agriculture No. 77/1996 Coll, (3) the consent does not authorise the felling or damaging of trees, the carrying out of construction or excavation works, or the depositing of materials on the forest function land in question; (4) in the "construction protection zone" (see defined above), any restrictions on the use of the forest function land will be in the pipeline protection zone regime pursuant to Act No. 274/2001 Coll, No. 458/2000 Coll., on the conditions of business and the exercise of state administration in the energy sectors and on the amendment of certain acts (Energy Act), as amended, or the protection zone of a cable line pursuant to Act No. 127/2005 Coll., on the conditions of business and the exercise of state administration in the energy sectors and on the amendment of certain acts (Energy Act), as amended, or the protection zone of a communication line pursuant to Act No. 127/2005 Coll, on electronic communications and on amendments to certain related acts (Electronic Communications Act), as amended; (5) During the construction, no construction or excavation materials may be deposited on the forest land in question. Neither the preparation of the project, its implementation nor the actual operation may affect or damage the land intended for the fulfilment of forest functions and the vegetation growing thereon. Access roads to the construction site must not be built across the forest land in question. Furthermore, neither the preparation of the construction, nor its implementation, nor its operation shall restrict or prevent access to the forest land in question.
- No. KUJI 80180/2020, file No. OŽPZ 1681/2020 Vo-2 of 24. 8. 2020 for the construction of the *Drainage of rainwater from the NPP EDU construction site into the Heřmanický Brook* - includes the consent to issue a decision on the location of the construction within 50 m from the edge of the forest with the conditions that (1) the construction will be implemented so that, as shown in the documentation for the application for a location decision for the construction "Drainage of rainwater from the NJZ EDU site facilities to the Heřmanický Brook", which was attached to the application (order number - 29-5320- 30-008, May, June 2020); (2) No construction or excavation materials shall be placed on the subject forest land during construction. Access roads to the construction site shall also not be constructed across the subject forest land. Furthermore, neither the preparation of the construction, nor its

implementation, nor the actual operation shall restrict or prevent access to the forest land in question

The conditions of these binding opinions have been taken over in full in the operative part of this decision.

The project documentation for the other buildings shows that these buildings do not encroach into the 50 m zone from the forest edge, and therefore the documentation of the binding opinion is not necessary.

**9. *Children of the Earth demand a check on the documentation of the underlying decision on the authorisation of an exemption according to Section 56 of Act No. 114/1992 Coll. for the intervention into habitats, including the Biological Assessment and the NATURA 2000 Impact Assessment***

**Settlement:**

Act No. 152/2023 Coll. amended the Linear Act so that with effect from 1 July 2023 for selected energy infrastructure constructions referred to in Section 1(4)(a) of Act No. (b) of the Linear Act, which are also constructions of nuclear facilities, and for constructions related to these constructions, if they require a building permit, exemptions from the prohibitions for monumental trees and specially protected species of plants and animals pursuant to Section 56 of the Act on Nature and Landscape Protection, which have not yet been issued, shall not be issued before the issuance of a zoning decision and shall be issued before the issuance of a building permit. According to the transitional provisions in Article XXXIII of Act No 152/2023 Coll., proceedings and other procedures initiated before the date of entry into force of this Act shall be completed and the rights and obligations related thereto shall be assessed in accordance with the legislation in force as of the date of entry into force of this Act.

Therefore, in the case under review, the construction authority did not have to deal with the question of the need to submit further decisions on the authorisation of an exemption under Section 56 of the Act on Nature and Landscape Protection for the authorised constructions beyond the one filed by the applicant. As a result of the above-mentioned legislative changes, such decisions would not have been issued anyway before the decision was issued.

In addition to this, it can be added for completeness that the evaluation of the impacts of the entire project of the New Nuclear Source at the Dukovany site on biodiversity, including the Biological Assessment and the Natura 2000 Impact Assessment, was subject to the environmental impact assessment process (EIA process). The Ministry of the Environment, in the resulting EIA binding consent opinion, set out the relevant conditions (Nos. 32 and 35) concerning the provision of ecological (biological) supervision for the entire course of the construction of the project and its orientation, as well as the condition to carry out floristic and faunistic surveys of the area concerned during the last 2 growing seasons before the start of construction in order to identify and locate the most valuable communities and the occurrence of specially protected plant and animal species. On the basis of the results of these surveys, the subject condition prescribes the obligation to apply to the competent nature protection authority for an exemption from the protection conditions of the specially protected species concerned before construction starts and to specify appropriate mitigation and compensation measures.

This procedure is necessary in order to ensure up-to-date information on the state of the environment at the time of commencement of the project and necessary for an accurate assessment of the exemptions granted and the establishment of appropriate and precise conditions in order to maximise compensation and minimise environmental impacts.

Therefore, the requirement to submit a supporting decision on the authorisation of an exemption pursuant to Section 56 of the Act on Nature and Landscape Protection is premature and unjustified in the light of the binding opinion of the EIA and the applicable legal regulations.

Only in the case of the construction of the *Drainage of rainwater from the NJZ EDU through the Lipňanský brook, including its retention*, an exemption was requested in accordance with Section 56 of the Act on Nature and Landscape Protection before the application for the decision on the



location of the construction was submitted. On 13 July 2020, the Regional Authority of the Vysočina Region, Department of Environment and Agriculture, issued a decision under Section 56(1) and (2)(c) of the Act on Nature and Landscape Protection under No. KUJI 65622/2020, file No. OŽPZ 664/2020, with the inclusion of conditions relating to later stages of the preparation of the construction, or the period immediately preceding the start of construction. One of the conditions set out in the decision is the obligation to submit an up-to-date biological survey 2-3 years prior to the implementation of the project, on the basis of which any need to amend or supplement the conditions of the decision in question will be assessed. These conditions have been fully respected in this decision, as the wording of Section 2k of the Linear Act implies that the already issued exemption decisions are to serve as a basis for issuing a planning decision.

***10. Children of the Earth requests control of the documentation of a convincing analysis of compliance with the requirements of the exemption under Section 56 of Act No. 114/1992 Coll.***

**Settlement:**

As already mentioned in the settlement of the objection regarding the submission of exemption decisions pursuant to Section 56 of the Act on Nature and Landscape Protection (see Section 1.1.2.1.9 above), according to Section 2k of the Linear Act, it is not necessary to document pending exemption decisions as a basis for the issuance of a planning decision. In the above-mentioned proceedings, only the decision on granting the exemption in question for the construction "*Drainage of rainwater from the EDU NPP by the Lipňanský brook including its retention*" was submitted, which contains conditions relating to later stages of the project preparation of this construction (see section 1.1.2.1.9 above). It would thus be premature and unjustified to carry out the required analysis of compliance with the requirements of the decision already in the context of the planning procedure.

***11. Children of the Earth request a check on the inclusion in the file of all mandatory statements, opinions, binding opinions and supporting decisions***

**Settlement:**

In accordance with Section 86 of the Building Act, the Třebíč Municipal Authority has assessed the completeness of the submitted applications for the issuance of a zoning decision and the establishment of protection zones and the attached formalities. As the applications contained all the required elements required by the legislation, the Třebíč Municipal Authority announced the commencement of the zoning procedure by means of public notice No. OV 52079/21 - SPIS 7229/2021/Pec dated 29 July 2021.

In the course of the above-mentioned proceedings, updated binding opinions of the authorities concerned and statements of other subjects were submitted, in particular due to their limited validity or (in the case of binding opinions on felling of trees and in terms of protection of the population issued by the Municipal Authority of Rouchovany) due to their cancellation and replacement by binding opinions issued by the newly authorised Municipal Authority of Dukovany (see the list of binding opinions, opinions and statements submitted for individual buildings above). Within the framework of these updates, for each of the buildings placed by this decision, among others, notifications were issued by the Municipal Office of Třebíč, Department of Development and Spatial Planning, Department of the Office of Spatial Planning dated 19 October 2022, in which the compliance of each building with Update No. 4 of the Spatial Development Policy of the Czech Republic, and in which it is stated that there has been no substantial change in the conditions under which the binding opinions of the Třebíč Municipal Office, Department of Development and Spatial Planning, Department of the Office of Spatial Planning, were issued and therefore remain valid.

As it follows from the overview of the binding opinions of the concerned authorities mentioned above, during the above proceedings the binding opinions on felling of trees and on the protection of the population issued by the Municipal Authority of Rouchovany were cancelled by the Regional Authority of the Vysočina Region due to possible doubts regarding the bias of this administrative authority. The Regional Authority of the Vysočina Region therefore subsequently entrusted the issue of the binding opinions in question to the Municipal Authority of Dukovany, which issued the

relevant binding opinions on felling of trees and in terms of protection of the population, with the binding conditions set out in these binding opinions being taken over in the conditions of this Decision.

Furthermore, it should be stressed that the authorities concerned issuing the supporting decisions, binding opinions, opinions and statements for this decision were among the addressees of the invitation to familiarise themselves with the supporting documents and to comment on them pursuant to Section 36(3) of the Administrative Procedure Code, which was last made by the Building Authority on 21 June 2023 after it had collected all the supporting documents for the decision. Even in response to this invitation, the authorities concerned did not file any additional acts beyond those already on file in the previous proceedings.

The Building Authority, after a thorough examination of the documents on file for the above-mentioned procedure (including decisions, binding opinions and statements of the authorities concerned, statements of the owners/managers of technical and transport infrastructure and other entities, as well as other documents submitted by the applicant), found that these documents are up-to-date and complete as of the date of this decision and form a sufficient basis for the issuance of this decision.

***12. Children of the Earth demand a review of the temporal validity of all documents, in particular the underlying decisions and statements of owners and managers of technical and transport infrastructure***

**Settlement:**

In accordance with Section 86 of the Building Act, the Třebíč Municipal Authority has assessed the completeness of the submitted applications for the issuance of a zoning decision and the establishment of protection zones and the attached formalities. As the applications contained all the required elements required by the legislation, the Třebíč Municipal Office announced the commencement of the zoning procedure by means of public notice No. OV 52079/21 - SPIS 7229/2021/Pec dated 29 July 2021. None of the state administration authorities concerned added anything to the construction authority's request, as all binding opinions and statements had already been obtained by the applicant before the procedure was initiated (with the exception of the binding opinion on felling of trees concerning the construction 'Underground 110 kV cable line NJZ EDU from the TR Slavětice substation' and the binding opinion from the point of view of the protection of the population concerning the construction 'Set of buildings on the site of the nuclear facility 'New nuclear source in the locality of Dukovany'', However, the Municipal Office Slavětice did not issue these binding opinions in response to the applicant's applications or to a repeated request from the Municipal Office Třebíč, and therefore, pursuant to Section 2 para. This planning decision is not conditioned by these binding opinions due to the inactivity of the Slavětice Municipal Authority (see above).

In the course of the above-mentioned procedure, updated binding opinions of the authorities concerned and statements of other subjects were submitted due to their limited validity (see the overview of binding opinions, statements and opinions submitted for individual buildings above).

The Building Authority, after a thorough examination of the documents on file for the above-mentioned procedure (including decisions, binding opinions and statements of the authorities concerned, statements of the owners/managers of technical and transport infrastructure and other entities, as well as other documents submitted by the applicant), found that these documents are up-to-date and complete as of the date of this decision and form a sufficient basis for the issuance of this decision.

***1.1.2.2 Children of the Earth's proposals to impose the requirements of the planning permission, if issued***

- 1. Children of the Earth propose to impose a requirement in the planning decision, namely that a Vegetation Management Project be submitted for the construction procedure, which will***

***include a planting list of only locally native tree species and the species composition of the grasses will include only a local so-called butterfly mix.***

**Settlement:**

The requirement to submit a project of vegetation modifications for the construction procedure does not need to be included in this decision, as the solution of vegetation and related landscaping, including the used vegetation elements and biotechnical measures, is, according to Annex 12 of Decree No. 499/2006 Coll., on the documentation of buildings, as amended, a necessary part of the project documentation for the issuance of a building permit (specifically in chap. B.5 (Solution of vegetation and related landscaping) of the summary technical report). The request is thus directed at the method of construction or reclamation, which is not subject to the planning procedure. Furthermore, the issue of protecting nature and the landscape from non-native invasive species is addressed in the legislation in force, in particular in the Nature and Landscape Protection Act.

As regards the new planting already established on the basis of this decision in its operative part, it is a so-called replacement planting for the felled trees, which was established by the building authority in a specific manner, including the exact species of trees to be planted, their number, trunk circumference and location on specific plots. At the same time, the building authority has set out the conditions for the care of the new trees, including a list of what this care should include. The above procedure was based on the requirements of the Municipality of Dukovany, as the competent nature protection authority, formulated in its binding opinions on the respective constructions, which were respected by the building authority.

- 2. The Children of the Earth propose to impose a requirement in the planning decision, namely that a monitoring plan for all environmental components from the start of field work to the issuance of the building permit be submitted to the construction procedure.***

**Settlement:**

The requirement to submit a Monitoring Plan for all environmental components from the start of the field work to the issuance of the building permit for the construction procedure was not considered justified by the building authority. Environmental protection during construction, protection of the construction site surroundings and requirements for related remediation, demolition, felling of trees is, according to Annex 12 of Decree No. 499/2006 Coll., on construction documentation, as amended, a necessary part of the project documentation for the issuance of a building permit (specifically in chap. B.8 (Principles of construction organisation) of the summary technical report). A description of the environmental impact of the construction and its protection should also be included in the project documentation for the building permit (specifically in chap. B.6 (Description of the environmental impact of the construction and its protection) of the summary technical report).

Furthermore, it can be noted that in relation to the protection of the environment throughout the construction of the New Nuclear Power Plant at the Dukovany site, the Ministry of the Environment set out in its binding EIA opinion the conditions no. 32, 33, 34 and 37, which require to ensure that prior to the commencement of the construction of the project, an ecological (biological) supervisor is appointed for its entire course, who will in particular supervise compliance with the established conditions for nature protection, monitor the construction areas for the presence of plants and animals, non-native and invasive plant species, and sites of European importance, monitor the risk of possible excessive dust pollution during construction work, propose protective and preventive measures and ensure their implementation. These conditions have subsequently been taken over in full in the operative part of this decision .

This fact was also referred to by the Regional Authority of the Vysočina Region, Department of Environment and Agriculture, in its binding opinions and communications issued for individual constructions from the perspective of nature protection, which emphasized that the appointed biological supervision will supervise the respect of plant and animal protection throughout the construction, monitor and subsequently propose solutions in the event of the occurrence of non-

native and invasive species and prepare interim reports on the interventions carried out from the perspective of nature protection interests.

**3. *Children of the Earth propose to add to the conditions of the planning permission a mandatory requirement that landscaping/roofing works should only be carried out between 1 September and 31 March of the current year.***

**Settlement:**

The Planning Authority firstly notes that the time limitation on the carrying out of the ground works requested in the objection relates to the carrying out of the construction, which is not subject to consideration in the planning procedure.

Moreover, the requirement is not supported by the valid legal regulations of the Czech Republic. The implementation of the field/roofing works depends on the actual meteorological conditions, when it is advisable to implement these works to the maximum extent possible in the period without frost and without increased precipitation, whether rain or snow, or in the period following it, when the soil is still significantly waterlogged.

At the same time, the Regional Authority of the Vysočina Region, Department of the Environment and Agriculture, also commented on the issue of landscaping in its binding opinions and communications issued on individual constructions from the point of view of nature protection, in which it emphasised that for most of the year (specifically in the period from July to April of the current year) there is no reproduction of most animal species, while in the remaining period the protection of the relevant environmental components should be ensured by the established biological supervision (see point 2 above).

**1.1.3. OBJECTIONS OF THE ASSOCIATION CHILDREN OF THE EARTH NO. 2 - TO THE ISSUE OF BINDING OPINIONS ON FELLING OF NON-FOREST TREES**

*In their objections, the Children of the Earth demand that the Municipal Authority **verify whether it actually has on file all the necessary consent binding opinions pursuant to Section 8(1) of Act No. 114/1992 Coll. on the permission to cut down all non-forest trees, including, for example, on the permission to cut down bushes on the area of 54.2 m<sup>2</sup> (or not to cut them down) according to the applicant's application of 25 January 2021 to the Slavětice Municipality.***

**Settlement:**

The administrative file contains all the necessary consent binding opinions for the felling of trees. Following the cancellation of the binding opinions of the Municipal Authority of Rouchovany on felling of trees dated 29 March 2021 and the authorisation of the Municipal Authority of Dukovany, the Municipal Authority of Dukovany issued on 12 June 2023 the binding opinions for felling of trees pursuant to Section 8(6) and Section 9 of the Act on Nature and Landscape Protection.

In the course of the proceedings, it was found that no binding opinion on felling of trees was issued for the documentation for the decision on the location of the construction "Underground cable line 110 kV NJZ EDU from the substation TR Slavětice", based on the application of Elektrárna Dukovany II, a. s. dated 25.1.2021, which was delivered to the Slavětice Municipal Office (together with the annexes) on 28.1.2021. The documents submitted by the applicant show that the Slavětice Municipal Office did not issue the binding opinion on the duly delivered application of the applicant within the statutory deadline. Subsequently, in accordance with Section 2(7) of the Law on Lines, the Building Authority sent a notice dated 22.12.2022, No. OV 104096/22 - SPIS 7229/2021/Pec, to the Slavětice Municipal Office, as the state administration authority concerned, to issue a binding opinion. After the expiration of the 60-day period from the date of delivery of the invitation of the administrative authority competent for conducting the proceedings pursuant to Section 2(7) of the Linear Act, this decision is not subject to this binding opinion of the Slavětice Municipal Authority on the felling of trees and any binding opinion issued later shall not be taken into account. The decision to cut down the trees in this case was taken by the building authority itself on the basis of its own discretion and evaluation of the documents submitted by the applicant, as set out in recital XXI of this decision.

### 1.1.3.1

*Although the content of the binding opinion, if any, can be reviewed, in accordance with Section 149 of the Administrative Procedure Code, at the latest together with an appeal against the issuance of the subsequent (zoning) decision, Children of the Earth, out of caution, submits below its requirements for the content of such binding opinion(s).*

*Children of the Earth specifically argue that with the legal authority must **assess the real necessity of felling these trees** (felling can be carried out **ONLY for serious reasons**) according to **Section 8(1) of Act No. 114/1992 Coll.** According to the Children of the Earth, such a serious reason is e.g. a final zoning decision, which should be part of the application and the file (see e.g. the judgment of the Supreme Administrative Court of 21 August 2008, 4 As 20/2008-84 or the judgment of the Regional Court in Ústí nad Labem of 22 May 2013, no. 15 A 36/2011-100, which annulled the decision of both the defendant and the first instance authority on the felling of non-forest trees for the part of the D8-0805 Lovosice - Řehlovice motorway precisely because there was no final planning decision on file), or in this case it is possible to issue a binding consent opinion together with the planning decision.*

#### **Settlement:**

The statement of the Municipal Authority of Dukovany on the objections of the parties dated 14 April 2023 and the justification of the binding opinions of the Municipal Authority of Dukovany on the felling of trees dated 12 June 2023 (issued instead of the Municipal Authority of Rouchovany) show that the Municipal Authority of Dukovany also took into account the objection of the assessment of the necessity of felling trees when assessing the applications for the issuance of binding opinions. Specifically, it stated that, when issuing the binding opinion, the necessity of felling the trees in question and the interest in doing so were assessed on the one hand and the interest in preserving the trees in question on the other hand, also in the context of the functional and aesthetic importance of the trees in question, which was assessed on the basis of the available documents and the local investigation carried out, taking into account the location and function of the individual trees in the locality and their characteristics. On the basis of this comparison, according to Dukovany Municipality, the interest in carrying out the felling was shown to outweigh the interest in preserving the trees concerned.

The Building Authority considers the settlement of this objection by the Dukovany Municipality to be conclusive and sufficient as a supporting document. The binding opinions of the Dukovany Municipal Authority are the basis for issuing a permit for felling trees (which, according to the submitted documentation for the planning decision, is necessary for the implementation of the relevant structures forming the NPP EDU project) and for imposing replacement planting, which are part of the operative part of this decision in accordance with Section 8(6) of the Act on Nature and Landscape Protection. This procedure is fully in line with Section 8(6) of the Nature and Landscape Conservation Act.

The decision to cut down the trees referred to in recital XXI of this decision was not conditioned by a binding opinion of the Slavětice Municipal Authority, as the competent nature protection authority, pursuant to Section 2(7) of the Linear Act, as this authority did not issue a binding opinion on the duly submitted application of the applicant or on the additional request of the building authority (see the settlement of the previous objection of the Children of the Earth Association in Section 1.1.3 above for details). In deciding on the felling of the trees in this case, the construction authority followed a similar procedure to that followed by the Municipal Authority of Dukovany in issuing its binding opinions on felling of trees, by examining the documents submitted by the applicant and, on the basis of these documents, assessing the ecological damage caused by the felling of the relevant trees and concluding that the interest in felling the trees, which is determined in particular by the importance of the permitted project, outweighs the interest in preserving the trees in question (see also the reasons for the specific conditions set out in recitals no. XVIII - XXVI of this decision above).

### 1.1.3.2

*Children of the Earth argue that the administrative authority should have the **binding EIA opinion** (issued pursuant to Section 9a(1), (3) and (4) of Act No. 100/2001 Coll., as amended on 1 April 2015)*

*in its file, even though according to the law and the case law of the administrative courts it is not a mandatory basis for decision-making in the proceedings. It is an important technical basis for the decision-making of nature protection authorities under Act No. 114/1992 Coll., since such a binding EIA opinion contains conditions that relate to the subject of the felling procedure, it is appropriate for the administrative authority to take them into account in its decision-making (or to justify why this basis is not necessary in the file).*

**Settlement:**

It is clear from the statement of the Municipality of Dukovany on the objections of the parties dated 14 April 2023 and from the justification of the binding opinions of the Municipality of Dukovany on the felling of trees dated 12 June 2023 (issued instead of the Municipality of Rouchovany) that the Municipality of Dukovany had the EIA binding opinion at its disposal when issuing this binding opinion, since the Municipality of Dukovany was the local authority concerned, which received the binding opinion after its issue. At the same time, it is stated in the comments and in the explanatory memorandum that the content of the binding opinion fully corresponds to the content of the EIA binding opinion and does not conflict with it in any way.

The requirements in this objection were thus reflected by the Municipal Office Dukovany in the binding opinion, although the binding opinion on the assessment of the environmental impact of the project is not a mandatory part of the application for a binding opinion on felling of trees according to Section 4 of Decree No. 189/2013 Coll., on the protection of trees and permitting their felling, as amended, i.e. it is not the duty of the administrative authority to keep this binding opinion on file. It is clear from the statement of the Municipal Authority of Dukovany of 14 April 2023 and the reasons for the binding opinions of the Municipal Authority of Dukovany on felling of trees of 12 June 2023 that the content of the EIA binding opinion was taken into account when issuing the binding opinions on felling of trees and that these binding opinions do not conflict in any way. Similarly, the EIA binding opinion was available to and taken into account by the construction authority, which also verified that the decisions it issued on the felling of trees corresponded to the content of the EIA binding opinion. The objection in question is therefore unfounded.

**1.1.3.3**

*Children of the Earth argue that the administrative authority should have on file **all final decisions on exemptions pursuant to Section 56 of Act No. 114/1992 Coll.** to interfere with the biotopes of specially protected species of animals (no older than 7 years), even if they are not a mandatory basis for decision-making. However, these documents are also important for the decision-making of nature protection authorities under Act No. 114/1992 Coll., as they may contain conditions that may directly or indirectly concern the felling of non-forest trees, so that the administrative authority may take their conditions into account in its decision-making (or justify why these documents are not necessary in the file).*

**Settlement:**

From the statement of the Municipal Authority of Dukovany on the objections of the parties dated 14 April 2023 and from the justification of the binding opinions of the Municipal Authority of Dukovany on the felling of trees dated 12 June 2023. 2023 (issued instead of the Municipal Authority of Rouchovany) shows that the Municipal Authority of Dukovany considers the requirement to provide a decision on exceptions pursuant to Section 56 of the Act on Nature and Landscape Protection for the purpose of issuing a binding opinion on felling of trees to be unjustified and unfounded, as the issue in question does not fall within its competence as a nature protection authority competent to issue binding opinions on felling of trees.

The Building Authority fully agrees with the above statement of the Municipal Authority Dukovany. The decision to grant an exemption pursuant to Section 56 of the Act on Nature and Landscape Protection is not a mandatory part of the application for a binding opinion on felling trees pursuant to Section 4 of Decree No. 189/2013 Coll., on the protection of trees and permitting their felling, as amended, i.e. it is not the duty of the administrative authority to keep this binding opinion on file. If the Municipal Authority of Dukovany were to deal with the issue of exceptions, this would clearly exceed its competence under the Act on Nature and Landscape Protection. The decision to grant an

exemption pursuant to Section 56 of the Act on Nature and Landscape Protection is not even a mandatory part of the application for a binding opinion on felling of trees pursuant to Section 4 of Decree No. 189/2013 Coll., on the protection of trees and permitting their felling, as amended. The issued binding opinions on felling of trees are thus complete and constitute a sufficient basis for a decision on the matter.

The Building Authority also emphasises that this objection appears to be without merit in view of the legislative changes effective from 1 July 2023 (see for the settlement of the objection in paragraph 1.1.2.1.9 above).

#### 1.1.3.4

*Children of the Earth further argue that the administrative authority should have a **binding consent opinion on file for the intervention in the HCV pursuant to Section 4(2) of Act No. 114/1992 Coll., if the non-forest tree species proposed for destruction grow on their territory, so that it will be a harmful intervention in the ecological-stabilising function of the HCV concerned. Without such consent, the felling cannot be authorised.***

#### **Settlement:**

The statement of the Municipal Authority Dukovany on the objections of the parties dated 14 April 2023 and the justification of the binding opinions of the Municipal Authority Dukovany on the felling of trees dated 12 June 2023 (issued instead of the Municipal Authority Rouchovany) show that the Municipal Authority Dukovany considers the requirement that for the purpose of issuing a binding opinion on the felling of trees, a binding opinion on the interference with a significant landscape element pursuant to Section 4 para. 2 of the Act on Nature and Landscape Protection as unjustified and unfounded, as the issue in question does not fall within its competence as a nature protection authority competent to issue binding opinions on felling of trees.

The Building Authority fully agrees with the above statement of the Municipal Authority Dukovany. If the Dukovany Municipal Authority were to deal with the issue of interference with a significant landscape element, it would clearly exceed its competence under the Nature and Landscape Protection Act. A binding opinion on the intervention in a significant landscape element pursuant to Section 4(2) of the Act on Nature and Landscape Protection is not even a mandatory part of the application for a binding opinion on felling of trees pursuant to Section 4 of Decree No. 189/2013 Coll., on the protection of trees and permitting their felling, as amended. The issued binding opinions on felling of trees are thus complete and constitute a sufficient basis for a decision on the matter.

Moreover, in the case under consideration, the Regional Authority of the Vysočina Region, Department of Environment and Agriculture, after evaluating the content of the project documentation for the individual buildings, issued binding opinions on intervention in a significant landscape element, which are the basis for the issuance of this decision, while the conditions set out therein do not contradict the binding opinions on felling of trees, or the conditions for felling of trees, replacement planting and subsequent care for it set out in the operative part of this decision. The Vysočina Regional Authority then concluded that the binding opinion on intervention in a significant landscape element would not be issued for the selected structures, as no impacts on significant landscape elements could be expected (see above). The construction authority based its decision on this basis.

#### 1.1.3.5

*Children of the Earth argue that the administrative authority should have a **binding consent opinion on the interference with the landscape character in the file pursuant to Section 12(2) of Act No. 114/1992 Coll., if the felled trees form alleys with an impact on the landscape character, as this may be a harmful interference with the landscape character. Without this consent, the felling cannot be authorised.***

#### **Settlement:**

The statement of the Municipal Authority Dukovany on the objections of the parties dated 14 April 2023 and the justification of the binding opinions of the Municipal Authority Dukovany on the felling of trees dated 12 June 2023 (issued instead of the Municipal Authority Rouchovany) show that the

Municipal Authority Dukovany considers the requirement that for the purpose of issuing a binding opinion on the felling of trees, a binding opinion on the impact on the landscape character according to Section 12 para. 2 of the Act on Nature and Landscape Protection as unjustified and unfounded, as the issue in question does not fall within its competence as a nature protection authority competent to issue binding opinions on felling of trees.

The Building Authority fully agrees with the above statement of the Municipal Authority Dukovany. If the Dukovany Municipal Authority were to deal with the issue of landscape impact, this would clearly exceed its competence under the Nature and Landscape Protection Act. According to Section 4 of Decree No. 189/2013 Coll., on the protection of trees and the authorisation of their felling, as amended, the binding opinion on the intervention in the landscape character pursuant to Section 12(2) of the Act on Nature and Landscape Protection is not a compulsory part of the application for a binding opinion on felling trees. The issued binding opinions on felling of trees are thus complete and constitute a sufficient basis for a decision on the matter.

Moreover, in the case under consideration, the Regional Authority of the Vysočina Region, Department of Environment and Agriculture, after evaluating the content of the project documentation for the individual buildings, issued binding opinions on the intervention in the landscape character, which are the basis for the issuance of this decision, while the conditions set out therein do not contradict the binding opinions on felling of trees, or the conditions for felling of trees, replacement planting and subsequent care for it set out in the operative part of this decision. The Vysočina Regional Authority then concluded that the binding opinion on landscape impact would not be issued for the selected structures, as no impact on landscape impact can be expected (see above). The building authority based its decision on this.

#### 1.1.3.6

*Specifically, Children of the Earth argue that the administrative authority should have on file a **Dendrological Assessment** of the felled trees, which will complement the **Tree Inventory** with a detailed assessment of their condition, so that this assessment will describe the vitality of the trees, their health, etc., which will serve as evidence of the condition of the trees prior to their felling and as a basis for a functional and aesthetic assessment of the trees being disposed of.*

#### **Settlement:**

The statement of the Municipality of Dukovany on the objections of the parties dated 14 April 2023 and the justification of the binding opinions of the Municipality of Dukovany on the felling of trees dated 12 June 2023 (issued instead of the Municipality of Rouchovany) show that the documents submitted by Elektrárna Dukovany II, a. s. included, among other things, a dendrological assessment, including an inventory of felled trees. These documents submitted by the applicant were sufficient, which was verified by the Municipality of Dukovany during the local investigation carried out during the assessment of the application in question. Although the data and supporting documents (including dendrological assessments) provided in the applications for binding opinions on the felling of trees were sufficient, the Municipality of Dukovany also requested, for the avoidance of doubt, dendrological surveys of the area concerned from the building authority, which were filed by the applicant in the administrative file for the joint planning procedure, in addition to the objections cited above. The Municipality of Dukovany became aware of the existence of these surveys in the course of its official activities from the accompanying and summary reports to the documentation for the planning permission provided to it in the context of the joint planning procedure. Having familiarised itself with the content of these dendrological surveys, the Municipality of Dukovany stated that the information provided in the dendrological assessment, which was an annex to the applications for binding opinions on felling of trees, was in accordance with the dendrological survey and the company Elektrárna Dukovany II, a. s. the required extent of felling, which was approved in the framework of the binding opinions on felling of trees, is in line with the conclusions of the dendrological surveys and is even lower than what was considered in the dendrological surveys.

In a similar manner and on the basis of the same documents as the Municipal Office Dukovany, the building authority proceeded in the case of the decision on felling of trees for the construction "Underground cable line 110 kV NJZ EDU from the substation TR Slavětice", in relation to which the competent nature protection authority is the Municipal Office Slavětice, which, however, did not



issue a binding opinion on the request of the applicant or on the repeated call of the Municipal Office Třebíč for felling trees (see the justification for the specific conditions set out in the statements no. XVIII - XXVI of this decision above).

#### 1.1.3.7

*Specifically, Children of the Earth argue that the legal authority should **evaluate the functional and aesthetic significance of the trees** proposed for felling before issuing a felling permit pursuant to **Section 8(1) of Act No. 114/1992 Coll.**, which may of course be based on various expert methodologies or on the expert documentation of the application. However, according to the Children of the Earth, it is essential that this evaluation is carried out by the author and duly justified in order to be convincing and reviewable. It can therefore reasonably be expected that this assessment will examine the following characteristics of the trees to be felled: biological (ecological) function, sanitation and remediation function, insulation function, amelioration function, microclimatic function, recreational function, educational function, cultural function, aesthetic function and negative impact.*

*In this sense, according to Children of the Earth, it is desirable to use the methodological instruction of the Ministry of the Environment in the Bulletin of the Ministry of the Environment, 7-8/2014, No. 5:*

*[http://www.mzp.cz/web/edice.nsf/B95ED63879016512C1257D480045E0D2/\\$file/V%C4%9Bstn%C3%ADk\\_05\\_cervenec\\_srpen\\_opr.pdf](http://www.mzp.cz/web/edice.nsf/B95ED63879016512C1257D480045E0D2/$file/V%C4%9Bstn%C3%ADk_05_cervenec_srpen_opr.pdf)*

*Methodological instruction of the Ministry of Environment in the Ministry of Environment Bulletin, 4/2021, No. 4:*

*[https://www.mzp.cz/C1257458002F0DC7/cz/vestnik\\_mzp\\_2021/\\$FILE/SOTPR-Vestnik\\_duben\\_2021-210429.pdf](https://www.mzp.cz/C1257458002F0DC7/cz/vestnik_mzp_2021/$FILE/SOTPR-Vestnik_duben_2021-210429.pdf)*

*Within the framework of this evaluation, the administrative authority should, according to the Children of the Earth, carry out a personal inspection of the trees proposed to be felled in order to assess the condition of these trees (see the methodological instruction of the Ministry of the Environment), so that its description of this evaluation is convincing and verifiable (e.g. with photographic documentation). The management authority should also assess whether all the proposed tree species really need to be removed.*

#### **Settlement:**

The statement of the Municipal Authority of Dukovany on the objections of the parties dated 14 April 2023 and the justification of the binding opinions of the Municipal Authority of Dukovany on the felling of trees dated 12 June 2023 (issued instead of the Municipal Authority of Rouchovany) show that the Municipal Authority of Dukovany, when assessing the applications for binding opinions, carried out a local investigation and evaluated the functional and aesthetic significance of the trees proposed for felling. The assessment took into account the position and function of individual trees, tree and shrub stands in the landscape (e.g. the dividing function of stands dividing intensively cultivated agricultural land, the visual covering function of trees in distant views in relation to high voltage lines, the accompanying function of trees along roads, the aesthetic function of trees in relation to small architectural objects). For the purpose of assessing the specific stands that were the subject of felling applications, a table was drawn up taking into account the biological function of the trees (bird nesting sites, cavities, possible presence of xylophagous insects), the landscape function of the trees (solitaire, part of a group, importance of the tree as an aesthetic element, visual effect, frequency of movement of people), the condition of the trees (vitality, health, perspective). The assessment shows that all of the objected aspects have been taken into account and the assessment of functional and aesthetic significance has been described and justified in words, including in relation to the location and function of individual trees, tree and shrub stands on the site and their characteristics. At the same time, the municipality of Dukovany has considered the functional and aesthetic significance of the trees to be felled on the one hand and the seriousness of the reasons for their felling in conflict with the construction project on the other.

In a similar manner and on the basis of the same documents as the Municipal Office Dukovany, the building authority proceeded in the case of the decision on felling of trees for the construction "Underground cable line 110 kV NJZ EDU from the substation TR Slavětice", in relation to which the competent nature protection authority is the Municipal Office Slavětice, which, however, did not issue a binding opinion on the request of the applicant or on the repeated call of the Municipal Office Třebíč for felling trees (see the justification for the specific conditions set out in the statements no. XVIII - XXVI of this decision above).

It follows from the above that the requirements set out in this objection have already been reflected in the binding opinion on the felling of the trees, when the assessment of the functional and aesthetic significance has been described and justified in words, also taking into account the location and function of the individual trees, tree and shrub stands in the locality and their characteristics.

#### 1.1.3.8

*In particular, Children of the Earth argue that the administrative authority should have on file a **professional expert opinion** that evaluates the condition and quality of the felled trees and **calculates the planting value of these destroyed trees**, which should then serve as a significant basis for the imposition of mandatory adequate replacement planting.*

#### Settlement:

The statement of the Municipal Authority of Dukovany on the objections of the parties dated 14 April 2023 and the justification of the binding opinions of the Municipal Authority of Dukovany on the felling of trees dated 12 June 2023 (issued instead of the Municipal Authority of Rouchovany) show that the requirement to provide an expert report assessing the condition, quality and horticultural value of the felled trees is not justified, as such a requirement is not supported by the law or the implementing decree. It is intended to serve as a basis for the property settlement between the applicant and the owner of the felled trees and therefore has no bearing on the issue of a binding opinion. The Municipal Authority of Dukovany adds that the documents submitted in the applications, which included, inter alia, dendrological assessments, were quite sufficient for the issuance of binding opinions on the felling of trees and allowed, inter alia, a proper assessment and evaluation of the ecological damage that could potentially result from the felling of the trees concerned and the extent of replacement planting needed to compensate for this potential damage. At the same time, these documents are consistent with the results of the dendrological surveys, and the proposed (and subsequently approved) extent of felling is even lower than that assumed in the dendrological surveys.

The Building Authority agrees with the above settlement, also taking into account that expert expert opinion is not a mandatory part of the application for a binding opinion on felling of trees according to Section 4 of Decree No. 189/2013 Coll., on the protection of trees and permitting their felling, as amended.

The above also applies to the decision on the felling of trees for the construction "Underground cable line 110 kV NJZ EDU from the substation TR Slavětice". The competent nature protection authority for this construction is the Municipal Office Slavětice, which, however, did not issue a binding opinion on the applicant's application or on the repeated call of the Municipal Office Třebíč for felling trees.

#### 1.1.3.9

*Children of the Earth further argue that if the administrative authority considers that the application for felling will be granted and issues a binding opinion on felling all or only some of the requested non-forest trees, then, according to Children of the Earth, the following is required:*

1. *The administrative authority should state that the investor will ensure **replacement planting only of native trees in the range of approximately 3-5 times the number of trees felled** (and if locally non-native, it should place such a felling permit on file before issuing it, in accordance with Section 5(4) and (5) of Act No. 114/1992 Coll.). At the same time, it may be noted that land suitable for replacement planting is registered by the competent administrative authority. The*

current calculator (2021) for the valuation of trees for planting is here: <https://vwww2.safetrees.cz/ocenovani-drevin/2021/>

2. The administrative authority should state that the investor will ensure that the **new trees are cared for for a minimum of 5 years** from the date of planting, as felled trees and shrubs provide shelter (habitat) for a number of animals. If a new tree dies, it will be replaced immediately with the same species. The site for the replacement planting, indicating **the number of plots, the number of trees planted and the specific species to be planted, will be determined by the administrative authority according to its register of land suitable for replacement planting (this obligation follows from Article 9(2) of Act No 114/1992 Coll.).**
3. The management authority should state that **the felling will only take place during the dormant season, i.e. from 1 October to 31 March of the current year**, as this will ensure that birds are not disturbed during the breeding season.
4. The administrative authority should state that the felling was to take place **after the final planning permission had been granted**, so that the existence of the trees would be as long as possible in terms of time and there would be no unnecessary felling after the final planning permission had been granted.
5. The administrative authority should state by when the replacement planting will be carried out, or preferably **within 2 years of the felling**.

### **Settlement:**

The statement of the Municipality of Dukovany on the objections of the parties dated 14 April 2023 and the justification of the binding opinions of the Municipality of Dukovany on the felling of trees dated 12 June 2023 (issued in place of the Municipality of Rouchovany) show that all the specific conditions of felling and parameters of replacement planting mentioned fully comply with the requirements mentioned. On the basis of the assessed functional and aesthetic significance of the trees to be felled, the ecological damage caused by the felling of the trees has been determined. In order to compensate for this, the applicant has been required to carry out adequate (appropriate) replacement planting of native species corresponding to this ecological damage, suitable planting plots have been identified and aftercare is required for a maximum permissible duration of 5 years. The extent of the replacement planting was designed according to the nature of the land allocated for replacement planting and the needs of its owners. For the calculation, the programme for valuation of trees according to the Methodology of the AOPK ČR Valuation of trees growing outside the forest available at the time of issuing the binding opinions was used, taking into account the functional and aesthetic significance of the trees (tabular assessment of functional and aesthetic significance). The felling of trees is linked to the implementation of the construction.

The time limit for felling has not been strictly set in the above described procedure for the assessment of the application for a binding opinion on felling of trees, but felling is required to be carried out preferably during the dormant season. This requirement corresponds to Section 5 of Decree No 189/2013 Coll. on the protection of trees and authorisation of their felling, as amended, according to which felling of trees is generally carried out during the dormant season. It is therefore not a strict and non-negotiable condition that would exclude the possibility of felling outside the dormant season in justified cases. Under the terms of this decision, felling is to be carried out, where possible, during the dormant season, depending on the current construction schedule. It is precisely the conflict with the current construction schedule that may justify the permitted development to consider felling outside the growing season, particularly given the size and complexity of the permitted development, where a strict insistence on replacement planting exclusively during the dormant season, regardless of any other circumstances, would not be appropriate. The only minor deviation is contained in recital XXV, in which the possibility of felling was specified (limited) to the period from September to February on the basis of an express condition of the binding opinion of the Regional Authority of the Vysočina Region (see the reasons for the recital in question above for details).

At the same time, the obligation to carry out the replacement planting within 24 months of the felling and to care for the planted trees for five years to ensure the adaptation and acclimatization of the newly planted trees.

In a similar manner as the Municipal Office Dukovany, the construction office proceeded in the case of the decision on felling of trees for the construction "Underground cable line 110 kV NJZ EDU from the substation TR Slavětice". In relation to this construction, the competent nature protection authority is the Slavětice Municipal Authority, which, however, did not issue a binding opinion on the applicant's application or on the repeated request of the Třebíč Municipal Authority to cut down trees (see the reasons for the specific conditions set out in recitals XVIII to XXVI of this Decision above).

According to the building authority, the requirements for the extent of replacement planting, care of newly planted trees and time limits for felling of trees mentioned in these objections have already been reflected in the binding opinion on felling of trees and subsequently taken over by the building authority in the relevant statements of this decision.

## **1.2. Calla - Association for the Preservation of the Environment, z. s.**

Date of delivery: 24 September 2021

### **1.2.1.**

*In its objections of 24 September 2021, Calla claims that the binding opinions of the Municipal Authority of Dukovany of 16 February 2021 and the Municipal Authority of Rouchovany of 29 March 2021 authorising the felling of large sets of trees do not meet the requirements of the law, since the trees in these opinions are identified only by the plots and their total number or square metres of vegetation involved. According to Calla, such a vague decision then leads to the establishment of completely inadequate replacement planting, which cannot meet the requirements of Act No 114/92 on nature and landscape protection for compensation for the ecological damage caused by the felling of such a huge number of trees. Clear provision must be made for felling only during the dormant season, in particular to protect nesting birds (not, as the investor's summary technical report states, 'Felling of trees will be carried out before construction starts, preferably during the dormant season, depending on the current construction schedule'. Due to the large areas of trees, Calla requests that a survey be carried out prior to felling, focusing on wintering colonies of bats and possibly wintering nests of red squirrels and other species.*

### **Settlement:**

According to § 4 of Decree No. 189/2013 Coll., on the protection of trees and the authorisation of their felling, as amended, applications for binding opinions on felling of trees must specify the specification of the trees to be felled, in particular the species or genera of the trees, their number and the circumference of the trunk at a height of 130 cm above the ground, while for felling of stands of trees, instead of the number of trees to be felled, the area to be felled may be indicated, with the species or genus representation of the trees. .

These requirements were met in all cases, as the applications for binding opinions on felling of trees included dendrological assessments containing all the necessary data. These data were based on the dendrological surveys, the contents of which the Municipality of Dukovany took note of and found to be consistent with each other. The municipal authority also verified the information submitted by the applicant during the local investigation.

On the basis of these very specific and precise data and the local investigation, the conditions of the binding opinions regarding the felling of trees and replacement planting were set out, which have been taken over in their entirety in the operative part of this decision, and the building authority has not found it necessary to add to these conditions (see above). Therefore, it is not true that the decision on felling of trees is vague, since the applicant has clearly identified the specific trees to be felled in connection with the implementation of the proposed development in accordance with the requirements of the legislation in force (Decree No 189/2013 Coll.). As is clear from the statement of the Dukovany Municipal Authority of 14 April 2023 and the binding opinions issued by that authority on behalf of the Rouchovany Municipal Authority, the extent of the replacement planting has been determined in accordance with the methodological documents of the Nature Conservation Agency, so as to correspond to the ecological damage caused by the felling. It is also not clear from the objections why the extent of

the replacement planting thus determined should not comply with the requirements of the applicable legislation.

The condition regulating the time of felling corresponds to the requirements set out in Section 5 of Decree No.189/2013 Coll., on the protection of trees and authorization of their felling, as amended, according to which felling of trees is generally carried out during their dormant season, so it is not a strict and unbreakable condition that would exclude the possibility of felling outside the dormant season in justified cases. It is clear from the wording of the conditions of the binding opinions taken into account in the operative part of the decision that the felling is to be carried out, if possible, during the dormant season, depending on the current construction schedule. It is precisely the conflict with the current construction schedule that may justify, in the case of a permitted project, the consideration of felling outside the growing season, particularly in view of the size and complexity of the permitted project, where a strict insistence on carrying out replacement planting exclusively during the dormant season, regardless of any other circumstances, would not be appropriate. The only minor deviation is contained in recital XXV, in which the possibility of felling was specified (limited) to the period from September to February on the basis of an express condition of the binding opinion of the Regional Authority of the Vysočina Region (see the reasons for the recital in question above for details).

In a similar manner as the Municipal Office Dukovany, the construction office proceeded in the case of the decision on felling of trees for the construction "Underground cable line 110 kV NJZ EDU from the substation TR Slavětice". In relation to this construction, the competent nature protection authority is the Slavětice Municipal Authority, which, however, did not issue a binding opinion on the applicant's application or on the repeated request of the Třebíč Municipal Authority to cut down trees (see the reasons for the specific conditions set out in recitals XVIII to XXVI of this Decision above).

With regard to the requirement to carry out a survey focusing on wintering bat colonies, or wintering nests of common squirrels and other species, the building authority identifies itself with the opinion of the Dukovany Municipal Authority, as the competent nature protection authority, which in its statement of 14 April 2008 stated that the survey was to be carried out in accordance with the requirements of the Act. 35 of the binding opinion of the EIA (which has been incorporated into the conditions of this decision), according to which faunistic surveys for the purpose of locating the occurrence of specially protected species are to be carried out during the last two growing seasons prior to the start of construction.

### 1.2.2.

*Calla also argues that the binding opinions do not include a solution for the protection of the landscape character. It is not clear from the documentation whether and how the limits of the construction, assessed in terms of the impact on the landscape character in the EIA documentation, will be met. Calla requests that the height limit be supplemented and, in any decision on the location of the construction, be set clearly, not in the words of the documentation 'approximately'.*

### **Settlement:**

As it is clear from the objection itself, the evaluation of the effects of the entire project of the New Nuclear Power Plant in the Dukovany site on the landscape character, including the preparation of the corresponding background study, was the subject of the environmental impact assessment process (EIA process). The Ministry of the Environment, in the resulting EIA binding consent opinion, set out the relevant conditions to be fulfilled in the documentation for the building permit or before the application for the building permit.

Furthermore, the Ministry of the Environment issued a binding consent pursuant to Section 9a(6) of the EIA Act on 1 September 2021 under No. MZP/2021/710/2951, as amended by the correction resolution No. MZP/2021/710/4699 of 16 September 2021, to verify changes to the project that could have a significant negative impact on the environment. Then on 16/09/2021, it issued Resolution No. MZP/2021/710/4699, making an apparent inaccuracy - a clerical error - in the Consenting Binding Opinion issued.

From the height point of view, the cooling towers, which are part of the construction of the "Complex of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany", will

represent the highest dominant feature. Pursuant to the provisions of Section 79(1) of the Building Act, when placing a set of buildings on the premises of nuclear facilities, the decision shall define the site as a building plot and within it shall determine the composition, type and purpose of the buildings and the framework conditions for their placement within the maximum or minimum spatial parameters (in particular the external ground plan and **height boundaries**, the spacing of the buildings from the boundaries of the land and neighbouring buildings) and the connection to the transport and technical infrastructure; the buildings shall be placed within the established conditions when the buildings are permitted.

The summary report *NJZ EDU - Summary Assessment of the Landscape Character and Shading Effects around the NJZ*, which is an annex to the documentation of the environmental effects of the project within the EIA process (EIA documentation) and is publicly accessible on the EIA Information Portal, and thus it was possible to get acquainted with it during the proceedings, documents the assessment of the baseline value of the tower height of 186.2 m (for the variant with one cooling tower per unit), respectively. 180.2 m (for the variant with two cooling towers per block), with the project being assessed as acceptable in terms of its impact on the landscape in both variants. This annex to the EIA documentation also includes a sensitivity analysis, the conclusions of which state that a possible increase in the towers by up to 10-15 m would not significantly affect the overall assessment of the impact of the project on the landscape, which would remain unchanged in terms of its outcome. On the basis of these facts (and taking into account the consented binding opinions on the landscape impact - see below), the height limit value for the height limit within the meaning of Section 79(1) of the Building Act was set at 195 m above the final ground level (see justification of this parameter above).

The height limitation thus established fully corresponds to the conclusions of the EIA process and is also in accordance with the spatial planning documentation. Within the framework of the valid spatial planning documentation, the maximum height level is not set, i.e. the ZÚR of the Vysočina Region does not set requirements for the height arrangement in the Dukovany power plant site. In the Dukovany municipality zoning plan, the area defined for the construction of the NPP EDU is marked in the section "Reserve areas and corridors" as "R4 - zoning reserve for the expansion of the Dukovany nuclear power plant". No requirements for the height level of buildings and facilities are set in the Master Plan for this area. Compliance with the ZÚR and the application of the objectives and tasks of spatial planning is documented by the relevant binding opinions of the Třebíč Municipal Office, Department of Development and Spatial Planning.

In connection with the above, the Regional Authority of the Vysočina Region, Department of Environment and Agriculture, as the competent nature protection authority, has repeatedly expressed its views on the issue of landscape character in relation to individual permitted buildings as follows:

- No. KUJI 111315/2020 OZPZ 2268/2020 of 16 December 2020 for the construction of the *Drainage of rainwater from the NJZ EDU by the Lipňanský brook incl. retention* - includes a binding opinion on the intervention in the HCP with the condition that the construction will be implemented and operated in such a way that it will not be necessary to interfere with trees growing outside the forest outside the trees directly affected by the construction (listed in the documentation) and the binding opinion on the intervention in the landscape character was not issued, because according to the communication of the concerned authority, the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location,
- No. KUJI 107147/2020 OZPZ 2268/2020 of 26 January 2021 (as amended by correction resolution No. KUJI 13409/2021 OZPZ 2268/2020 of 17 February 2021). 2021) for the *Set of buildings in the nuclear facility "New nuclear source in the locality of Dukovany"* - contains a consent binding opinion on the intervention in the VCP without conditions and a consent binding opinion on the intervention in the landscape character with the condition that at least 3 years prior to the commencement of the construction, the applicant shall address in writing the municipalities (whose territory will be visually directly affected by the construction) with an offer of the possibility of planting trees to mitigate the visual impact of the construction on the intravilan of the settlement,

- No. KUJI 86729/2020 OZPZ 2268/2020 of 13 November 2020 for the construction of the *Underground cable line 110 kV from the TR Slavětice substation* - contains a binding opinion in favour of the intervention in the VCP without conditions, the binding opinion on the intervention in the landscape character was not issued because according to the communication of the concerned authority the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location,
- No. KUJI 86751/2020 OZPZ 2268/2020 of 18 November 2020 for the construction of the *400 kV power line V883 and V884 for the NJZ EDU* - contains a binding opinion on the intervention into the landscape without conditions, the binding opinion on the intervention into the HCP has not been issued, since according to the communication of the concerned authority the HCP will not be affected by the construction,
- No. KUJI 86743/2020 OZPZ 2268/2020 of 8 December 2020 for the construction of *raw water supply lines from Mohelno HPP and a new water reservoir for NJZ EDU* - contains a binding consent opinion on the intervention into the VCP with the condition that the construction will be implemented and operated in such a way that it will not hydrologically affect the flow of the Skryjský Brook and its valley floodplain west of the crossing with the construction of the gravity line with the Skryjský Brook (i.e. above this crossing) and a binding consent opinion on the encroachment on the landscape character without conditions,
- No. KUJI 86749/2020 OZPZ 2268/2020 of 18 January 2021 for the construction of the *Wastewater Diversion from the NJZ EDU and the HPP* - contains a binding opinion in favour of the intervention in the HCP without conditions, the binding opinion on the intervention in the landscape character was not issued, because according to the communication of the concerned authority, the construction will not be visually applied due to its location,
- No. KUJI 72361/2020 OZPZ 2268/2020 of 13.11.2020 as amended by the correction resolution under No. KUJI 110714/2020 OZPZ 2268/2020 of 23.11.2020. 2020 for the construction of the *Wastewater diversion from the construction of the NJZ EDU to the Skryje reservoir* - contains a binding opinion on the intervention in the HCP without conditions, the binding opinion on the intervention in the landscape character was not issued, because according to the communication of the concerned authority, the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location,
- No. KUJI 72354/2020 OZPZ 2268/2020 of 13 November 2020 for the construction of the *Drainage of rainwater from the area of the NJZ EDU to the Skryje reservoir* - it contains a binding opinion on the intervention in the VCP without conditions, a binding opinion on the intervention in the landscape character was not issued, because according to the communication of the concerned authority, the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location,
- No. KUJI 64147/2020 OZPZ 2268/2020 dated 20.11.2020 for the construction of the *Drainage of rainwater from the area of the NJZ EDU to the Lipňanský brook* - it contains a consenting binding opinion on the intervention in the VCP with the conditions that (1) the open object of the brewery will be sloped on one side at a slope of 1:1 and more gradual, the surface of this part will be roughened; (2) felling will be carried out in the period September - February. Any trees with cavities present that could be inhabited by bats will be identified by the biological supervisor and will only be felled between 1 September and 31 October under the supervision of the biological supervisor, who may suggest other measures for the protection of bats if necessary. The loss of roosts and food supply for birds and mammals caused by the encroachment and felling to the extent specified in the project documentation will be compensated for by the implementation of additional measures such as the installation of bird boxes, the construction of dry-stacked walls below the frost depth, or other minor measures to be determined by the biological supervision. The trunks of the selected felled trees will be left in situ to decay spontaneously. The location and number of

the above elements will be determined in individual stages by the biological supervision;  
 (3) Excess soil from the excavation works will be deposited on the NPP EDU site equipment area on the nuclear facility site, see Summary Technical Report B.5, and a binding opinion on landscape impact has not been issued, as according to the communication of the concerned authority, the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location,

- No. KUJI 64144/2020 OZPZ 2268/2020 of 13.11.2020 as amended by the resolution on correction under No. KUJI 110702/2020 OZPZ 2268/2020 of 24.11.2020 and amendment of the binding opinion under No. KUJI 4229/2021, OZPZ 2268/2020 of 5.2.2020. 2021 for the construction of the *Drainage of rainwater from the areas of the NJZ EDU construction site to the Heřmanický Brook* - contains a binding opinion in favour of the intervention in the VCP with the conditions that (1) the open structure of the brewhouse will be sloped on one side at a slope of 1:1 and shallower, and the surface of this portion will be roughened; (2) Excess soil from excavation will be deposited first at the NPP EDU site facility area on the nuclear facility site and subsequently used during construction, see Technical Summary Report B.8.e; (3) As part of the separate action "Disposal of Site Facility Structures Including Final Rough Grading of the Site Facility Area", an assessment will be made of the need to retain the "Stormwater Terminal Collector to Hermanice Creek" facility after construction of the EDU NPP is completed and to reuse it for the disposal of stormwater/drainage from the reclaimed site facility area. The possibility of blanking or removal of the facility will be examined, or at least measures will be proposed to allow for the gradual drainage of rainfall and a binding opinion on the impact on the landscape character has not been issued, as according to the communication of the concerned authority, the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location,
- No. KUJI 71683/2020 OZPZ 2268/2020 of 18 November 2020 for the construction of a *purpose-built road to provide access to foreign land on the area of the NJZ EDU* - a binding opinion on the intervention in the HCP was not issued, since according to the communication of the concerned authority none of the roads exceeds the HCP; also a binding opinion on the intervention in the landscape character was not issued, since according to the communication of the concerned authority the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location,

On the basis of the above, it can be concluded that the issue of the impact of the project on the landscape character was thoroughly addressed in the course of the above proceedings and the construction authority had sufficient documents to assess the issue and issue a decision, including binding opinions and communications from the competent nature protection authority. Where these opinions contained conditions, they were incorporated into the operative part of the decision. With regard to the actual height limitation of the main landmarks in the form of cooling towers, the construction authority imposed a specific condition that their height must not exceed 195 m above the landscaped area.

### 1.2.3.

*The Calla association requires that the impacts on the water conditions in the Jihlava River due to the pumping of water for cooling and operation of the new nuclear power plant next to the existing EDU1-4 units be evaluated in the framework of the construction permit, so that the current knowledge on the impacts of climate change in the Czech Republic is taken into account. This part of the decision documentation appears to Calla to be completely inadequate.*

### **Settlement:**

Within the documentation for the issuance of the decision on the location of the construction (or documentation for the issuance of the zoning decision, hereinafter referred to as the DÚR), in particular for the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany", the data provided in the EIA documentation of the project New nuclear source in the locality of Dukovany and in its annex no. 4 "Evaluation of the impacts of the New



Nuclear Source at Dukovany on surface and groundwater", Research Institute of Water Management T. G. Masaryk, v.v.i. (hereinafter VÚV), Prague 04/2017.

The envelope method used in the preparation of the EIA documentation and the resulting values on inputs and outputs remained valid for the RIA, as the specific supplier of the NJZ EDU has not yet been selected. The data presented in the RIA are in accordance with Condition No 20 of the EIA consent binding opinion, which stipulates the obligation to ensure that the technical and technological design of the NPP does not exceed the envelope of environmental parameters specified in the environmental impact documentation of the project (Chapters B.II. Input data and B.III. Output data).

To evaluate the impacts on the water conditions in the Jihlava River within the EIA process, a model series of flows on the Jihlava River was used, derived from the actual observed series of flows for the period of 84 years (1932-2015), subsequently modified also for the +2 °C climate scenario, the validity of which has been demonstrated here.

Nevertheless, also in connection with Condition No. 17 of the aforementioned binding EIA opinion, which stipulates that the development of climatic conditions must be continuously monitored during the next phases of the project preparation and, in the event of demonstrable changes, responded to in the preparation of the project, especially in terms of securing the water requirements of the NWP, a document *entitled Expert Cooperation in Updating the Water Management Documentation* was prepared by the T. G. Masaryk Water Management Research Institute, a public research institution. The conclusions of the document show that based on the assessment of extended input data/observed data (air temperature, precipitation totals and flows) and new simulations, it can be concluded that previous studies (Hanel et al., 2012; Vizina et al., 2016) elaborated on the issue are still valid and the results of modelling the impacts of climate change on the water regime would not reach significant differences. The security for the NJZ EDU is sufficient. In this context, it is not clear from the objections of Calla - Association for the Preservation of the Environment, for what specific reasons they consider the documentation to be insufficient, especially in a situation where the water conditions in the Jihlava River have been monitored and evaluated for a long time.

This monitoring and evaluation is also ensured in the future under Condition 6 of the EIA binding opinion, which requires the updating of the results of water management balances (resp. This is based on new data from the selected supplier of the NPP and on the basis of the extended flow series in the Jihlava River in the *Jihlava - Ptáčov* profile, the current values of the then valid minimum residual flow in the *Jihlava - Mohelno* profile *below* and other actually monitored data on climatic changes (temperature, precipitation).

The requirement according to Condition No. 6 of the binding EIA opinion can be considered meaningful, because the evaluation, or its update, can only be responsibly carried out on the basis of data on raw water abstractions and the amount of wastewater discharged by the specific selected supplier of the NJZ EDU (not on the basis of envelope values) and the assessment can include the development of climate change in the Jihlava basin on the basis of measured data over a longer period, i.e. For a longer period of time, sufficient to make a more telling assessment of the impacts of climate change on the water availability of the Jihlava and the security of raw water abstraction for the operation of the NPP EDU, or for the period of its possible coexistence with the existing Dukovany Nuclear Power Plant.

All of the referenced conditions (Nos. 6, 17 and 20) of the EIA binding opinion have been taken over in full in the operative part of this decision. In the light of the above, it can be concluded that the issue of the impact of the permitted project on water conditions was dealt with in detail during the above-mentioned procedure and that the construction authority had sufficient and up-to-date documentation in this respect to assess the issue and issue a decision. Calla's objection is therefore unfounded.

### **1.3. OIŽP - Civic Initiative for Environmental Protection, z.s.**

Date of delivery: 27.9.2021 (objections) + comments to the application for a zoning decision JEDU II submitted to the Municipal Office Třebíč, Department of Construction, on 3.8.2023 and subsequently forwarded by this office to the MIT on 8.8.2023

### **OBJECTION OF THE ASSOCIATION OIŽP OF 24.9.2021**

**1.3.1.**

*In its objections dated 24 September 2021, OIŽP claims that this is the first case in the Czech Republic where construction involving earth moving, very deep excavation and handling of huge components can be carried out right next to a functioning nuclear power plant. What is the practice and how is it guaranteed that the construction will not interfere with the ongoing operation of units 1-4? In fact, there are known cases in the history of operation where underground pipelines belonging to Units 1-4 have been breached. For example, in a case other than the one mentioned below, the pipeline had to be exposed by excavation and repaired. The underground and other pipelines in Units 1-4 are not of sufficient quality to withstand the construction of new units without further repairs. The construction (construction area and in particular the NPP site equipment area) is located too close to the existing 4 NPP units. According to the OIWP, it should be moved further away from the operating units due to the likely sudden operational interruptions to the existing units 1-4 (a potential hazard)!*

<https://ct24.ceskatelevize.cz/domaci/2912591-potapeci-v-dukovanech-opravuji-potrubi-udrzbu-vyzaduji-i-chladici-veze-elektrarny>

**Settlement:**

It is clear from the documents submitted by the applicant (especially the documentation for the zoning decision) that a detailed mapping of all utility networks in the affected area was carried out as part of the pre-project and project preparation of the NJZ EDU on the basis of documents from the owners or administrators of the technical infrastructure. The location of these utilities is firstly plotted in the coordinating situational drawings, which are always part of the documentation for individual constructions in section C., and further described in section B. Summary Technical Report.

The owners or administrators of the technical infrastructure in the affected area have issued their consenting opinions and statements for individual constructions, or have set conditions for carrying out works in the protection zone of their networks. These conditions and requirements have, for the most part, been taken over in the conditions set out in the operative part of this Decision (which is justified in detail in relation to the specific conditions set out in Recitals I to XI of this Decision on the location of individual buildings above). However, it is not apparent from the representations that the existing underground pipelines are in any way compromised by the construction of the development hereby permitted, as is stated in the objections without any further justification.

Similarly, the risk of endangerment or damage to underground pipelines that would result in sudden interruption of the operation of the existing units does not arise from the decisions, binding opinions and opinions of the authorities concerned that have dealt with the issue in a certain way (in particular, binding opinion of the Ministry of Industry and Trade No. 657821/2020 of 11 December 2020 and Decision No SÚJB/JB/5575/2021 of 8 March 2021 of the State Office for Nuclear Safety). Nor does this alleged risk arise in any way from the statement of the operator of the existing units of the Dukovany power plant, ČEZ, a. s., dated 17 December 2020.

Moreover, the objection in question focuses in particular on the possible effects of the construction work in connection with the movement of soil, interference with the subsoil and the handling of large components in the vicinity of the underground pipelines of the existing power plant, and is therefore by its nature directed rather at the issue of the actual implementation of the construction, which is assessed only in the construction permit procedure, not already at the planning procedure stage. This is also largely reflected in the wording of the condition of the binding opinion of the Ministry of Industry and Trade No 657821/2020 of 11 December 2020 concerning the safety of the operation of the existing Dukovany power plant in connection with the implementation of the permitted project, within the framework of the project documentation for the (building) permit, which will be prepared after the issuance of this decision.

For completeness, the Building Authority adds that the assessment of the suitability of the Dukovany site for the location of the EDU NPP in view of the fact that there is already another existing nuclear facility in the area in question was the subject of a nuclear facility location permit procedure under the Atomic Act (see the settlement of the objection of the OIŽP No. 1.3.8 below for details).

**1.3.2.**

*The OIŽP further argues that climate changes associated with higher rainfall, which have shown a worsening trend over the past two decades, may affect the operation of the NPP, but especially the construction process on days when, for example, important areas of the reactor and its surroundings should be concreted. Does the construction area, but also the site area for such unexpected high rainfall have an adapted cover for the parts of the nuclear power plant under construction (e.g. influence on the quality of the concrete), but also sufficient drainage of the nuclear power plant foundations? The OIWP believes that the capacities of the upcoming area are not equipped with sufficient diameter pipes to drain water away from the construction area and the site area. This is the case if the area is affected by local, prolonged rainfall during construction, which may reach much higher values in the future than the local floods that have occurred in the country and in neighbouring countries over the past 20 years. The objection relates, for example, to page 33 of the B-STZ, Chapter 3A*

*[https://www.lidovky.cz/svet/zmeny-klimatu-zapadni-evropa-extremni-srazky-vedci-analyza.A210824\\_103901\\_in\\_zahranici\\_kov](https://www.lidovky.cz/svet/zmeny-klimatu-zapadni-evropa-extremni-srazky-vedci-analyza.A210824_103901_in_zahranici_kov)*

**Settlement:**

The solution of the drainage of the area on which the construction of the NPP EDU and the area of the construction site equipment will be implemented is presented in the documentation for the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"", specifically in Part B. Summary Technical Report on page 161 et seq. The concept of drainage of the construction area of the NPP EDU is described in Part B. Summary Technical Report on page 165. As discussed in Section B. Summary Technical Report, the constructed basins on the NJZ EDU construction and facility areas will be used to capture, and subsequently retain, increased runoff during periods of extreme precipitation events from the construction and facility areas. The design of the dimensions of the end collectors of storm water from the construction area and the site equipment area is made in accordance with ČSN 75 6101 Sewerage networks and sewerage connections. The construction authority considers the drainage designed in this way to be sufficient. In its objections, the OIE does not provide any specific reason that might cast some doubt on the alleged inadequacy of this drainage.

The technological procedure of concreting of individual structures, including limitations on their execution under unfavourable climatic conditions, is not the subject of the planning procedure. A detailed design of the drainage elements on the construction area and the area of the construction site equipment, including a basic description of the procedure for concreting individual structures, will be part of the project documentation for the building permit, or alternatively, the construction permit will be issued. In the case of the placement of a set of buildings on the premises of nuclear installations, the decision shall define the site as a building plot and within it shall determine the composition, type and purpose of the buildings and the framework conditions for their placement in maximum or minimum spatial parameters (in particular, external ground plan and height boundaries, spacing of the buildings from the boundaries of the land and neighbouring buildings) and connection to the transport and technical infrastructure; within the framework of the established conditions, the buildings shall be placed when the building permit is issued. The objection in question is therefore largely premature, since it concerns aspects which will (and by their nature can) be dealt with to a large extent and in more detail only at a later stage of the project documentation.

With regard to the issue of possible prolonged rainfall, flooding and other extreme climatic events at the EDU NJZ site, the Building Authority fully refers to the settlement of the objection of the OIŽP No. 1.3.3 below.

**1.3.3.**

*The OIŽP further argues that climate changes associated with much more severe weather than was normal at the time when the construction of the Dukovany NPP began to be planned may cause the collapse of building structures and scaffolding during the construction of the NPP. How can it be ensured that all NPP construction workers who will be in the vicinity of the 4 operating units will get to shelter in time in case of damage or collapse of building structures or scaffolding or even damage to the existing 4 units which are not sufficiently equipped to cope with weather conditions reaching the strength of an F3 tornado. Similar events occurred at Temelín NPP this year, breaking the HV power*

*lines to the Kočín substation. Only a few hundred metres missed the supply line, which, although already planned as underground at NPP, is not protected against the force of any tornadoes at the existing 4 units of NPP Dukovany. As the plant becomes totally dependent on diesel emergency sources in the event of such damage, the nuclear power plant enters a regime similar to that of Fukushima ten years ago. The ceilings of the existing 4 units are probably and engine rooms are certainly not tornado proof. The cooling towers of the Dukovany NPP are already in a dilapidated state and are already at risk of collapse in the event of a minor tornado. They are a major potential hazard for the builders of the Dukovany NPP. The OIŽP would be interested to know, for example, how quickly a working crane operator can get to safety and into shelter in the above situations. Are such cases already taken into account in spatial planning? Therefore, the excessive proximity of the construction site, but especially the construction site area, should be reconsidered and moved further away from the cooling towers and reactors of the existing 4 units of the Dukovany NPP.*

<https://vysocina.rozhlas.cz/tornado-v-dukovanech-elektrarna-podobne-silnemu-extremu-jako-byl-na-jihu-moravy-8552890>

### **Settlement:**

The assessment of the suitability of the Dukovany site for the location of the New Nuclear Source in terms of extreme climatic phenomena was an essential part of the documents for obtaining a permit for the location of a nuclear installation under the Atomic Act, since the assessment of the occurrence of windstorms, tornadoes and floods, as well as other long-term climatic and meteorological phenomena, is required for the permit for the location of a nuclear installation, in particular in Sections 3, 10 and 20 of Decree No. 378/2016 Coll., on the location of nuclear installations. The authorisation for the siting of a nuclear installation pursuant to Section 9(1)(a) of the Atomic Act (which is the basis for this decision) was issued by the State Office for Nuclear Safety on 8 March 2021 under reference No SÚJB/JB/5575/2021. In the decision in question, the State Office for Nuclear Safety dealt, inter alia, with the assessment in relation to the referred extreme meteorological effects (see pages 15 and 17 of this decision) and concluded that the NPP EDU meets the conditions for its siting.

The holder of a licence for activities related to the use of nuclear energy is also obliged under Section 49(1)(l) of the Atomic Act to continuously evaluate the facts that were decisive for the assessment of the acceptability of the site for the location of the nuclear installation and their impact on nuclear safety, radiation protection, technical safety, monitoring of the radiation situation, radiation emergency management and security.

The issue of extreme climatic phenomena has already been addressed in the EIA process. The EIA documentation deals with extreme climatic effects in Chapter B.I.6.3.1.6.3 (Extreme climatic effects and flooding), where various extreme climatic events, including tornadoes, were addressed. The Ministry of the Environment subsequently issued a binding EIA opinion in favour of the project on the basis of the impact assessment carried out as part of the EIA process.

The requirements for occupational safety and health protection are specified in the documentation for the construction "Set of buildings in the nuclear facility "New nuclear source at the Dukovany site"" in part B. Summary technical report, chap. B.2.5.1 - Concept of safety in the use of buildings in the nuclear facility site, for example, object, operational, technical safety of buildings. The method of protection of construction workers in the event of a radiation emergency at the units of the existing Dukovany Nuclear Power Plant (EDU1-4) is specified in the documentation for the construction "Set of buildings in the nuclear facility site "New nuclear source at the Dukovany site"" in Part B. Summary Technical Report, Ch. B.2.5.6 Protection of the population, and in relation to their evacuation assessed by the Fire Rescue Service of the Vysočina Region, Regional Directorate, which issued a coordinated binding opinion No HSJI-4970-2/P-2020 dated 14 December 2020. The Fire Brigade assesses the documentation, among other things, in terms of the possibility of safe evacuation of persons, animals and property from the burning or fire-threatened building or part thereof, to the open space or to another part of the building not threatened by fire and other facts (cf. § Section 46(1) of Decree No. 246/2001 Coll., on the determination of fire safety conditions and the exercise of state fire supervision (Fire Prevention Decree), as amended). The Fire Brigade also assessed the content of the fire safety design of the nuclear facility and stated that the technical conditions of fire protection imposed on the building by Decree No 23/2008 Coll., on technical conditions of fire protection of buildings, as amended) were respected.

In the event of a radiological emergency, the internal emergency plan will be developed and approved by the State Office for Nuclear Safety (SÚJB) in accordance with the Atomic Act as part of the documentation for the nuclear facility construction permit.

The objections regarding the possible collapse of individual building structures and scaffolding during the construction of the permitted project are therefore largely premature, as the structural assessment of individual structures will only be specifically addressed in further stages of the project documentation. Moreover, a substantial part of the objection in question does not in fact relate even to the effects of the authorised project, but to the technical condition and resistance of the existing blocks to the elements, i.e. to issues which do not concern the authorised project and are not the subject of the present proceedings.

#### 1.3.4.

*In its objections, OIŽP expresses surprise that the public is informed through the media about the so-called "completion" - not the construction of the Dukovany NPP. Such years of informing the public in the Czech Republic is distorting and misleading. OIŽP asks that the misleading word "completion" never be repeated again so that the public is never again exposed to the "hoax". The OIE is further disillusioned by the repeated references in the documentation to the JEDU NPP as two separate 1200+1200 MWe units. It asks for sufficient disclosure and explanation if the possibility of two new units is envisaged.*

#### **Settlement:**

In the course of the procedure, the administrative authority shall assess the application and the annexes or supporting documents required by law or by the administrative authorities according to their content, in accordance with the legislation in force. In this context, it is therefore irrelevant how the project to be authorised is referred to by the applicant itself, or how the project is referred to or named in the media.

As already mentioned above in the justification of this decision, the building authority has verified that the application, including the documentation and its annexes, is complete, meets the requirements imposed on it by the applicable legal regulations (also in relation to the manner of specification of the construction), and that together with other documents filed in the administrative file it constitutes a sufficient basis for the issuance of this decision. The submitted documentation clearly shows the project which is the subject of the procedure and the administrative authority has no doubts about the scope and function of the project to be permitted. Among other things, the documentation clearly shows that it envisages the construction of two blocks (see, for example, section B - Summary Technical Report).

The parties to the proceedings, including the public concerned, have had the opportunity at any time during the proceedings to consult the file and to acquaint themselves with the documents (see above for details).

It is not at all clear from the objection in question, which by its nature is rather a polemic with the manner of public and media presentation of the permitted project, how the rights of the association OIŽP - Civic Initiative for Environmental Protection should have been interfered with in the context of the above-mentioned planning procedure.

Taking into account the above mentioned facts, the Building Authority found the objection of the OIŽP regarding the way of presentation of the NJZ EDU project and its data as unfounded.

#### 1.3.5.

*The OIE further objects that it has nowhere found information on the process and funding for restoring the site, as well as the construction and equipment areas of the NPP site, to their original condition. By this they mean in the event that one or the other of the blocks is not delivered or not commissioned. The fact that the NPP may never be operational leads to the deterioration of the security situation in Europe and the CR, where we are, for example, cited as an enemy of Russia. The existing units of Dukovany NPP1-4 could be given permission to operate and still be operational with the NPP NPP. Their operation can be justified by the lack of electricity in case of non-operation of the NPP JEDU. The OIŽP sees the long-term operation of insufficiently protected nuclear technology on our territory as very risky, because it is not and cannot be additionally protected against natural climatic influences in the future.*

**Settlement:**

The building authority must base its activities on the statutory regulation and proceed within the limits of the possibilities and restrictions imposed by law or other legal regulation. As it follows from the requirements for the content of the zoning decision on the location of a building, as defined in Section 79 of the Building Act and the implementing regulations to this Act (in particular Decree No. 499/2006 Coll., on documentation of buildings, as amended, and Decree No. 503/2006 Coll., on more detailed regulation of spatial decision-making, zoning measures and building regulations, as amended), the subject of the zoning procedure is not the solution of the issues of financing of the permitted project, and even less the solution of hypothetical scenarios related to this issue, as well as the issue of ensuring the safety of the construction during its implementation.

In this context, it should be stressed that the zoning decision and the subsequent building permit are by their nature acts that authorize the applicant to implement the project, but do not impose an obligation to implement the project. However, should the applicant abandon its plan during construction, the competent administrative authorities (in particular the construction authority) have sufficient legal instruments to deal with such a situation, in particular in the event that the resulting situation threatens the safety of persons or property or the operation of the existing Dukovany power plant. However, it is not for the Building Authority to anticipate possible future decisions of public authorities in the event of such a hypothetical situation. Similarly, it is not for the construction authority to deal in this proceeding with issues relating to the future operation of the existing units of the Dukovany power plant.

The construction authority therefore considers the objection of the OIŽP regarding the lack of information on the financing process and the possibility of the new units not being put into operation to be unfounded.

**COMMENTS FROM THE OIŽP SUBMITTED ON 3.8.2023**

*1.3.6 OIŽP objects that the list of input documents does not include such documents that affect weather effects resulting from climate changes already evident in the wider surroundings of the JEDU, which may negatively affect not only the eventual completed power plant, but also its construction (workers, site equipment, etc.).*

**Settlement:**

Within the lists of input documents for the preparation of application dossiers in Part A. Accompanying Technical Report, chap. A.3, the background documents that addressed and evaluated the issue of weather impacts from climate change referenced by the OIE are listed.

These include in particular the documentation of the environmental impacts of the NJZ EDU project and the binding EIA opinion itself, which dealt with the issue in great detail (see, for example, pages 81, 83 and 84 of the binding EIA opinion and the parts of the EIA documentation referred to there). 17 of the EIA binding opinion, which is taken over in its entirety in the operative part of this decision and which requires that the development of climatic conditions be continuously monitored during the subsequent phases of the project preparation and, in the event of demonstrable changes, responded to in the project preparation, in particular in terms of securing the water requirements of the NJZ EDU. The issue is also addressed by Condition No. 6 of the EIA binding opinion, which was also adopted in its entirety in the operative part of the decision and which stipulates that the results of the water balances (or the water balance) must be updated as part of the documentation for the building permit. The water balance and the security of abstraction) must be updated on the basis of new data from the selected NPP contractor and, on the other hand, on the basis of the extended flow series in the Jihlava River in the Jihlava - Ptáčov profile, the current values of the then valid minimum residual flow in the Jihlava - Mohelno profile below and other actually monitored data on climatic changes (temperature, precipitation).

The Building Authority considers the above documents to be sufficient in terms of assessing climate change and ensuring that they are properly considered as part of the permitting process for the NPPF EDU. The objection of the OIE is therefore unfounded.

1.3.7 *In its comments, the OIŽP further states: page 40 - "The construction area and the area of the NPP EDU site facilities will be completely separated from the operating parts of the existing nuclear facilities at the Dukovany site."*

*There is no precise indication of how the separation will be made, whether new separating elements will be added, whether there will be a separation corridor, road, etc. between the construction area and the site equipment area.*

### **Settlement:**

The passage quoted by OIŽP is given on page 40 of Part B. Summary Technical Report for the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"".

The requirements for ensuring the physical protection of nuclear material and nuclear facilities are determined by the applicable legislation (primarily Decree No. 361/2016 Coll., on the security of nuclear facilities and nuclear material) and this issue is subject to assessment under the Atomic Act. Section 20 of Decree No 361/2016 Coll. specifically provides that the construction site of a nuclear installation must be fenced and its physical security, control of access by natural persons and control of the entry of vehicles must be ensured. At the same time, it is required that the building in which the part of the nuclear installation with a defined protected, internal or vital area is to be located must be protected at the level of the requirements for a nuclear installation with a defined guarded area from the start of the assembly of the technological equipment.

The assessment of whether these requirements have been met is the subject of the nuclear installation site licence under Section 9(1)(a) of the Atomic Energy Act, which is the basis for this decision. In the present case, it was issued by the State Office for Nuclear Safety on 8 March 2021 under No SÚJB/JB/5575/2021. An Analysis of the needs and possibilities for physical protection was submitted as the basis for the decision in question. In its evaluation, the State Office for Nuclear Safety compared the content of the document with the requirements of the legislation in force and the facts obtained from the inspection activities and stated that the document was prepared in the structure and in accordance with the requirements of Article 28(1) of Decree No 361/2016 Coll., which include, inter alia, an assessment of the construction site and local conditions in terms of ensuring the physical protection of the nuclear installation, a preliminary proposal for a solution to the technical physical protection system, including a preliminary assessment of its effectiveness, and a proposal for physical protection measures during the construction of the nuclear installation. The State Office for Nuclear Safety has further stated that the analysis of the needs and possibilities for physical protection meets all relevant requirements of the applicable legislation (including the requirements relating to site protection pursuant to Article 20 of Decree No 361/2016 Coll.) and demonstrates that the security or physical protection system that the applicant intends to implement will also comply with the requirements of Articles 159 to 163 of the Atomic Act and Decree No 361/2016 Coll. (see page 18 of the Decision).

In addition, the Construction Authority has verified from the available documents that the fencing of the guarded and protected area will consist of mechanical barrier devices that will serve to define and physically delimit the areas defined by the Atomic Act and its implementing Decree No. 361/2016 Coll. (see page 179 of Part B. Summary Technical Report on the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany""). The guarded area is specified in this Summary Technical Report as the area inside the NPP EDU site, which is delimited by an isolation zone of at least 6 metres in width, bounded by two fences, with the outer fence being at least 2.5 metres high and provided with an additional mechanical barrier extension at the crown of the fence, so that the total height of the fence is at least 3 metres. The inner fence shall be at least 2,5 metres high and shall be provided with an additional mechanical extension at the crown of the fence, so that the total height of the fence is at least 3 metres. Additional mechanical barriers at least 1,2 metres high shall be placed inside the isolation zone. On the outer boundary, mechanical barriers shall be provided to prevent unauthorised passage of vehicles of a weight and speed as determined by the design basis threat. The isolation zone shall be equipped with at least two detection systems operating on different physical principles, at least one of which shall be of a volumetric detection nature and shall be equipped with an

industrial television system and lighting to enable its use. There shall be a clear area of at least 6 metres on both sides of the isolation zone. The outer barrier shall be equipped with a separately controlled lighting circuit and a cable duct for process cables. The fencing shall be connected to new roads, gatehouses and underground routes of crossing utilities. The protected area is further specified as the area around the categorised buildings of the NPP EDU inside the guarded area and is delimited by an additional fence at least 2,5 m high, equipped with mechanical barriers at the crown of the fence, so that the total height of the fence must be at least 3 m and the fence must be equipped with an intrusion detection system, an industrial television system and lighting.

On the basis of the above-mentioned documents, it can be concluded that the measures for physical protection and fencing of the construction site, as well as other guarded and protected areas, are designed and secured in a sufficient manner in accordance with the requirements arising from the legal regulations. The specific method of protection of the site has been assessed by the State Office for Nuclear Safety in a separate procedure and the method of protection of the guarded and protected areas is described in a very specific and detailed manner in the documentation for the planning permission submitted by the applicant. Therefore, the objection of the OIE is unfounded .

*1.3.8 In its comments, the OIE further states: page 40 - "The construction of the entire NPP project will be carried out in such a way that it will not restrict the operation of existing nuclear facilities and will not affect the level of nuclear safety, radiation protection, security of nuclear facilities and nuclear material, and the provision of radiation emergency management."*

*What is missing here is an indication of the completely opposite influence. The existing nuclear facility, which also has no containment, may affect the construction of the NPP. The OIE requests that this fact be added.*

### **Settlement:**

The passage quoted by the OIŽP is given on page 41 of Part B. Summary Technical Report on the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"".

The assessment of the suitability of the Dukovany site for the location of the EDU NPP in view of the fact that there is already another existing nuclear facility in the area was the subject of the nuclear facility location permit procedure under the Atomic Act. The actual assessment of the impact of a nuclear installation already located in the area is required for the nuclear installation location permit, in particular in Section 3(1)(b)(4) and Section 20 of Decree No. 378/2016 Coll. on the location of nuclear installations. The authorisation for the location of a nuclear installation pursuant to Section 9(1)(a) of the Atomic Act (which is the basis for this decision) was issued by the State Office for Nuclear Safety on 8 March 2021 under reference SÚJB/JB/5575/2021. In the decision in question, the State Office for Nuclear Safety explicitly considered the impact of existing nuclear facilities on the location of the NPP EDU, stating that the impact of these other, long-standing and safely operated nuclear facilities had been assessed to the appropriate and required extent in a satisfactory manner (see page 18 of the decision in question).

The holder of a licence for activities related to the use of nuclear energy is also obliged under Section 49(1)(l) of the Atomic Energy Act to continuously evaluate the facts that were decisive for the assessment of the acceptability of the site for the location of the nuclear installation and their impact on nuclear safety, radiation protection, technical safety, monitoring of the radiation situation, radiation emergency management and security.

The Building Authority has further verified from the available documents that the issue of "impact of the NPP construction on the existing nuclear facility" is addressed in Part B. Summary Technical Report for the location of the construction "Set of buildings in the nuclear facility "New nuclear source in the locality of Dukovany" Chapter B.2.5.6 d) Specification of conditions to be observed in further stages of the project documentation for the construction and technical solution for familiarisation of the



population with the imminent danger and the measures prepared for their protection and inclusion of the construction of the warning system in the related and induced investments, in which it is stated that due to the coincidence of the planned construction of the EDU NPP with the operation of EDU1-4 at the Dukovany site, it will be necessary to ensure familiarisation of construction workers with the danger of a radiation accident from the neighbouring EDU1-4. The notification and warning system must be established already at the time of construction of the NPP EDU, although the occurrence of a radiation accident at the NPP EDU is excluded during construction. Any natural person who will be involved in the construction of the EDU NPP or later in the operation of the EDU NPP will have to undergo basic initial training pursuant to Section 156(1)(e) of Act No. 263/2016 Coll., the Atomic Act, during which he/she will be trained on the negative effects of ionising radiation, preparedness for response to a radiation emergency and other points pursuant to Section 5 of Decree No. 359/2016 Coll., on details for ensuring the management of a radiation emergency.

The risk of impact on the NPP EDU by the existing nuclear facility was assessed in chapter D.II.1.10 of the EIA documentation and was also subject to assessment within the EIA process. The Ministry of the Environment stated in the EIA binding opinion that the potential impact on the safety of the EDU NPP in the event of an accident at any of the operating EDUs 1-4 has been taken into account and that the safety systems of each EDU NPP will be technologically completely independent of the other nuclear installations on site and at the same time capable of handling accident conditions independently, without support from other units and installations (see pages 45 and 56 of the EIA binding opinion). Furthermore, the Ministry of the Environment stated in the EIA binding opinion that all impacts of the NPP EDU project have been assessed in their interaction with other nuclear or other facilities (see page 44 of the EIA binding opinion). Finally, the issue of the impact of the NPP EDU on existing nuclear facilities is addressed by condition no. 14 of the EIA binding opinion, which has been taken over in its entirety in the operative part of this decision and which states that the design of the EDU NPP must ensure that the EDU NPP is protected from the effects of a radiological emergency at any of the other nuclear installations on the site.

In light of the above, it is clear that the issue of the potential impact of the existing nuclear facility on the NPP EDU has been addressed in detail and the request by the OIWP to supplement this data is unjustified.

*1.3.9 In its comments, the OIWP further states: page 40 - "and will be implemented so that, with exceptions (e.g., the EDU1-4 joint raw water pumping station), they are independent of existing nuclear facilities."*

*Water should be drawn from multiple sources. This is shown by the safety experience of nuclear power plants around the world. Here, according to the OIWP, the project needs to be modified for far greater safety.*

### **Settlement:**

The passage quoted by the OIŽP is given on page 41 of Part B. Summary Technical Report on the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"". The issue of ensuring sufficient water and safe cooling of the NPP EDU has already been addressed in the framework of the environmental impact assessment process (EIA process) under the EIA Act. The Ministry of the Environment, in the resulting EIA binding consent opinion, set out conditions 6, 17 and 42 in relation to the water supply to the EDU NPP, which have subsequently been taken over in full in the operative part of this decision. It follows from the EIA binding opinion (see in particular pages 80 and 81), inter alia, that the available cooling water supplies for the removal of residual heat from the NPP EDU reactors will be guaranteed for a sufficiently long period of time to ensure an alternative water supply under conditions of complete isolation of the NPP EDU from the surrounding environment. A sufficient supply of coolant will be available directly in the safety system tanks. Additional water volume will be available in the raw water supply system tanks and piping, in the pools under the cooling towers, or in other systems according to the design solution. An alternative source of cooling water replenishment will be the Mohelno reservoir directly or the catchment tank on

the Skryjský Brook, from where water can be transported to the NPP EDU by fixed or mobile means (fire tankers, fire hoses and mobile fire pumps). Another alternative source of cooling water will be a connection to the Slavětice - Moravský Krumlov water supply system, used for drinking water supply. After reactor shutdown, the need for make-up water for cooling decreases exponentially.

The EIA binding opinion further shows that the availability of cooling water supplies directly at the site of the existing power plant for the removal of residual heat from EDU 1-4 is more than 30 days. The total water demand for the existing units after 30 days of shutdown is approximately 40 m<sup>3</sup>/hour. Since the operating power of the NPP EDUs will be similar to EDUs 1-4 and the residual power after reactor shutdown that will need to be removed will also be similar, the water requirement to provide residual heat removal will be similar. For the EDU NPP, it is assumed that the available coolant inventory at the site will be similar to that of EDU 1-4. EDU 1-4 and the NJZ EDU do not use flow-through cooling from the river where the safety impact could be rapid. Raw water is only used to supplement cooling water losses by evaporation in the towers which is approximately 1 m<sup>3</sup>/s for EDU 1-4 at 100% capacity for all units. In addition, the safety systems will be designed to withstand extreme temperatures and other extreme weather effects. In terms of short-term dry periods of several months, the Dalešice-Mohelno water cannon system plays a compensatory role. The Dalešice HPP has a total storage capacity of 129 million m<sup>3</sup> of water and a regulating storage capacity of 63 million m<sup>3</sup> of water. This storage volume is sufficient both to cover several months' needs of the NPP EDU at full capacity and to maintain a minimum residual flow at the outlet of the Mohelno reservoir. For the non-operational (shutdown) state of the NPP EDU, or EDU 1-4, it represents a virtually unlimited water source to ensure the removal of residual heat from the reactors.

Regarding the raw water pumping station itself, it should be stressed that its role is purely operational, not safety, as the raw water is only used to supplement the cooling water losses through evaporation in the towers, which is approximately 1 m<sup>3</sup>/s for EDUs 1-4 at 100% output of all units. Neither EDU 1-4 nor the NPP use flow-through cooling from the river where the safety impact could be rapid. Extremely prolonged drought may affect the operational availability of the NPP, not the provision of heat removal from shutdown reactors (see page 81 of the EIA binding opinion).

It can be concluded that, based on the above-described documents in the administrative file, it is demonstrated that the proposed design of the NPP EDU will provide sufficient cooling water for its safe operation. Therefore, the request by the EDU for a modification of the project is unfounded.

*1.3.10 In its comments, the OIŽP further states: page 42 - "The content of radionuclides in gaseous and liquid effluents will be minimized according to the principles of optimization of radiation protection below the level given by the authorized limits and controlled so as not to endanger the environment and the health of the population. The specific solution for the protection of the general public is described in Chapter B.2.5.6."*

*After seventy years of nuclear power plant operation, no radionuclides should be released from a nuclear facility into the environment in a controlled manner with modern technology. If this is the case, the media should give sufficient advance notice to the public. We are not aware that this information is widely available in the country.*

### **Settlement:**

The passage quoted by the OIŽP is given on page 42 of Part B. Summary Technical Report on the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"".

The conditions for optimising radiation protection of the population, including the setting of dose optimisation limits for representative persons and discharges to air and surface water, are laid down in Section 82 of the Atomic Energy Act. The issue was simultaneously addressed in the nuclear installation siting permit procedure conducted by the State Office for Nuclear Safety under the Atomic Act (according to Section 16 of Decree No 378/2016 Coll., on the siting of nuclear installations, the nuclear installation siting area is also assessed in terms of the spread of radioactive substances through the air, groundwater, surface water and the food chain). The authorisation for the location of the nuclear installation pursuant to Section 9(1)(a) of the Atomic Act (which is the basis for this decision) was

issued by the State Office for Nuclear Safety on 8 March 2021 under No SÚJB/JB/5575/2021. effective dose to a representative person) show that the impact of the NPP EDU from the point of view of radiation protection will be limited, in the level of units to tens of  $\mu\text{Sv}/\text{year}$ , and that the submitted documentation shows that even when considering the doses caused by discharges from 1. to 4. The dose optimisation limit of 200  $\mu\text{Sv}$  for the release of radioactive substances from the site to air and 50  $\mu\text{Sv}$  for discharges to surface water as laid down in Section 82(1) of the Atomic Energy Act will be met with a margin. In order to regulate the discharge of radioactive substances into surface waters from the EDU NPP in the event of low flows in the Jihlava River, the EDU NPP will be equipped with a system to ensure the limitation of discharges of radioactive substances into the Jihlava River (see page 17 of the Decision).

The holder of a licence for activities related to the use of nuclear energy is also obliged under Section 49(1)(l) of the Atomic Energy Act to continuously evaluate the facts that were decisive for the assessment of the acceptability of the site for the location of the nuclear installation and their impact on nuclear safety, radiation protection, technical safety, monitoring of the radiation situation, radiation emergency management and security.

The issue in question has also been the subject of an assessment already within the EIA process. The Ministry of the Environment stated in the EIA binding opinion that the assessment of the effects on public health shows that the NPP EDU will not affect the health of the population in a recognisable way under operational conditions, that, even with a very conservative approach, the lifetime risk of health harm from operational radioactive discharges in the critical population is of the order of  $1 \times 10^{-5}$  and below for any of the considered power alternatives of the NPP EDU over the entire lifetime of the NPP EDU including the consideration of the co-induced effect of EDU 1-4, and is therefore acceptable in health terms (see p. 10 and 11 of the binding EIA opinion). Similarly, the assessment of the radiation effects according to the EIA binding opinion shows that, as a result of the implementation of the project, the baseline exposure limits and the dose optimisation limit for a representative person will be safely and marginally met for the operating conditions of the NPP in the EDU 1-4 co-effect for all power alternatives, the assumed co-benefits and all considered flows in the Jihlava River (see page 14 of the EIA binding opinion). Compliance with the requirements in the field of radiation protection and the absence of impacts on public health are also addressed in a number of other places in the EIA binding opinion (see in particular pages 25, 34, 35, 42, 43, 55, 61, 62, 68, 69, 84, 85, 93, 94 and 100) and have been reflected in condition 15, which has been fully incorporated into the operative part of this decision and which stipulates that a radiation monitoring project must be developed as part of further project preparation, and in condition 16, which has been reproduced in full in the operative part of this Decision and which provides that measures for the reduction of individual doses to a representative person caused in particular by the discharge of liquid effluents containing radioactive substances shall be included in the design of the NPP. This issue is also covered by Condition 5 of the EIA binding opinion, which has been fully incorporated in the operative part of this Decision, according to which the applicant will be required to ensure in the documentation for the construction permit that the technical and technological design of the EDU NPP will allow for the reduction of liquid discharges (waste water) containing radioactive substances from the EDU NPP, in particular tritium (H-3), in the event of low flows in the Jihlava River.

In addition, the Building Authority states that the public is informed about the radiation situation through the SÚJB website, radiation monitoring section, MonRaS application, , which contains the results of monitoring of radioactive substances in the vicinity of selected nuclear installations and thus allows the public and the media to be informed about the consequences of their discharge.

As regards the OIŽP's polemic regarding the lack of public information provided by the media, this objection does not relate to the subject of this planning procedure and it is not clear how the OIŽP's rights should be interfered with in this context in this planning procedure. The construction authority therefore found this objection to be unfounded.

*1.3.11 Page 109 - "List of objects in the vicinity classified according to the Act on Prevention of Major Accidents that may be affected by the location of the set of buildings - For the NPP EDU, based on the experience of operating nuclear power plants in the Czech Republic, it is not expected to be classified in Group A or B according to the Act on Prevention of Major Accidents. If, during the design, implementation, operation or decommissioning, facts requiring the classification of*

*the NPP EDU in Group A or B arise, the procedure will be followed in accordance with the Act on Prevention of Major Accidents."*

*In the opinion of the association, by not including the NPP in any of the object groups, the OIŽP completely ignores the increasing trend of risk factors resulting from both climate change and the development of the security situation in Europe. Although according to the Czech law and the experience of operating power plants in the Czech Republic it is not expected to include them, we would like to remind you of the situation when strong winds, approaching the strength of a tornado, some time ago lifted and rolled the roof of the engine room of the second unit at Temelín NPP and knocked down several electricity pylons. A similarly strong wind would probably have damaged the existing Dukovany NPP much more severely. Dangerous meteorological phenomena are increasing in our country every year, and we are even being informed in advance of the possible occurrence of tornadoes. Taking into account the safety situation, and the current alarming IAEA reports from Ukraine (Enerhodar NPP), the OIWP finds it incredible that only the experience of operating nuclear power plants on our territory is considered for the NPP NPP! The OIE asks to reconsider and add experience from Europe.*

### **Settlement:**

The passage quoted by the OIŽP is given on page 109 of Part B. Summary Technical Report on the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"".

In the framework of the proceedings, a statement of the Regional Authority of the Vysočina Region, Department of Environment and Agriculture, No.KUJI 2290/2021 OZPZ 86/2021 Dob dated 12 January 2021 for the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"", as the factually and locally competent administrative authority pursuant to Section 43 (e) of Act No. 224/2015 Coll., was submitted on the issue of prevention of major accidents, on the prevention of major accidents caused by selected hazardous chemical substances or chemical mixtures, as amended (Act on the Prevention of Major Accidents). In this statement, consent was given to the location of the subject construction on the basis of the documentation for the issuance of the planning permission and the protocols for non-classification under the Act on the Prevention of Major Accidents. The issue of major-accident prevention was thus addressed and the construction authority had sufficient grounds to assess the issue in this context.

The Building Authority further adds that the classification of objects into groups according to the Act on the Prevention of Major Accidents is carried out on the basis of the quantity and type of hazardous substances in the objects (chemical substances and mixtures not containing radionuclides), which must be less than the quantity specified in Annex 1 of the above-mentioned Act. In case of exceeding (or expected exceeding) of the amount of hazardous substance in the facility than the amount proposed in Annex 1 of the Act, the operator (i.e. the applicant) shall propose the classification of the facility (NPP EDU) into Group A or B (or issue a report on non-classification) and subsequently prepare safety documentation according to the Act. The applicant in chap. B.1.n) part B. Summary technical report for the location of the construction "Set of buildings in the nuclear facility "New nuclear source in the locality of Dukovany"" stated that the location of the NPP EDU does not conflict with the emergency planning zone according to Act No. 224/2015 Coll, and also that the applicant, based on the experience of operating nuclear power plants in the Czech Republic, does not foresee the classification of the EDU NPP into Group A or B according to Act No. 224/2015 Coll. (and that if such a situation would nevertheless arise, the applicant would proceed according to Act No. 224/2015 Coll. - see above).

Regarding the requirements of the OIŽP regarding the assessment of the experience of operating nuclear power plants in Europe, the construction authority notes that the subject of this planning procedure is the assessment of the project and its compliance with the legal requirements in the form submitted by the applicant. Therefore, the Building Authority finds this objection to be unfounded.

With regard to the issue of possible climatic phenomena at the site of the NJZ EDU, the building authority refers for completeness to the settlement of the objection of the OIŽP No. 1.3.3 above and with regard to the issue of safety measures in relation to possible radiation risks, including cases of severe

accidents, it refers in full to the settlement of the objections of the OIŽP No. 1.3.8 and 1.3.10 above and 1.3.13 and 1.3.22 below.

*1.3.12 In its comments, OIŽP further states: page 111 - "The urban concept of the site should not change in principle compared to the current situation, i.e. it should spatially and functionally complement the already existing structure, while the NW EDU campus should be seamlessly connected to the campus of the existing EDU 1-4."*

*How can a more massive building with containment smoothly relate to and complement the considerably lighter flat "factory" roof without containment at the existing Dukovany NPP site? The difference in appearance between historic and contemporary technology should be better expressed here. This description does not correspond to reality.*

### **Settlement:**

The passage quoted by the OIŽP is given on page 111 of Part B. Summary Technical Report on the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"".

The following documents issued by the Regional Authority of the Vysočina Region, Department of Environment and Agriculture, were submitted on the issue of the impact of the assessed project NJZ EDU on the landscape character and significant landscape elements:

- No. KUJI 111315/2020 OZPZ 2268/2020 of 16 December 2020 for the construction of the Drainage of rainwater from the NJZ EDU by the Lipňanský brook incl. retention - includes a binding opinion on the intervention in the HCP with the condition that the construction will be implemented and operated in such a way that it will not be necessary to interfere with trees growing outside the forest outside the trees directly affected by the construction (listed in the documentation), the binding opinion on the intervention in the landscape character was not issued, because according to the communication of the concerned authority, the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location,
- No. KUJI 107147/2020 OZPZ 2268/2020 of 26 January 2021 (as amended by correction resolution No. KUJI 13409/2021 OZPZ 2268/2020 of 17 February 2021). 2021) for the construction of the "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany" - contains a consent binding opinion on the intervention in the VCP without conditions and a consent binding opinion on the intervention in the landscape character with the condition that at least 3 years before the start of the construction, the applicant will address in writing the municipalities (whose territory will be directly affected visually by the construction) with an offer of the possibility of planting trees to mitigate the visual impact of the construction on the intravilan of the settlement,
- No. KUJI 86729/2020 OZPZ 2268/2020 of 13 November 2020 for the construction of the Underground cable line 110 kV from the TR Slavětice substation - contains a binding opinion in favour of the intervention in the VCP without conditions, the binding opinion on the intervention in the landscape character was not issued, because according to the communication of the concerned authority, the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location;
- No. KUJI 86751/2020 OZPZ 2268/2020 of 18 November 2020 for the construction of the 400 kV power line V883 and V884 for the NJZ EDU - contains a binding opinion on the intervention into the landscape without conditions, the binding opinion on the intervention into the HCP has not been issued, since according to the communication of the concerned authority the HCP will not be affected by the construction,
- No. KUJI 86743/2020 OZPZ 2268/2020 dated 8 December 2020 for the construction of the Raw water supply lines from Mohelno hydroelectric power station and a new water reservoir for the NJZ EDU - it contains a consent binding opinion on the intervention into the VCP with the condition that the construction will be implemented and operated in such a way that it will not

hydrologically affect the flow of the Skryjský Brook and its valley floodplain west of the crossing with the construction of the gravity line with the Skryjský Brook (i.e. above this crossing) and a binding consent opinion on the encroachment on the landscape character without conditions,

- No. KUJI 86749/2020 OZPZ 2268/2020 of 18 January 2021 for the construction of the Wastewater Diversion from the NJZ EDU and the HPP - it contains a binding opinion on the intervention in the VCP without conditions, the binding opinion on the intervention in the landscape character was not issued, because according to the communication of the concerned authority the construction will not be applied in view due to its location,
- No. KUJI 72361/2020 OZPZ 2268/2020 of 13.11.2020 as amended by the correction resolution under No. KUJI 110714/2020, OZPZ 2268/2020 of 23.11.2020. 2020 for the construction of the Wastewater Diversion from the construction of the NJZ EDU to the Skryje Reservoir - contains a binding opinion on the intervention in the HCP without conditions, a binding opinion on the intervention in the landscape character was not issued, because according to the communication of the concerned authority, the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location,
- No. KUJI 72354/2020 OZPZ 2268/2020 of 13 November 2020 for the construction of the Drainage of rainwater from the area of the NJZ EDU to the Skryje reservoir - contains a binding opinion on the intervention in the VCP without conditions, a binding opinion on the intervention in the landscape character was not issued, because according to the communication of the concerned authority, the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location;
- No. KUJI 64147/2020 OZPZ 2268/2020 dated 20.11.2020 for the construction of the Drainage of rainwater from the area of the NJZ EDU to the Lipňanský brook - it contains a consenting binding opinion on the intervention in the VCP with the conditions that (1) the open object of the brewery will be sloped on one side at a slope of 1:1 and more gradual, the surface of this part will be roughened; (2) felling will be carried out in the period September - February. Any trees with cavities present that could be inhabited by bats will be identified by the biological supervisor and will only be felled between 1 September and 31 October under the supervision of the biological supervisor, who may suggest other measures for the protection of bats if necessary. The loss of roosts and food supply for birds and mammals caused by the encroachment and felling to the extent specified in the project documentation will be compensated for by the implementation of additional measures such as the installation of bird boxes, the construction of dry-stacked walls below the frost depth, or other minor measures to be determined by the biological supervision. The trunks of the selected felled trees will be left in situ to decay spontaneously. The location and number of the above elements will be determined in individual stages by the biological supervision; (3) Excess soil from the excavation works will be deposited on the NPP EDU site equipment area on the nuclear facility site, see Summary Technical Report B.5, and a binding opinion on landscape impact has not been issued, as according to the communication from the concerned authority, the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location,
- No. KUJI 64144/2020 OZPZ 2268/2020 of 13 November 2020, as amended by the correction resolution No. KUJI 110702/2020 OZPZ 2268/2020 of 24 November 2020 and the amendment of the binding opinion No. KUJI 4229/2021 OZPZ 2268/2020 of 5 February 2020. 2021 for the construction of the Drainage of rainwater from the areas of the NJZ EDU construction site into the Heřmanický Brook - it contains a binding opinion in favour of the intervention in the HCP with conditions, the binding opinion on the intervention in the landscape character was not issued, because according to the communication of the concerned authority, the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location,
- No. KUJI 71683/2020 OZPZ 2268/2020 of 18 November 2020 for the construction of a purpose-built road to provide access to foreign land on the area of the NJZ EDU - a binding opinion on

the intervention in the HCP was not issued, since according to the communication of the concerned authority none of the roads exceeds the HCP; also a binding opinion on the intervention in the landscape character was not issued, since according to the communication of the concerned authority the construction cannot have an impact on the reduction of the landscape character of the site due to its nature and location.

The issue of the impact of the project on significant landscape elements and landscape character was therefore addressed in detail during the above-mentioned proceedings and the building authority had sufficient documentation to assess the issue and issue a decision, including binding opinions and communications from the relevant nature protection authority. Insofar as these binding opinions contained certain conditions, these conditions were fully taken into account in the operative part of the decision.

In the above-mentioned documents it is also explicitly stated that the applicant has requested the Regional Authority of the Vysočina Region to issue binding opinions and all other administrative acts under the Act on Nature and Landscape Protection falling within the competence of this authority, including binding opinions in terms of interference with significant landscape elements and landscape character. After evaluating the content of the project documentation, the Vysočina Regional Authority concluded in the case of the selected buildings (see above) that binding opinions and other administrative acts will not be issued for these buildings, as no impacts on significant landscape elements can be expected and the buildings cannot have an impact on the reduction of the landscape character of the sites in question. This conclusion seems logical in view of the nature of the structures in question and their location, as these structures are by their nature subsurface or low-rise structures with a negligible visual impact on the surrounding area, or structures extending the existing extensive overhead power line network.

The evaluation of the effects of the entire NJZ EDU project on the landscape character, including the preparation of the corresponding background study, was also the subject of the environmental impact assessment process (see in particular pages 14, 20 and 40 et seq. of the binding EIA opinion). On this basis, the Ministry of the Environment imposed condition No 9 of the EIA binding opinion, which has been taken over in full in the operative part of this decision and which reads as follows: *'Within the documentation for the building permit, give preference to an urban and architectural design that takes into account the link to the existing layout of the area and adapts the architectural design of the project (including the colour scheme) to the integration into the landscape, including taking into account the architectural link to the existing EDU1-4 site.* The attachment of a condition only at the building permit stage seems logical and reasonable, since the specific urban and architectural design of the individual buildings on the NPP EDU site is not yet known and will only be specified at the next stage of the permitting process after a specific contractor and its technology has been selected.

The description and evaluation of the impacts of the NJZ EDU project on the urban and landscape character is therefore sufficiently contained in the above-mentioned decision documents without the need to further supplement these documents. Therefore, the request of the OIŽP for their supplementation is unfounded.

*1.3.13 In its comments, the OIE further states: page 112 - "in the event of a turbine destruction, non-redundant buildings related to the safe operation of the nuclear facility were not affected by the rotor."*

*Given the dangers of a huge rotating machine, it is the opinion of the OIWP that consideration should be given to whether it would be more economical and safer to choose safer smaller turbines. Or to build power plants of other types with electronic sources instead of the highly outdated technology of the atom. In the opinion of the OIE, it is quite clear that they have a far greater future.*

### **Settlement:**

The passage quoted by the OIŽP is given on page 112 of Part B. Summary Technical Report on the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"".

The issue of possible accidents (whether they are basic design accidents or severe accidents) is the subject of the nuclear installation location permit proceedings conducted by the State Office for Nuclear Safety under the Atomic Act (see in particular § 3, § 13 and § 14 of Decree No.378/2016 Coll, on the siting of nuclear installations, with the proviso that the assessment pursuant to Section 14 of the Decree in question also includes an assessment of the explosion and fire scenario, including the presence and properties of substances capable of causing an explosion or fire, the properties of the resulting pressure wave, the flying debris released as a result of the explosion and the spread of combustion products and the size of the explosion-induced discharge). Further safety requirements are laid down in Decree No 329/2017 Coll., on requirements for the design of nuclear installations (see in particular Sections 4, 5, 10 and 11 of this Decree).

The State Office for Nuclear Safety issued a permit for the location of the nuclear installation pursuant to Section 9(1)(a) of the Atomic Act (which is the basis for this decision) on 8 March 2021 under No. SÚJB/JB/5575/2021. 15 et seq.) that all aspects (including the occurrence of phenomena originating from human activity such as explosions, fires or aircraft crashes) have been assessed to the appropriate and required extent in accordance with Decree No. 378/2016 Coll, on the siting of nuclear installations, which makes it possible to grasp their impact on nuclear safety, radiation protection, technical safety, radiation emergency management and security during the life cycle of a nuclear installation and its impact on individuals, the population, society and the environment. Similarly, the State Office for Nuclear Safety has confirmed that the design of the nuclear installation is adequately described in terms of meeting the requirements for nuclear safety, radiation protection, technical safety, radiation monitoring, radiation emergency management and security, as foreseen, inter alia, by Decree No 329/2017 Coll., on requirements for the design of a nuclear installation.

According to the State Office for Nuclear Safety, the NPP EDU project assumes radiation acceptability criteria for emergency conditions in accordance with the requirements of legal regulations and the practical exclusion of early and large radiation accidents, with the declared fulfilment of probabilistic risk criteria at the level of the sum frequency of occurrence of severe fuel system damage of at least  $10^{-5}$  /year and the sum frequency of occurrence of early and large radiation accidents of at least  $10^{-6}$  /year. According to the State Nuclear Safety Authority, the description of the NPP EDU project declares a high level of independence of nuclear installations from the environment in dealing with emergency conditions and minimising the amount and hazard of radioactive waste generated. These safety objectives, according to the State Office for Nuclear Safety, meet the requirements of the Atomic Law and its implementing legislation, and are in line with current international standards (IAEA and WENRA) for new nuclear facilities of this type in the world. They thus represent the globally customary level of nuclear safety, radiation protection, technical safety and radiation emergency management. This ensures that nuclear installations designed and sited in this way will, in the long term, meet the characteristics of the site for the siting of the nuclear installation (see pages 16 and 17 of the NPP EDU site licence).

The issue of possible accidents was further addressed in detail already during the environmental impact assessment process, in particular in chapter D.II.1 and in the comments received during the EIA process (see the settlement in the EIA binding opinion, in particular pages 43 to 45, 56, 59 to 61, 64, 65, 71, 72 of the EIA binding opinion). In this context, the Ministry of the Environment imposed in the EIA binding opinion, inter alia, conditions Nos 13 to 16 concerning basic design basis accidents, severe accidents, ensuring protection of the NPP EDU from the consequences of a radiological emergency at any of the other facilities located on the site and monitoring of the radiation situation, which have been taken over in full in the operative part of this decision.

With regard to OIŽP's considerations regarding the possible installation of smaller turbines or even the construction of a completely different facility than a nuclear power plant, the construction authority notes that the subject of this planning procedure is the assessment of the project and its compliance with the legal requirements as submitted by the applicant.



*1.3.14 In its comments, OIŽP also states: page 152 - "Operating fuel - diesel or light fuel oil (LTO) for the auxiliary boiler house (approx. 2000 t/year)."*

*A source that is called green should have this function provided by a greener source. The OWP requests reconsideration.*

**Settlement:**

The passage quoted by the OIŽP is given on page 152 of Part B. Summary Technical Report on the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"".

In the planning procedure, the building authority assesses the plan and its compliance with the legal requirements in the form submitted by the applicant. The project involves the construction of two boiler houses. The first is a boiler house for LTO combustion with a total heat input of approximately 40 MW, which will be built on the premises of the NJZ EDU as a permanent backup source. However, this boiler plant will not be in operation all year round, its use is expected only during the outage periods of the NPP EDU units, i.e. up to 600 hours per year (see page 154 of Part B. Summary Technical Report on the location of the construction 'Complex of buildings on the site of the nuclear facility "New nuclear source at the Dukovany site"'). The second is a boiler house for LTO combustion with a total heat input of approximately 20 MW, which is only a temporary source for the duration of construction and will be used to supply heat and domestic hot water to the site facilities, with the proviso that this source will be removed after construction is completed (see page 43 of Part B. Summary Technical Report on the location of the construction "Set of buildings on the site of the nuclear installation 'New nuclear source at the Dukovany site'").

The impacts of the boiler houses in question (as well as other sources of air pollution within the NJZ EDU project in the form of diesel generators) on the environment were assessed by the Regional Authority of the Vysočina Region as the competent air protection authority in the binding opinion No.KUJI 111319/2020, OZPZ 2318/2020 Rů dated 14 December 2020. The binding opinion in question was issued as a consent and without conditions with the assumption of the operation of a permanent (backup) boiler house during the shutdown of the NPP EDU units for up to 25 days per year for 24 hours per day (i.e. up to 600 hours per year) with, with a rated thermal input of 40 MW and a fuel consumption of 3 400 kg/hr, and with the assumption of operation of a temporary (auxiliary) boiler plant for up to 2 000 hours per year with a rated thermal input of 20 MW and a fuel consumption of 1 700 kg/hr. The air and climate impacts have also been assessed in the EIA documentation and the EIA process, both for the construction phase and the subsequent operation of the NPP EDU (see page 27 et seq. of the EIA binding opinion).

In the light of the above, the building authority considers the request of the OIŽP for a reassessment of the technical design of the boiler rooms to be unjustified.

*1.3.15 In its comments, the OIE further states: page 153 - "Releases of radioactive substances into the environment."*

*The OIŽP recommends not to implement these or to choose an adequate technology that works without radioactive discharges.*

**Settlement:**

The passage quoted by the OIŽP is given on page 153 of Part B. Summary Technical Report on the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"".

The objection in question is similar to the objection of the OIŽP No. 1.3.10 and the construction authority therefore refers to the settlement of the objection of the OIŽP No. 1.3.10 in its entirety.

*1.3.16 In its comments, the EIR further states: page 175 - "No heat removal is contemplated outside of the EDU NPP site."*

*Czech media reported about the possibility of heating a part of Brno with heat from the Dukovany NPP. Why is nothing similar mentioned here? It should be added if you want to build.*

**Settlement:**

The passage quoted by the OIŽP is given on page 175 of Part B. Summary Technical Report for the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"".

It was verified in the course of the planning proceedings (see the communication of the Ministry of Industry and Trade dated 17.12.2020, ref. MPO 720009/2020/41600, PID MIPOX038DS8Q, which is part of the documents of this decision) that the assessed project of the NJZ EDU will not prevent or substantially complicate the planned implementation of the project of the long-distance hot pipeline from the Dukovany nuclear power plant, which is defined in the Principles of Spatial Development of the Vysočina Region. The area of the NPP EDU site facilities, including the buildings implemented there, will be used only in a temporary manner during the construction of the NPP EDU and will not hinder the possible future implementation of the hot pipeline after the site facilities are closed. The newly installed heat output of the EDU NPP will certainly be fully sufficient in terms of the heat demand along the route of the planned hot pipeline.

In the situation described above, there is no reason to add information about the possible construction of a long-distance hot water pipeline to the documentation for the location of the structures forming the NPP EDU, which is not part of these structures.

*1.3.17 In its comments, the OIWP further states: page 176 - "This must be fully respected in subsequent design stages."*

*Fully unchecked.*

**Settlement:**

The passage quoted by the OIŽP is given on page 176 of Part B. Summary Technical Report on the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"".

The quoted sentence about the necessary respect of the requirements of Decree No. 268/2009 Coll., on technical requirements for buildings, and other legislative and standard requirements imposed on selected buildings and their individual structures, and requirements for the hygiene of the working environment and the requirements of fire technical regulations, refers to the requirements that were also assessed in the planning procedure to the extent relevant to this stage of the procedure. They will subsequently be developed in the next stage of the procedure on the basis of more detailed documentation. The compliance of the documentation submitted for the planning procedure with the legislation in question is set out in the 'Assessment of the application' section of the explanatory memorandum to this decision. It is not at all clear from the objection in question how the rights of OIŽP were to be interfered with in the context of the above-mentioned planning procedure.

*1.3.18 In its comments, the OIG further states: page 178 - "Information Center."*

*From the experience of the OIŽP, it would be more practical to build a separate reinforced concrete building. At one of the first nuclear power stations on the north coast of Scotland, the OIE was not allowed into the information centre. It was said to be in a dilapidated state. This could be repeated in time at Dukovany.*

**Settlement:**

The passage quoted by the OIŽP is given on page 178 of Part B. Summary Technical Report on the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"".

To inform the general public, an information centre will be established on the NPP EDU site, which will be located either in a detached low-rise building with a supporting structure made of reinforced concrete or steel, or incorporated as a separate space into another building (see page 178 of Part B. Summary Technical Report on the location of the construction "Complex of buildings on the site of the nuclear facility "New nuclear source at the Dukovany site""). The location of the information centre depends on the specific layout of the buildings within the nuclear facility site, which will be addressed and assessed at the next stage of the permitting process in the context of the permitting of these buildings, in accordance with Section 79(1) of the Building Act.

The OIŽP's request for a separate reinforced concrete building for the information centre is therefore unfounded.

*1.3.19 In its comments, the HOA further states: page 179 - "Fencing of the guarded and protected area."*

*Will the guarded and protected area, including complete fencing, be in place before the fuel is committed? In the opinion of the Association, the OIWP lacks this information and asks for it to be added to the documents.*

**Settlement:**

The passage quoted by the OIŽP is given on page 178 of Part B. Summary Technical Report on the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"".

The request of the OIE for additional information on how the site will be protected at the time of the first fuel deliveries relates by its nature to the commissioning phase (including preparation) and operation of the NPP EDU, which will be the subject of the next stages of the permitting process, and not to the siting of the construction, which is the subject of this planning procedure. Therefore, the construction authority considers that the request of the OIŽP to supplement the information in question already at the planning procedure stage is unfounded.

In this context, the construction authority adds for completeness that the applicant will be obliged to comply with the requirements for the method of securing and protecting the delivery of nuclear materials, which are laid down in particular in Decree No 361/2016 Coll., both for the transport of nuclear materials and for their subsequent storage on the premises of the nuclear installation.

*1.3.20 In its comments, the OIWP further states: page 180 - "Shelters"*

*Will the shelters be sized for nuclear weapons? Russia has threatened to use them several times in the last year.*

**Settlement:**

The passage quoted by the OIŽP is given on page 180 of Part B. Summary Technical Report on the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"".

On the issue of safety measures in relation to possible radiation risks, including cases of severe accidents, the construction authority refers in full to the settlement of the objections of the OIŽP No. 1.3.8, 1.3.10 and 1.3.13 above and 1.3.22 below.

Moreover, objections regarding the scope and parameters of the shelters for the operation of the permitted project are largely premature, as the assessment of the level of risk and the detailed design of the shelters will only be specifically addressed in the next stages of the project documentation, also with regard to specific parameters and the final construction solution. This approach also corresponds with the conclusions of the Ministry of the Environment in the EIA binding opinion, specifically condition 4, which stipulates that the construction solution for shelters and other emergency infrastructure, including the timetable for their implementation, will be documented in more detail within the documentation for the construction permit. The condition of the binding opinion in question was imposed on the basis of the comments of the State Office for Nuclear Safety on the EIA documentation, and this condition has been taken over in full in the operative part of this decision.

*1.3.21 In its comments, the OIG further states: page 195 - "Raw Water."*

*In the opinion of the OIŽP, it would be much safer to create an alternative supply from another source instead of upgrading the existing water supply. This is after the experience of the last few years with the cooling of the NPP in France and the Zaporozhye NPP. In the opinion of the OIE, it would be a good idea to add the intake to the project.*

**Settlement:**

The passage quoted by the OIŽP is given on page 195 of Part B. Summary Technical Report on the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"".

In order to ensure sufficient water and a safe method of cooling the NPP EDU (even in the event of adverse climatic conditions or emergencies, including complete isolation of the NPP EDU from its surroundings), the Building Authority refers in full to the settlement of the similar objection of the OIE No. 1.3.9 above.

*1.3.22 In its comments, the OIE further states: page 202 - "The nuclear power plant will be designed to ensure nuclear safety, radiation protection, radiation monitoring, radiation emergency management, security and non-proliferation throughout its life cycle."*

*The OIE asks to add that this does not apply in the event of an extraordinary terrorist attack and in time of war.*

**Settlement:**

The passage quoted by the OIŽP is given on page 202 of Part B. Summary Technical Report on the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"".

The issue of nuclear safety, radiation protection, including monitoring of the radiation situation and management of radiation emergencies is the subject of the nuclear installation location permit procedure conducted by the State Office for Nuclear Safety under the Atomic Act. According to Section 1 of Decree No 378/2016 Coll., on the location of nuclear installations, the Decree in question regulates, inter alia, the list of characteristics and characteristics of the area for the location of a nuclear installation capable of influencing nuclear safety, radiation protection, technical safety, monitoring of the radiation situation, management of a radiation emergency and security during the life cycle of a nuclear installation, the achievement of which is prohibited for the location of a nuclear installation. Further requirements in the field of safety are laid down in Decree No 329/2017 Coll. on requirements for the design of a nuclear installation (see in particular § 4, § 5, § 10 and § 11 of this Decree).

The licence for the location of the nuclear installation pursuant to Section 9(1)(a) of the Atomic Act (which is the basis for this decision) was issued by the State Office for Nuclear Safety on 8 March 2021 under No. SÚJB/JB/5575/2021. An Analysis of Needs and Possibilities for Ensuring Physical Protection was submitted as the basis for this decision. In its evaluation, the State Office for Nuclear Safety compared the content of the document with the requirements of the legislation in force and the facts

obtained from the inspection activities and stated that the document was prepared in the structure and in accordance with the requirements of Article 28(1) of Decree No 361/2016 Coll., which include, inter alia, a preliminary assessment of the risks arising from unauthorised activities with nuclear material and nuclear installations or parts thereof. The State Office for Nuclear Safety further stated that the analysis of physical protection needs and options meets all relevant requirements of the applicable legislation and demonstrates that the security or physical protection system that the applicant intends to implement will also comply with the requirements of Sections 159 to 163 of the Atomic Act and Decree No 361/2016 Coll.

Furthermore, in the decision in question, the State Office for Nuclear Safety stated (see page 15 et seq.) that all aspects (including the occurrence of phenomena originating from human activity such as explosions, fires or aircraft crashes) were assessed to the appropriate and required extent in accordance with Decree No. 378/2016 Coll, on the siting of nuclear installations, which makes it possible to grasp their impact on nuclear safety, radiation protection, technical safety, radiation emergency management and security during the life cycle of a nuclear installation and its impact on individuals, the population, society and the environment. Similarly, the State Office for Nuclear Safety has confirmed that the design of the nuclear installation is adequately described in terms of meeting the requirements for nuclear safety, radiation protection, technical safety, radiation monitoring, radiation emergency management and security, as foreseen, inter alia, by Decree No 329/2017 Coll., on requirements for the design of a nuclear installation.

According to the State Office for Nuclear Safety, the NPP EDU project assumes radiation acceptability criteria for emergency conditions in accordance with the requirements of legal regulations and the practical exclusion of early and large radiation accidents, with the declared fulfilment of probabilistic risk criteria at the level of the sum frequency of occurrence of severe fuel system damage of at least  $10^{-5}$  /year and the sum frequency of occurrence of early and large radiation accidents of at least  $10^{-6}$  /year. According to the State Nuclear Safety Authority, the description of the NPP EDU project declares a high level of independence of nuclear installations from the environment in dealing with emergency conditions and minimising the amount and hazard of radioactive waste generated. These safety objectives, according to the State Office for Nuclear Safety, meet the requirements of the Atomic Law and its implementing legislation, and are in line with current international standards (IAEA and WENRA) for new nuclear facilities of this type in the world. They thus represent the globally customary level of nuclear safety, radiation protection, technical safety and radiation emergency management. This ensures that nuclear installations designed and sited in this way will, in the long term, meet the characteristics of the site for the siting of the nuclear installation (see pages 16 and 17 of the NPP EDU site licence).

The holder of a licence for activities related to the use of nuclear energy is also obliged under Section 49(1)(l) of the Atomic Energy Act to continuously evaluate the facts that were decisive for the assessment of the acceptability of the site for the location of the nuclear installation and their impact on nuclear safety, radiation protection, technical safety, monitoring of the radiation situation, radiation emergency management and security.

The issue of possible accidents (including terrorist attacks and sabotage) has been assessed in detail in the EIA documentation (e.g. chapter B.I.6.2 and other subchapters, or in chapter D.II.1.8.) and further addressed in the environmental impact assessment process (see in particular pages 43 to 45, 56, 59 to 61, 64, 65, 71, 72 and 75 of the binding EIA opinion). In this context, and on the basis of the EIA process, the Ministry of the Environment set out in the EIA binding opinion, inter alia, conditions 13 to 15 concerning basic design basis accidents, severe accidents, ensuring protection of the NPP EDU from the consequences of a radiation emergency at any of the other facilities on the site and monitoring of the radiation situation, which are fully taken up in the operative part of this Decision. In the binding EIA opinion, the Ministry of the Environment also pointed out that the EIA documentation assessed included basic information on the requirements and method of ensuring the security of the NPP EDU against the threat of terrorist attack and sabotage, including, inter alia Furthermore, the Ministry of the Environment referred to the assessment of the risk of a terrorist attack on the EDU NPP in the following stages of the preparation and implementation of the project in accordance with the requirements of the Atomic Act.

On the issue of war and terrorist attacks, reference can be made to page 75 of the EIA binding opinion, where the Ministry of the Environment stressed that the primary protection against deliberate attacks is

the responsibility of the state. The State has a number of means at its disposal (intelligence services, army, police, monitoring of terrorist activities, airspace protection, prevention in air transport conditions, special forces, etc.), the application of which, through the Ministry of Defence, the Ministry of the Interior and the State Office for Nuclear Safety, means that the risk of a successful terrorist attack on a nuclear installation is very likely eliminated and minimised. Types of analyses for assessing the risk of terrorist attacks are not subject to documentation and are subject to Act No 412/2005 Coll., on the protection of classified information and security clearance, as amended, and its implementing decrees.

In light of the above, it is clear that the issue of assessing potential risks related to war and terrorist attacks has been sufficiently addressed in the permitting process for the EDU NPP so far, and the request by the OIŽP for an addendum on this issue is therefore unfounded.

*1.3.23 In its comments, the OIE further states: page 205 - "The most important task at this level is the containment of radioactive materials within the containment envelope."*

*There is no mention of what would follow if an accident were to occur at the existing four units of the Dukovany NPP due to the lack of a containment envelope. The OIE requests to add this, as this may happen during the possible construction, possible operation of the Dukovany NPP, but also after the shutdown of the existing four units of the Dukovany NPP.*

### **Settlement:**

The passage quoted by OIŽP is given on page 205 of Part B. Summary Technical Report for the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"".

With regard to the settlement of the issue of the potential impact of the accident on the existing EDUs 1-4, the construction authority refers in full to the settlement of the similar objection of the OIŽP No. 1.3.3 above.

### **1.4. EUROSOLAR.CZ, z.s.**

Date of delivery: 29 September 2021

#### **1.4.1. PRICE COMPARISONS WITH OTHER SOURCES AND ENVIRONMENTAL IMPACTS**

*In its submission of 28 September 2021, EUROSOLAR.CZ, z.s. argues that in order to assess the effectiveness or inevitability of the completion of nuclear power plants, two basic criteria should be evaluated. Comparison of prices with other sources and the environmental impact. If we compare the prices quoted by Lazard (the investment bank of the energy concerns), we see that the full prices quoted - both investment and operating (LCOE) - for nuclear-generated electricity are about three and a half times higher than for renewables. The material also shows the operating cost of nuclear generation per megawatt-hour, which is essentially the lower end of the total cost per megawatt-hour of wind or photovoltaic generators.*

*Also, the total price quoted for the new Dukovany of CZK 150 billion (EUR 6 billion) is significantly underestimated. This is matched by the ever-increasing cost of building Olkiluoto or Flamanville (EUR 19.1 billion), i.e. three times the price quoted by Minister Havlíček. The time delays for connecting to the grid are also around ten years, not only for the French and Finnish plants. However, the Minister did not explain why building a nuclear power plant in the Czech Republic should be cheaper than in Finland, the country with the lowest perceived corruption.*

*In contrast, the generation cost of renewables continues to fall. According to an open letter by German scientists, photovoltaic power will soon be available in southern sunny locations at a price of one euro cent per kilowatt hour. According to a 2021 projection, the price of photovoltaic-generated electricity will fall by 15 to 35% by 2024. By contrast, the construction of new nuclear reactors is burdened by losses, which, according to German experts at the DIW Institute, amount to between €1.5 and €8.9 billion (€37-222 billion) for a 1 GW nuclear reactor.*

*However much nuclear energy is considered clean energy, this is only true from a limited perspective, unless we consider the possibility of accidents or violent attacks. Moreover, the generation of radioactive spikes during fuel switching, the emission of tritium and radioactive noble gases, the thermal eutrophication of river water and evaporation of water during the operation of a nuclear power plant, let alone the collateral damage of uranium mining and processing, which leave behind over a hundred thousand tonnes of mostly unsecured radioactive materials (rock and low-grade ores) per GW reactor per year, are regularly ignored.*

*Energy prices are distorted for all sources. But subsidies and tax support are mainly directed to fossil and nuclear energy. It is reported that no nuclear power plant has been built without subsidies and government financial and non-financial support. The spectrum of support is set out in the Third Appendix of the European EURATOM Treaty and support is defined in the Treaty as tax breaks and soft loan opportunities.*

*Rising energy costs, especially for electricity, will primarily affect the low-income segments of the population, and at the same time will affect all areas of industry and manufacturing.*

#### **1.4.2. LIVING STANDARDS - THE CONSEQUENCES OF CENTRALISATION**

*According to EUROSOLAR.CZ, z.s., the construction and operation of centralized sources, especially energy sources, is another step leading to an increase in the segregation of the standard of living of the population. In connection with the construction of nuclear power plants, there is virtually no mention of the benefits of decentralisation carried by local energy and supporting the development of communities (Knezitz, Rhein-Hunsruck, Burgenland, Aller-Leine-Tal region...). People living in renewable communities and areas are inspired by energy self-sufficiency and this motivates them to other activities that are not directly related to energy but support the local economy. In Knezice (population 500) a modern retirement home, an information and social centre in an old mill, a new housing development and residents paying about half the average price of heat in the country for heat supplied from a biogas plant. The municipality is planning a local distribution system, which would lead to a reduction in the price of electricity. People are proud to have their own energy and to be largely independent.*

*Huge centralized resources such as a nuclear power plant are in direct contrast to this development, as the government is underestimating the cost, and the duration of construction, and issuing residents a check for an unknown amount.*

*According to many studies, decentralised or distributive arrangements are one of the key responses to the current economic and social problems, accelerated by centralisation, by counteracting the widening gap between rich and poor. Data show the interdependence of growing income inequality and quality of life (increase in crime, drug abuse, obesity, underage motherhood...).*

*Nuclear power is not a decentralised source, even in the case of small modular reactors with a capacity of hundreds of MW. In their case, these are not small sources owned by municipalities, cooperatives, associations or citizens.*

*This empirical study explores for the first time the link between regional value creation, participation patterns and the adoption of energy transition. The aim is to answer whether and to what extent there are interactions between regional economic impacts and opportunities for financial participation as well as local adoption of renewable energy projects. An interdisciplinary consortium consisting of the Institute for Future Energy and Material Flow Systems (IZES), the Institute for Environmental Economics Research (IÖW) and the Agency for Renewable Energy eV (AEE), quantifies the regional economic impacts of financial participation in selected case studies. Ten case studies in six German municipalities were identified and selected for the study based on an extensive table of criteria. Special emphasis is given to wind, solar and bioenergy technologies as well as different participation models.*

*In an environment of centralized energy, without citizen participation, positive economic and social effects cannot be counted on, as in decentralised and distributed energy.*

#### **1.4.3. DISCONTINUITY OF RENEWABLE ELECTRICITY GENERATION AND STORAGE**

*According to EUROSOLAR.CZ, z.s., renewable energy sources are often blamed for their intermittency. Wind power plants do not work when the wind dies down, photovoltaics do not produce electricity at*

*night and in winter their output drops to about one seventh in our geographical zone. This discontinuity in electricity generation leads to the need to combine sources and build storage capacity.*

*Recent developments in wind generators bring a new element to the situation. In the last year, a new type of power plant has been successfully tested which solves the problem of renewable energy intermittency. It is a kite-type wind turbine operating at altitudes of 400 to 800 m. An important parameter of this power plant is the high annual percentage of utilisation, reaching an average FLH (full load hours) approaching the FLH of nuclear power plants (80-90%). According to the company's data, about 80% of the land area with strong winds is at high altitudes. The company currently produces 100 kW and 500 kW units, which are designed for decentralised supply to smaller settlements. Electricity from the larger model is priced at up to 4 eurocents/kWh.*

*An important part of the future renewable energy system is energy storage, both thermal and especially electrical energy. The cost of storage is decreasing all the time. Lithium battery prices have fallen by 97% over the last three decades. The price of electricity from photovoltaics with storage has reached USD 20/MWh in sunny areas of the United States. Lithium is far from the only storage option.*

*Professor Donald Sadoway of MIT's successful research on molten metal batteries has the major advantage of a very low drop in efficiency; after thousands of charge and discharge cycles, the amount of stored electricity is only slightly reduced. These batteries will be suitable grid components.*

*The battery is also extremely efficient, using an iron electrode, a metal that is one of the most abundant on Earth. Boston-based Form Energy recently said its first commercial product is a rechargeable iron-air battery capable of delivering electricity for 100 hours at a system cost competitive with conventional power plants and at less than 1/10th the cost of lithium-ion batteries. This battery can be used continuously for several days and will provide a reliable, safe and fully renewable electrical grid for a full year.*

*Another option for sophisticated storage is the Czech project of Pinflow, which has been working for many years on redox flow batteries with a non-metallic organic electrolyte based on quinones. The batteries have a long lifetime, are robust in design, do not use toxic or flammable materials and can be discharged at 100%.*

*It is therefore clear that lithium does not represent the limit of storage technologies and that the whole debate in the Czech Republic was deliberately politicized some time ago.*

*But batteries are not the only way to store electricity. In addition to storage in ammonia or compressed air, excess current can be stored in synthetic methane produced by*

*Sabatier response, with the investment cost of this technology expected to fall below \$500/kW before 2050. Methane (as a natural gas) is a significant energy carrier, has a wide range of technological applications and there is decades of positive technical experience with it as well as significant storage capacity in underground reservoirs. It represents a seasonal storage option.*

*The catalytic reaction is not the only way to produce methane. The winter energy shortage, coupled with increased consumption, is to be solved by a technology patented by the Austrian energy company RAG Austria AG. In summer, the process involves converting excess renewable energy into hydrogen. This is then stored together with carbon dioxide in natural underground reservoirs - such as former natural gas deposits - at a depth of more than 1,000 metres. There, micro-organisms from prehistoric times, archaea, come into play and convert hydrogen and carbon dioxide into renewable methane through their metabolism. Archaea are found all over the world, mainly in anaerobic environments; where millions of years ago they converted biomass into natural gas. The methane "produced" at depth can then be extracted in winter and used as climate-neutral natural gas.*

*The development of the price crash of existing and new storage technologies makes future storage capacity a base load substitute, so-called base load.*

#### **1.4.4. SPECIFICITY OF CZECH CONDITIONS**

*According to EUROSOLAR.CZ, z.s., it is often and insistently repeated that we do not have the conditions for renewable energy in the Czech Republic. That there is not enough light or wind in our country. These assumptions, however, contrast sharply with the realisation of renewable supply sites in the vicinity of the Czech Republic, with similar climatic conditions. For example, the town of Hassfurt,*



*a town of 13,000, located 140 km from our western border. In 2012, the town had 42% of its electricity from renewable sources and seven years later it became an exporter of its own consumption volume. The city has the same climatic conditions as our settlements. Another example is the Austrian state of Burgenland, which has been a net exporter of renewable electricity since 2013. Burgenland starts near Bratislava. It is sometimes stated that this federal state is predominantly an agricultural region, and because of this it has low electricity consumption. Burgenland is indeed a federal state with a smaller share of industry, but it is not a dominant consumer of electricity either, consuming just over 30% of electricity (31% in 2018). The sum of the residential, agricultural and transport segments represents a much larger consumption. The fact that industry does not represent a major part of consumption even in an industrial country like the Czech Republic does not give much room for the view that the Czech Republic needs nuclear for this reason.*

*Another example of a successful implementation of renewables can be seen in the German district of Rhein-Hunsrück, a town of 100,000 people in the middle of Germany, which has no large hydroelectric or nuclear power plants. The district exports four times its electricity consumption and is working on renewable heat supply and sustainable mobility. Nor is this district a sunny Italy or a windy Scotland.*

*If we add seventeen years to the current state of maturity and pricing of renewable technology, when a new nuclear power source would hypothetically be connected to the grid, we can estimate, based on learning curves, the price of photovoltaic and wind electricity, as well as storage technologies, to be much lower than the price of electricity from modern new modular reactors. This situation is already true in optimal locations today.*

*Also, small modular reactors, which have not yet been mass-produced, are not an economically viable solution. In 2020, a California distributor was offered a kilowatt-hour of electricity from SMR manufacturer Nuscale for 6.5 US cents, while local PV manufacturer ELAND offered a price of 3.5 US cents, including four hours of storage. The estimated cost of the NuScale reactor design has been steadily rising. Just in the last five years, the estimated cost of the NuScale SMR has risen from about US\$3 billion in 2015 to US\$6.1 billion in 2020.*

*Therefore, the specificity of the Czech Republic does not lie in the poor geographical conditions, but only in the bias of the Czech public (and professionals) in the sense of preference for nuclear energy.*

#### **1.4.5. COOLING OF NUCLEAR POWER PLANTS**

*Another problem in which nuclear (and other thermal) power plants differ in principle from renewable energy sources is, according to EUROSOLAR.CZ, z.s., the cooling of power plants, especially of condensers, on which the efficiency of the thermodynamic cycle of the power plant depends. In recent years, we have seen nuclear power plants shut down due to excessive river water temperature in several countries (Spain, Sweden, France...). Power plants could not be cooled mainly because further increase in river water temperature would lead to the destruction of river life under the plant. This situation will become increasingly likely as climate change progresses. The limit in the case of JEDU is therefore not only the flow rate but also the temperature of the cooling water, with the likelihood of more frequent plant shutdowns.*

*Unlike nuclear and other thermal power plants, photovoltaic and wind power plants do not require any water cooling and can therefore operate even at high ambient temperatures.*

#### **Settlement:**

In addition to the summary settlement of the objections raised by EUROSOLAR.CZ, z.s. below, the Building Authority considers it appropriate to add that the New Nuclear Source project at the Dukovany site was subject to the environmental impact assessment process (EIA process) under the EIA Act, in which the issue of ensuring safe cooling of the NPP EDU was addressed in detail. The construction authority refers to the settlement of the objection of the EIA No 1.3.9 above on this issue.

For the sake of completeness, the construction authority further states that it is not even possible to compare individual power plants, as it always depends on the specific conditions of the site (e.g. water quality) and the specific technical design of each power plant.

#### 1.4.6. DISTANCE FROM THE CORE IN WESTERN EUROPEAN COUNTRIES

*EUROSOLAR.CZ, z.s. further argues that after Austria built its first nuclear power plant Zwetendorf, it banned its operation by referendum in 1978; Italy renounced nuclear energy by referendum in 2011 after the Fukushima accident, despite Berlusconi's subsequent interest in the return of nuclear power. Germany will shut down its last NPP next year, 2022; Belgium will end nuclear by 2025; the Swiss National Council has decided to phase out nuclear in 2034 unless new technologies become available. Spain will phase out nuclear by 2035.*

*A significant number of important Western European countries are planning to phase out nuclear power generation (with the exception of France, however, where a majority of the population wants to reduce the share of nuclear power, according to the survey).*

#### 1.4.7. THEORETICAL SCENARIOS FOR A FULLY RENEWABLE ENERGY SUPPLY

*According to EUROSOLAR.CZ, z.s., there are theoretical frame scenarios of renewable energy supply for many countries, including the Czech Republic, for example by Professor Christian Breyer from Lappeenranta University or Mark Jacobson from Stanford University. Another institution, for example the German Fraunhofer Institute, also certifies the possibility of 100% RES.*

*The scenarios are conceived as optimized compositions of wind, solar and biomass waste-to-energy plants operating at different locations in simulated realistic weather conditions. Together with storage techniques, they are able to cover instantaneous energy consumption under any weather conditions. The resulting cost of the total energy system, including heat and mobility, is no different from current prices, if the environmental constraints are not taken into account. A comprehensive view of the social reconstruction of the energy system without nuclear and fossil energy is also presented by the Heinrich Boell Foundation.*

*In the spring of that year, a plan was published for the complete supply of renewable energy in Bavaria by 2040 in all consumption sectors - electricity, heat and transport. Bavaria has no sea and is also, like the Czech Republic, an industrial country. However, it is about ten percent smaller in area and has a population of thirteen million. It is therefore about 37% more densely populated than the Czech Republic. The model belies the plausibility of pro-nuclear arguments based on claims that a high proportion of renewable electricity in Germany is based on wind farms in the North Sea. The scenario works with dynamic power generation according to climatic conditions and instantaneous real consumption. It was developed by a group of experts from the Technical University of Munich and the Bavarian Centre for Applied Energy Research.*

*In the context of these facts, the decision of the current political scene to build more nuclear power plants appears to be an economic, ecological and, taking into account the collateral damage during the mining and processing of uranium material, as well as the radioactive peaks during fuel exchange, a health hazard.*

*The construction of nuclear power units will result in high electricity prices, causing energy poverty for a certain part of the Czech population, especially in comparison with the current development and price drop of renewable sources of accumulation. The blame for this state of affairs will fall on the unqualified decisions of today's political establishment.*

#### **Settlement - summarising all the above objections (1.4.1-1.4.7):**

The submission of EUROSOLAR.CZ, z.s. is relatively extensive in comparing nuclear energy with other energy sources from different angles and possible other theoretical advantages or disadvantages of individual methods of electricity production, especially production from renewable sources. However, these are general statements and general conclusions, albeit supplemented by concrete examples, mostly from abroad. The content of the submission thus polemicalises the general necessity and suitability of the construction of a new nuclear power plant on the territory of the Czech Republic, or highlights other methods of electricity production, without being specific in relation to the project under consideration, the New Nuclear Power Plant at the Dukovany site, which is the subject of the planning procedure.

In view of this, the Building Authority notes that the direction of the state energy policy and the possible representation of individual methods of electricity production in the Czech Republic in the future is not the subject of this planning procedure, but is the subject of other materials, studies, conclusions or

strategic documents that are discussed in accordance with the relevant legislative requirements (e.g. the so-called SEA procedure). In this context, reference can be made in particular to the State Energy Concept or the National Action Plan for the Development of Nuclear Energy in the Czech Republic. Similarly, it is not for the construction authority to assess the direction of energy policy in other countries or to draw conclusions on the suitability or otherwise of a general representation of nuclear energy in the total future electricity production in the Czech Republic.

The documentation for the zoning decision, binding opinions of the authorities concerned, statements of the owners of technical infrastructure and other documents required by law, whose completeness, timeliness and compliance with the applicable legislation were verified by the building authority before issuing this decision, are crucial for the assessment of the project by the building authority. In addition to the above mentioned settlement of the objections in question, the Building Authority states that the objection does not meet the requirements under Section 89 of the Building Act, as it does not contain how the rights of the EUROSOLAR.CZ, z.s. association are directly affected, or how the public interest, whose protection the association is engaged in, is affected.

### **1.5 Association VODA Z TETČIC z.s.**

Date of delivery: 30. 9. 2021 (objections) + 16. 8. 2022 (observations)

#### **OBJECTION OF THE ASSOCIATION WATER FROM GROUSE DATED 28.9.2021**

*In its submission of 28 September 2021, in accordance with the information on page 28 of the notice of initiation of the subsequent planning proceedings, the Water from Tetčice z.s. submitted the following objection to the proceedings on the location of the construction "New nuclear source in the Dukovany locality":*

*The provisions of Section 79 of the Building Act apply to the location of nuclear facilities. The Water of Tetčice z.s. does not agree with the placement of "permanent encroachments" with the placement of "temporary encroachments" of land and inaccurately specified buildings, where the administrative authority itself says in the notice of initiation of the proceedings:*

*"... that the above list of buildings and construction objects is not exhaustive, but exemplary and depending on the selected contractor of the NJZ EDU, the division of this functional group into buildings and construction objects, including the technical solution, will be specified within the documentation for the building permit."*

*On page 28 of the Notice of initiation it states:*

*"... and the application also provides a sufficient basis for the assessment of the plan, the ordering of an oral hearing or the ordering of a facultative public hearing is waived in accordance with Section 87(1) in conjunction with Section 87(2), first sentence, of the Building Act. ..."*

*The application does not provide a sufficient basis for the assessment of the project. Each production building is characterised above all by the specific production process equipment built into it. Without knowledge of the technological equipment, neither the construction authority nor any of the public authorities concerned can have any idea of the effects of the construction on its surroundings, on the environment or on its safety, and cannot take a relevant position on the construction.*

*Such a siting process is not only contrary to the Building Act, but also to the rights of the public to be informed about a specific building containing specific technological production facilities and to comment on the specific building as a complex construction and its technology. The zoning decision cannot be based on mere assumptions or on general legal requirements. In the association's view, a planning decision cannot be issued.*

#### **STATEMENT BY THE ASSOCIATION WATER FROM GROUSE DATED 15.8.2022**

*In its statement of 15 August 2022, the Water from Tetčice z.s. further argues that when placing a building in the area, basic problems must be addressed which cannot be postponed to other procedures, such as construction procedures.*

*As Voda z Tetčic has already written in its objections to the proceedings, without knowledge of the specific, i.e. actually used technology of the nuclear installation in the construction "New Nuclear Power Plant at the Dukovany Site", it is not possible to state in binding opinions or in statements on the construction the essential conditions for the location of the construction, for example, on the specific safety solution for the specifically used nuclear installation.*

*All the documents, especially for the part of the construction "Set of buildings on the site of the nuclear facility "New nuclear source in the locality of Dukovany"", lack the competence to be the basis for a planning decision, because they cannot relate to the technology that will eventually be implemented and put into operation in the construction.*

#### **Settlement to objections and comments :**

In the context of the above objections and comments, it should be emphasised that the construction "Complex of buildings on the site of the nuclear facility "New nuclear source at the Dukovany site"" falls by its nature into the category of "Complex of buildings on the site of nuclear facilities". This is a very specific category of buildings for which special rules are laid down in the Building Act, which significantly differentiate the planning procedures for these buildings from those for other buildings.

According to Section 79(1) of the Building Act, when placing a set of buildings on the premises of nuclear facilities, the decision defines the premises as a building plot and within it the composition, type and purpose of the buildings and the framework conditions for their placement in maximum or minimum spatial parameters (in particular external ground plan and height boundaries, spacing distances of the buildings from the boundaries of the land and neighbouring buildings) and connection to transport and technical infrastructure are determined; the buildings are placed within the established conditions when the buildings are permitted.

In addition, the requirements for the application for a zoning decision are generally set out in Section 86(2)(e) of the Building Act, which specifies the content of the documentation for a set of buildings on the site of a nuclear installation, where the comprehensive technical report defines the basic characteristics and limit requirements for inputs and outputs necessary for the location of a set of buildings on the site of a nuclear installation, while the documentation of the buildings is not prepared. Further details, in accordance with the provisions of paragraph 6 of the same section, are set out in Annex 5 to Decree No 499/2006 Coll. on the documentation of buildings, as amended, for the scope and content of the documentation for the decision on the location of a set of buildings on the site of a nuclear installation, while the requirement to indicate the specific technological solution of the permitted project in the case of a planning decision is not set out anywhere.

As can be seen from the above, neither the lack of knowledge of a specific technology nor the location of specific buildings and their composition on the site of a nuclear installation precludes the issue of a planning permission for a set of buildings on the site of a nuclear installation. These aspects should only be addressed in the next stage of the project documentation, on which the parties to the relevant procedure will be able to comment. The plea of lack of knowledge of a particular technology is therefore premature and unfounded in the present case.

Moreover, the planning procedure, or the planning decision issued therein, deals in particular with the effects of the permitted project on the surrounding area, while the submitted application, the documentation and the conditions set out by the building authority in its Opinion No. of this decision sufficiently define the area of construction (cadastral area, parcel numbers, maximum height) and also set the maximum limits by which the permitted project may affect its surroundings (see e.g. the documentation for the application for a zoning decision on the location of the Complex of buildings on the site of the nuclear facility 'New nuclear source at the Dukovany site, Summary Technical Report, p. 151 ff, Ch. "B.2.1.f) Limit balance - needs and consumption of media and materials, storm water management, total quantities and types of waste and emissions produced, etc." or p. 192 ff., chap. "In this respect, it is considered that the impact of the permitted project on the surrounding area can be assessed on the basis of the limits set in this way, within the limits of the law. In considering the alleged lack of possibility of assessing the safety of the permitted project, the expert opinion of the competent public authority is taken into account, which assessed the information provided as sufficient and issued the relevant decision (the State Office for Nuclear Safety's authorisation for the location of the nuclear installation pursuant to Article 9(1)(a) of the Atomic Act, No SÚJB/JB/5575/2021 of 8 March 2021),

the existence of which is a condition for the issue of the planning permission and which is part of the file. In the decision in question, the State Office for Nuclear Safety took the approach of characterising the project by describing the envelope parameters within which the future project design will be located, without knowing the specific technology (the so-called "technology"). The Commission explicitly addressed the envelope approach and assessed that such an approach is possible and applicable, as it allows for a sufficient assessment of the influence of the limit values of the characteristics and phenomena in the area for the location of the nuclear installation and the future fulfilment of the principles of peaceful use of nuclear energy and ionising radiation by the envisaged nuclear installation and its activities (see p. The State Office for Nuclear Safety added that the parameters describing the project are set with the necessary degree of conservatism, so that the impacts of the nuclear installation on the territory can be specifically anticipated and assessed, and it is also possible to exclude legally and materially unacceptable consequences of the location of the nuclear installation in the territory.

For the above reasons, it is impossible to agree with the above opinion that "the construction authority or any concerned state administration authority cannot make any idea about the effects of the construction on its surroundings, on the environment, or about its safety and cannot take a relevant opinion on the construction."

For the sake of completeness, the Building Authority adds that, before issuing this decision, it has verified that the application and the documentation submitted by the applicant for the planning decision meet all the requirements of the legislation, including the specification of the project in sufficient detail, and that sufficient supporting documents have been placed on file for the decision (on the basis of which the conditions in recital II of this decision were also imposed).

With regard to the structures located outside the set of buildings on the site of the nuclear installation, which are not objected to, the construction authority adds for completeness that the individual technologies described in the relevant documentation are described in sufficient detail to enable their impact on the surroundings to be assessed, as they are commonly occurring technologies or are stand-alone structures whose impact on the surroundings is acceptable.

## **1.6 ESHG s.r.o.**

Date of delivery: 8 September 2021

*The objections of ESHG s.r.o. of 8 September 2021, as a party to the proceedings, are primarily directed against the following facts:*

*The applicant, ESHG s.r.o., as the owners of the land immediately affected by the construction (considered for direct development according to the plan: plot number 143/75 with an area of 5013 m<sup>2</sup> in the area of the. Lipňany u Skryjí directly in the ground plan of the construction area of the NJZ EDU and land parcel number 206 with an area of 16,158 m<sup>2</sup> in the cadastral area of the NJZ EDU. Heřmanice u Rouchovany directly affected by the construction in the NJZ EDU) has contacted us in the past with his intention, but no more detailed conditions under which the land will be used for the implementation of his intention have been agreed between us so far. The project under consideration then directly affects the property rights of ESHG Ltd. when there is no relevant legal reason for the applicant to use our land for the purposes pursued by the applicant. Without the consent of the owner of the land in question, the applicant cannot carry out any construction projects on (and immediately adjacent to) the land.*

*The proposed project does not take into account the existence of property rights in relation to some of the land in question in the project documentation. ESHG s.r.o. thus argues that both the construction itself and the operation of the NPP EDU will result in unjustified interference with property rights if there is no agreement between the company and the applicant on the conditions under which the construction can be carried out on (and immediately adjacent to) the land concerned. Without the resolution of these objections by the party, the applicant's application cannot be determined in the affirmative.*

**Settlement:**

The first-mentioned plot p.no. 143/75, k.ú. Lipňany u Skryjí, according to the submitted documentation, is located in the area designated for the construction of the building called "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"".

Pursuant to Section 184a(3) of the Building Act, the consent of the landowner to the permitted project is not required if the purpose of expropriation is established by law in order to obtain the necessary rights to the land or building for the requested construction project or measure.

The Building Authority is thus examining whether the possibility of the subject plot of land No. 143/75, area No. Lipňany u Skryjí, to expropriate, without in any way anticipating the decision on expropriation issued by the competent public authority or to examine in a particular case the fulfilment of all conditions of expropriation under the relevant legal regulation (see e.g. *"In the zoning proceedings, the construction authority examines the basic conditions for the possibility of expropriation, i.e. whether the construction law or another special law provides for an expropriation title for the specific proposed construction in the sense that the law allows for the possibility of expropriating the land for the given purpose, respectively. (...) In planning proceedings, the condition of public interest is fulfilled if the purpose of expropriation is generally aimed at fulfilling the public interest protected by a special legal regulation (e.g. Section 2(2)(a)(1) of the Energy Act)."*).

As it follows, among other things, from the submission made by the applicant on 1 June 2021, in the case of the construction of the "Set of buildings on the site of the nuclear facility "New nuclear source at the Dukovany site"", it is a project, which is by its nature the construction of an electricity generation plant with a total installed electrical capacity of 100 MW<sub>e</sub> and more, with the possibility of providing support services to ensure the operation of the electricity system, within the meaning of Section 2 para. 2(2)(a)(18) of the Energy Act, and at the same time the permitted project is part of the electricity system within the meaning of Section 2(2)(a)(4) of the Energy Act.

In view of the above, the permitted project is being established and operated in the public interest within the meaning of Section 2(2)(a)(18) of the Energy Act and is also an energy infrastructure structure within the meaning of Section 1(4) of the Linear Act, and is also a selected energy infrastructure structure within the meaning of Section 1(4)(b) of the Linear Act.

For the establishment and operation of the permitted project or for the establishment and operation of related structures, the ownership right to land or to a structure may be withdrawn or restricted under Section 3(2) of the Energy Act pursuant to another legal regulation.

Therefore, the purpose of expropriation for this construction is determined by law, and the applicant was therefore not obliged to submit the consent of ESHG s.r.o. for this construction under Section 184a(3) of the Building Act during the above-mentioned planning proceedings.

In the case of plot No. 206, k.ú. Heřmanice u Rouchovan, according to the documented documentation ("Set of buildings in the nuclear facility "New nuclear source in the locality of Dukovany", Cadastral situational drawing part 2 and part 3) it is a plot of land *"WITHOUT FENCES-LAND NOT USED FOR ZS USE"*. At the same time, according to the attached documentation of the construction "Dedicated roads to ensure access to foreign land on the area of the ZS NJZ EDU", access to the land is provided from a publicly accessible road through a network of dedicated roads.

Therefore, the Building Authority found the objections of ESHG s.r.o. to be unfounded.

**1.7. Association of South Bohemian Mothers, z.s.**

Date of delivery: 10.9.2021 (objections) + 26.11.2022 (comments) + 20.7.2023 (comments on documents collected)

**OBJECTIONS OF THE ASSOCIATION OF SOUTH BOHEMIAN MOTHERS OF 10.9.2021**

*In its submission of 10 September 2021, the Jihočeské matky, z.s. argued that the documentation submitted for the zoning decision should assess the impact of the operation of further nuclear units on*

*the water conditions in the area with regard to the sufficient supply of cooling water to the nuclear power plant and the water conditions in the streams above and below the nuclear power plant.*

*Justification of the request of the Association of South Bohemian Mothers, z.s.:*

*The opinion of the Ministry of the Environment requires that the water management balances be updated only at the stage of the building permit: Quote: "Within the documentation for the building permit, update the results of the water management balances (resp. The water balance (as part of the water supply analysis, as well as the security of abstraction), on the basis of new data from the selected NJZ contractor and on the basis of the extended flow series in the Jihlava River in the Jihlava - Ptáčov profile, the current values of the then valid minimum residual flow in the Jihlava - Mohelno profile below and other actually monitored data on climatic changes (temperature, precipitation).*

*The preparer of the documentation for the issuance of the planning permit accepted the requirement of the Ministry of Environment and stated, quote. The water balances (i.e. the security of abstraction) will be updated within the documentation for the building permit on the basis of new data from the selected contractor NJZ EDU and on the basis of the extended flow series in the Jihlava River in the Jihlava - Ptáčov profile, the current values of the then valid minimum residual flow in the Jihlava - Mohelno profile below and other actually monitored data on climatic changes (temperature, precipitation)."*

*The documentation deals in great detail with issues such as dendrological or hydrogeological surveys. That is, of course, fine. However, the issue of the water supply to the NW EDU should be evaluated in equal detail. This is especially so in view of climate change. These were also taken into account in the EIA documentation: "The NPP is being prepared for a long period of operation. According to the timetable presented in the documentation, the end of operation of the NPP can be expected around 2100. Therefore, the effects of climate change cannot be excluded during this period. The analyses carried out in the preparation of the dossier are therefore based on both a climate scenario of  $\pm 0$  °C (which represents the current state of the climate) and a climate scenario of  $+2$  °C (which represents a conservative temperature change from the current state of the climate by 2100).*

*The hydrological assessment "Evaluation of the effects of the new nuclear power plant at the Dukovany site on surface and groundwater", prepared in 2017 as part of the EIA process, clearly shows that the negative impact on the flow in the stream is to a much greater extent due to the considered climate change (70%), not to the abstraction for cooling of the power plant (30%). This is, in the opinion of the Association, a serious argument for the availability of relevant documents for decision-making on the NPP EDU already now, at the stage of the planning procedure.*

*For example, climatologist Pavel Zahradníček of the CzechGlobe Global Change Research Institute of the Academy of Sciences points out that climate models were 40 percent underestimated compared to what we have experienced in the last 15 years. Earlier predictions suggested that the current state would not occur until around 2040. Over the last 60 years, the Czech Republic has warmed by an average of 2 degrees Celsius. The number of summer days when the temperature exceeds 25 degrees is half as many today as it was half a century ago. For example, the Highlands, which used to be cooler and closer to the mountains, have changed over the last 60 years to a typical central European climate (source: <https://plus.rozhlas.cz/klimaticke-modely-byly-podhodnocene-dnesni-stav-mel-u-nas-nastat-az-v-roce-2040-8519921>).*

*The issue of cooling, or maintaining the minimum flow required to sustain life in the stream below the plant, and other issues related to the discharge of chemicals (including radioactive ones) into the hydrosphere, represent one of the most significant environmental impacts of the EDU.*

*For this reason, Jihočeské matky, z.s. requests that the documentation for the planning procedure be supplemented with a hydrological assessment related to the individual performance alternatives (similar to the current assessment from 2017), which will take into account the current scientific knowledge in the field of climate change.*

**COMMENTS FROM THE SOUTH BOHEMIAN MOTHERS ASSOCIATION DATED 26.11.2022**

*According to the Association of South Bohemian Mothers, z.s., in its comments dated 26 November 2022, the documents (statements) submitted in the proceedings in question also contain information concerning the intention to locate the new nuclear source as a whole. The comments cite the conclusions*

*of the opinion of the Ministry of the Environment, which was issued in the framework of the EIA process for the New Nuclear Source at Dukovany. It is clear from the comments that the authorities based themselves only on the EIA process in question and did not request an update of the data concerning the sufficiency of the water supply for the cooling of the new unit at Dukovany. The need to update these data was also pointed out in the objection submitted in the context of the planning procedure.*

*The association therefore again draws attention to the necessity to evaluate the impact of the operation of further nuclear units on the water management conditions in the area with regard to the sufficient supply of cooling water to the nuclear power plant and the water management conditions in the streams above and below the nuclear power plant.*

*The hydrological assessment "Evaluation of the effects of the new nuclear power plant at Dukovany on surface and groundwater", prepared in 2017 as part of the EIA process, clearly shows that the negative impact on the flow in the stream is to a much greater extent due to the considered climate change (70%), not to the abstraction for cooling of the power plant (30%). This, in the Society's view, is a strong argument for having the relevant background documents for the decision on the NJZ EDU already now, at the planning stage. The Society believes that without these documents, the planning decision cannot be issued.*

*For this reason, it is again requesting that the documentation for the zoning proceedings be supplemented with a hydrologic assessment related to the individual performance alternatives (similar to the existing 2017 assessment) that takes into account current scientific knowledge in the area of climate change.*

#### **COMMENTS FROM THE ASSOCIATION OF SOUTH BOHEMIAN MOTHERS ON THE DOCUMENTS COLLECTED ON 20.7.2023**

*The Association of South Bohemian Mothers, z.s., in its comments on the collected documents dated 20 July 2023, essentially repeated its objections and comments already made in previous submissions. Specifically, it stated that in its comments dated November 2022 (26/11/2022), it had raised the need to update the data relating to the hydrological assessment and associated water availability for cooling of the new nuclear units as part of the ongoing planning process. It also pointed out that the state administration authorities concerned (which are responsible for water management issues) in their comments only quoted the conclusions of the opinion of the Ministry of the Environment, which was issued in the context of the EIA process for the new nuclear power plant at Dukovany in 2017. The authorities based their comments only on the EIA process in question and did not request an update of the data relating to the sufficiency of the water supply for cooling the new unit at Dukovany. The company stated that the need to update these data was also pointed out in its objection submitted on 10 September 2021 in the context of its own planning procedure.*

*After studying the Summary Technical Report prepared by ÚJV Řež and the statements of the concerned state administration authorities, the Jihočeské matky, z.s. association states that the data concerning the sufficiency of water for cooling of the new nuclear units have not been updated and supplemented.*

*The Association again draws attention to the need to assess the impact of the operation of further nuclear units on the water conditions in the area with regard to the sufficient supply of cooling water to the nuclear power plant and the water conditions in the streams above and below the nuclear power plant.*

*The hydrological assessment "Evaluation of the effects of the new nuclear power plant at the Dukovany site on surface and groundwater", prepared in 2017 as part of the EIA process, clearly shows that the negative impact on the flow in the stream is to a much greater extent due to the considered climate change (70%), rather than the abstraction for cooling of the power plant (30%). This, in the Society's view, is a strong argument for having the relevant background information for the decision on the NW EDU already now, at the planning stage. The Society believes that without this background information a planning decision cannot be made.*

*The association also reiterates its request to supplement the documentation for the planning procedure with a hydrological assessment related to the individual performance alternatives (similar to the existing EIA from 2017), which will take into account the current scientific knowledge in the field of climate change. For example, the very comprehensive Technical Summary Report includes details such as the*



*design of elevators and staircases in the new nuclear source area. These should and certainly will be further addressed in the construction procedure. However, in the Association's view, what should be assessed as a matter of priority already at the planning stage are the issues of a sufficient water supply for the new nuclear power plant. The meteorological situation of the present day shows that climate change associated with extreme temperatures and drought is becoming a reality in the Czech Republic, which may affect the operation of nuclear power plants.*

#### **Settlement of objections and comments:**

The objections and comments of the South Bohemian Mothers' Association are to a large extent identical to those of Calla - Association for the Preservation of the Environment and the objections of the OIŽP. The Building Authority therefore briefly summarises the settlement of these objections below, whilst referring to the settlement in section 1.2 above and section 1.3.9 above for the remainder.

Within the documentation for the issuance of the decision on the location of the construction (or documentation for the issuance of the zoning decision, hereinafter referred to as the DÚR), in particular for the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany", the data provided in the EIA documentation of the project New nuclear source in the locality of Dukovany and in its annex no. 4 "Evaluation of the impacts of the New Nuclear Source at Dukovany on surface and groundwater", Research Institute of Water Management T. G. Masaryk, v.v.i. (hereinafter VÚV), Prague 04/2017.

The envelope method used in the preparation of the EIA documentation and the resulting values on inputs and outputs remained valid for the RIA, as the specific supplier of the NJZ EDU has not yet been selected. The data presented in the EIA are in line with the condition of the EIA binding opinion, which stipulates the obligation to ensure that the technical and technological design of the NPP EDU does not exceed the envelope of environmental parameters presented in the environmental impact documentation (chapters B.II. Input data and B.III. Output data).

To evaluate the impacts on the water conditions in the Jihlava River within the EIA process, a model series of flows on the Jihlava River was used, derived from the actual observed series of flows for the period of 84 years (1932-2015), subsequently modified also for the +2 °C climate scenario, the validity of which has been demonstrated here.

Nevertheless, it was - among other things - in connection with condition No. 17 from the aforementioned binding EIA opinion, which stipulates to continuously monitor the development of climatic conditions during the next phases of the project preparation and in the event of demonstrable changes to respond to them in the project preparation, especially in terms of securing the water requirements of the NJZ (which was taken over into the conditions of this decision.) - the document *Expert cooperation in updating documents in the field of water management issues*, prepared by the T. G. Masaryk Water Management Research Institute, a public research institution. The conclusions of the document show that, based on the assessment of extended input/observed data (air temperature, precipitation totals and flows) and new simulations, previous studies (Hanel et al., 2012; Vizina et al, 2016) elaborated on the issue are still valid and the results of modelling the impacts of climate change on the water regime would not reach significant differences for the individual power alternatives compared to the results described in the previously elaborated studies (including the study "Evaluation of the impacts of the New Nuclear Source at the Dukovany site on surface and groundwater", Research Institute of Water Management T. G. Masaryk, v.v.i. (hereinafter referred to as VÚV), Prague 04/2017, which forms Annex 4 of the EIA documentation). The security for the NPP EDU is sufficient.

The objections and comments of the South Bohemian Mothers' Association to supplement the documentation for the zoning decision with a hydrological assessment related to the individual performance alternatives taking into account the current scientific knowledge in the field of climate change are thus no longer relevant, as the building authority has at its disposal updated documents prepared before the issuance of this decision, which confirm the relevance of the previously prepared studies.

For completeness, the Building Authority refers to Condition No. 6 of the binding opinion of the EIA, which requires updating the results of water management balances (resp. On the basis of the new data from the selected supplier of the NPP and on the basis of the extended flow series in the Jihlava River in the *Jihlava - Ptáčov* profile, the current values of the then valid minimum residual flow in the *Jihlava*

- *Mohelno* profile *below* and other actually monitored data on climatic changes (temperature, precipitation).

### **1.8. Ing. Dalibor Stráský**

Delivery date: 30 August 2021

*According to Ing. Dalibor Stráský in his objections of 26 August 2021, the location of a new nuclear power plant in the Dukovany site with the parameters and under the conditions for which the Binding Opinion on the Environmental Impact Assessment of the Ministry of the Environment No. MZP/2019/710/7762 of 30 August 2019 applies cannot be considered appropriate, as the supply of technological water to the nuclear facilities in the Dukovany site is not sufficiently secured, especially with regard to the consequences of climate change.*

*Ing. Stráský also claims that the study, which was the basis for the environmental impact assessment process (Rosendorf R, Hanák R et al.: Evaluation of the impacts of the new nuclear power plant in Dukovany on surface and groundwater, Research Institute of Water Management T.G. Masaryk, v.v.i., Prague, April 2017), overestimates the possibilities of supplying the nuclear facilities in Dukovany with process water, especially with regard to the consequences of climate change. At the same time, it underestimates the need for process water for the nuclear power units planned for new construction at the site.*

*From the very beginning of the planning of the Czechoslovak nuclear programme, the Dukovany site was considered the worst in terms of process water supply. This was the reason for the limitation of the total power installed at the site to 2000 MWe. Although the physical principles of cooling of the power units have not changed and the cooling of the intended units has not changed in principle, at the same time the water flows in the river are decreasing, we are confronted with the claim that it is possible to cool units with a total capacity of 3250 MW at the site<sub>e</sub>.*

*In accordance with the opinion of some nuclear experts (e.g. Hezoucký, R: Czech nuclear industry and new nuclear unit - not only in the Czech Republic, presentation at the Technicians Club, Prague, 2018), it can be concluded that the problem of supplying process water at the site exists and will only increase in the future as climate change progresses.*

### **Settlement:**

Within the documentation for the issuance of the decision on the location of the construction (or documentation for the issuance of the zoning decision, hereinafter referred to as the DÚR), in particular for the location of the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany", the data provided in the EIA documentation of the project New nuclear source in the locality of Dukovany and in its annex no. 4 "Evaluation of the effects of the New Nuclear Source at Dukovany on surface and groundwater", Research Institute of Water Management T. G. Masaryk, v.v.i. (hereinafter VÚV), Prague 04/2017.

The envelope method used in the preparation of the EIA documentation and the resulting values on inputs and outputs remained valid for the RIA, as the specific supplier of the NJZ EDU has not yet been selected. The data presented in the EIA are in line with the condition of the EIA binding opinion, which stipulates the obligation to ensure that the technical and technological design of the NPP will not exceed the envelope of environmental parameters presented in the environmental impact documentation (chapters B.II. Input data and B.III. Output data).

To evaluate the impacts on the water conditions in the Jihlava River within the EIA process, a model series of flows on the Jihlava River was used, derived from the actual observed series of flows for the period of 84 years (1932-2015), subsequently modified also for the +2 °C climate scenario, the validity of which has been demonstrated here.

In the course of the zoning proceedings, the document *Expert cooperation in updating documents in the field of water management issues, prepared by the T. G. Masaryk Water Management Research Institute*, a public research institution, was prepared - among other things, in connection with Condition No. 17 of the aforementioned binding EIA opinion, which stipulates that the development of climatic conditions be continuously monitored during the next phases of the project preparation and that, in the event of demonstrable changes, the project preparation should respond to them, especially in terms of securing

the water requirements of the NWP. The conclusions of the document show that based on the assessment of extended input data/observed data (air temperature, precipitation totals and flows) and new simulations, it can be concluded that previous studies (Hanel et al., 2012; Vizina et al., 2016) elaborated on the issue are still valid and the results of modelling the impacts of climate change on the water regime would not reach significant differences. The security for the NJZ EDU is sufficient.

In view of the above, the objection of Ing. Stráský regarding the alleged insufficient supply of process water for the nuclear facilities at the Dukovany site, since the newly prepared documents prepared by the applicant confirm the validity of the conclusions regarding the sufficient water supply for the EDU NPP. The objections of Ing. Stráský's objections are merely general statements, without making it clear on what specific grounds Ing. Stráský considers the possibility of supplying process water to the nuclear installations at the Dukovany site to be overestimated and the need for process water for the EDU NPP to be underestimated, and why the expert studies referred to above, which clearly confirm the sufficiency of water at the site, should not be credible.

The EIA binding opinion in Condition No. 19 states that in any variant of the coexistence of the NPP with EDUs 1-4 the total net electrical output at the Dukovany site will not exceed 3 250 MWe. The formulation of this condition, which has been adopted in the operative part of this Decision, was made after an assessment of all aspects related to the New Nuclear Power Plant at the Dukovany site, based on the most recent documents prepared for the EIA process according to the latest available knowledge. The documents and findings prepared at the time of construction of the existing units of the Dukovany power plant, mentioned by Ing. Stráský, are no longer up-to-date and relevant at present. Moreover, the construction authority is not even aware of any document on the basis of which the site is supposedly limited in water management terms to a capacity of 2000 MWe, as Ing. Stráský. Neither Ing. Stráský does not provide such a document.

For completeness, the Building Authority refers to Condition No. 6 of the binding opinion of the EIA, which requires updating the results of water management balances (resp. On the basis of the new data from the selected supplier of the NPP and on the basis of the extended flow series in the Jihlava River in the *Jihlava - Ptáčov* profile, the current values of the then valid minimum residual flow in the *Jihlava - Mohelno* profile *below* and other actually monitored data on climatic changes (temperature, precipitation).

This requirement corresponds to the fact that the assessment, or its update, can only be responsibly carried out on the basis of data on raw water abstractions and the amount of wastewater discharged by the specific selected supplier of the NJZ EDU (not on the basis of envelope values) and the assessment can include the development of climate change in the Jihlava basin on the basis of measured data over a longer period.

Regarding the claim that the Dukovany site was supposedly historically limited to 2000 MWe, the construction authority states that this claim is not supported by anything. Moreover, the situation at the time of the decision is decisive for the issuance of this decision.

If Ing. Stráský refers to the presentation of doc. Ing. Hezoučky available at <https://www.jadernedny.cz/data/folders/cesky-a-slovensky-prumysl-a-novy-jaderny-blok-f3.pdf>, the Building Authority notes for completeness that this presentation did not deal with the alleged problematic supply of process water at the Dukovany site and climate change at all, since it dealt generally with the possible construction of nuclear units in the Czech and Slovak Republics.

## **2.1. Nuclear Supervisory Authority of the Slovak Republic**

Date of delivery: 1 October 2021

*V odpovedi ze dne 28. 9. 2021 je uvedeno, že dne 30. augusta 2021 bol na Úrad jaderrového nadzoru Slovenskej republiky (ÚJD SR) jako dotknutý orgán doručený list Ministerstva životného prostredia Slovenskej republiky (MŽP SR) č. 11585/2021-1.7./zg 46719/2021 46720/2021 zo dne 27. augusta 2021, ktorým bol ÚJD SR informovaný, že dne 20. 7(3) of the EIA Directive of the Ministry of Environment of the Czech Republic informing the MoEW SR as the contact point of the affected party about the commencement of the zoning procedure for the construction "Connection of the EDU NPP to the transport infrastructure" and the joint zoning procedure for the construction "Drainage of rainwater from the EDU NPP by the Lipňanský potok vč. retention", "Set of buildings on the nuclear facility site*

*"New nuclear source in the Dukovany site", "Underground 110 kV cable line of the NJZ EDU from the TR Slavětice substation", "400 kV line - power output of V883 and V884 for the NJZ EDU", "Raw water supply lines from the Mohelno hydroelectric power station and a new water tank for the NJZ EDU", "Wastewater drainage from the NJZ EDU and the HPP", "Drainage of wastewater from the construction of the NJZ EDU to the Skryje reservoir", "Drainage of rainwater from the NJZ EDU area to the Skryje reservoir", "Drainage of rainwater from the NJZ EDU area to the Lipňanský brook", "Drainage of rainwater from the NJZ EDU site facilities to the Heřmanický brook" and "Dedicated roads to provide access to other people's land on the NJZ EDU site".*

*In its letter in question, the MoEW SR informed the ÚJD SR that, on the basis of Article 7(3) of the EIA Directive, the ÚJD SR has the opportunity to provide its opinion on the relevant information published on the website of the MoEW SR in writing within 30 days of receipt of the letter from the MoEW SR to the address of the construction authority - Městský úřad Třebíč, Department of Construction.*

*In connection with the above, the ÚJD SR, as an affected authority pursuant to Article 6(1) of the EIA Directive in conjunction with Section 52(2) of the Act, hereby uses its possibility to provide its opinion under Article 7(3) of the EIA Directive. In particular, the ÚJD SR appreciates the Czech Republic's action at this stage of the project 'New nuclear source at the Dukovany site' in order to fulfil the principle of transparency and compliance with the international legal framework and national legislation. After studying the relevant information published on the website of the Ministry of Environment of the Slovak Republic, and in particular in view of the fact that there are already 4 nuclear units in operation at the Dukovany site (where the new nuclear source project is to be implemented), the ÚJD SR would recommend the Czech side to consider the possibility of installing (before or during the construction of the new nuclear source) at the site of the projects in question concerning wastewater and precipitation water a monitoring system for measuring radionuclides released into the environment, if the installation of such a monitoring system before or during the construction of the new nuclear source has not been planned so far.*

*At the same time, the SRSU proposes that the Slovak Republic continues to be kept informed of further steps taken by the Czech Republic in this regard within the framework of existing bilateral and multilateral relations.*

### **Settlement:**

As stated in the documentation for the construction "Set of buildings on the site of the nuclear facility "New nuclear source at the Dukovany site"" in part B. Summary Technical Report, all industrial wastewater, including active wastewater, will be discharged into the wastewater sump and then, together with treated sewage, into the wastewater lines intended for the discharge of wastewater from the operation, implemented as part of the separate construction "Discharge of wastewater from the NPP EDU and the SHPP" and discharged into the Jihlava River in the area of the Mohelno reservoir. The quantity and quality of the wastewater (including radioactivity indicators) will be continuously monitored in the wastewater sump by means of measurements and analyses carried out in laboratories in accordance with the applicable legislation (including radiation control). The quality of the effluent discharged from the EDU NPP will comply with the limits set out in the water permit (both in terms of radioactive and non-radioactive quality indicators).

The quality of the discharged rainwater will also be monitored in accordance with the requirements of the relevant water authority. At the same time, compliance with the conditions of the binding EIA opinion will be ensured, according to which the precipitation water discharged from the NJZ site into the Olešná river basin (resp. to the catchment area of the Skryjský brook) will be regularly (at least 4 times a year) monitored for pollution, including measurement of tritium concentration levels in these waters, so that they do not affect the objects of protection in the EVL CZ0623819 - Rokytá River (or in the EVL CZ 0614134 - Jihlava Valley), while the scope of the monitored indicators will be discussed and agreed by the relevant water authority.

The State Office for Nuclear Safety issued a permit for the location of the nuclear installation pursuant to Section 9(1)(a) of the Atomic Act (which is the basis for this decision) on 8 March 2021 under No. SÚJB/JB/5575/2021. The State Office for Nuclear Safety stated in the decision in question (see page 19 et seq.) that since the specific design of the EDU NPP is not yet known, it is not possible to define all the parameters of the discharges precisely. In assessing the application, the State Office for Nuclear

Safety was primarily guided by the requirements of Section 19(1) of Decree No 360/2016 Coll., on radiation monitoring, in relation to Section 24(7) and Section 149 et seq. of the Atomic Act, and the requirements for monitoring discharges pursuant to Section 73 of Decree No 422/2016 Coll., on radiation protection and radionuclide source security, in relation to Section 81 of the Atomic Act, and also addressed the monitoring of potential release pathways pursuant to Section 81(2)(c) of the Atomic Act. The State Office for Nuclear Safety found that the relevant documentation concerning the monitoring of discharges from nuclear installations complies with all the requirements referred to above and provides a good basis for a subsequent programme of monitoring of discharges at later stages of the life cycle of nuclear installations.

In view of the above, it is obvious that continuous monitoring systems of wastewater and precipitation water are planned to be introduced within the framework of the New Nuclear Source at the Dukovany site. The recommendations of the Nuclear Supervision Authority of the Slovak Republic can thus be considered to be settled.

On this issue, reference can also be made to the settlement of the objection of the OIŽP No. 1.3.10 above concerning the controlled discharge of radionuclides from the EDU NPP.

## **2.2. Banskobystrický samosprávny kraj, Department of Urban Planning and Environment**

*The Banská Bystrica Self-Governing Region as a concerned authority, informed about the planning procedure for the buildings prepared on the basis of the plan "New nuclear source in the locality of Dukovany", has no objections to the information and documents for the issuance of planning decisions on the location of the above-mentioned buildings and recommends to meet the conditions set for the planning procedure in the Decision MZP/2019/710/7762 of 30 August 2019 of the Ministry of Environment of the Czech Republic.*

### **Settlement:**

The conditions set out for the zoning procedure in the binding EIA opinion are adequately taken into account in the documentation of the respective constructions, which is evident, for example, from the form of the routing of wastewater pipelines or the location of tanks in the system of rainwater drainage into the Olešná catchment area, etc.

The method of taking into account the relevant conditions of the above binding opinion in relation to individual buildings is then described in accordance with Decree No. 499/2006 Coll., on documentation of buildings, as amended, always in a dedicated chapter (B.6.d) of Part B. Summary Technical Report, which is part of the relevant documentation for the application for a zoning decision on the location of a given construction (with the exception of the construction "Set of buildings on the site of the nuclear facility "New nuclear source at the Dukovany site"", for which the fulfilment of the requirements resulting from the binding EIA opinion is described in Chapter B.3.d) of Part B. Summary Technical Report)).

The above described recommendation of the Banská Bystrica Self-Governing Region is therefore respected.

## **3.1. Umweltschutzorganisation GLOBAL 2000**

Date of delivery: 9 November 2021

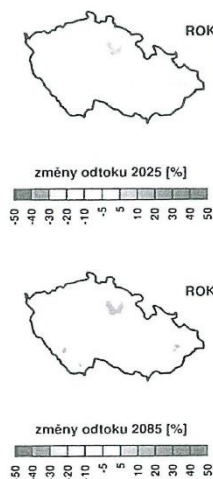
*In this opinion of 24 October 2021 on the zoning procedure for the New Nuclear Source at the Dukovany site (as well as in our comments made during the EIA process (<https://www.global2000.at/sites/global/files/StellungnahmeDukovanyUV/P.pdf>)) GLOBAL 2000 expresses doubts about the suitability of locating a new nuclear source at this site. In GLOBAL 2000's view, the documentation submitted for the planning permission does not demonstrate whether it is feasible to operate new nuclear units here, with regard to sufficient water supply. Even in the EIA process, no new studies have been carried out and evaluated regarding the sufficiency of water for cooling of the new nuclear units. GLOBAL 2000 notes that the preferred option of building additional*

reactors was therefore not sufficiently evaluated in the EIA process.

GLOBAL 2000's opinion concerns the issue of the supply of process water to the nuclear facilities at the Dukovany site. In the study Rosendorf P., Hanák R. et al. Research Institute of Water Management of T. G. Masaryk, v.v.i., Prague, April 2017 (Annex 4 of the EIA documentation) states that "For the assessment according to Government Regulation No. 401/2015 Coll., the current climatic and hydrological conditions (0 °C scenario) and at the same time the conditions with the considered climate change (+2 °C scenario) are considered. For the climate change scenario, only the 2000 MW and 2x1200 MW power alternatives are considered, as climate change is not yet expected to occur in the case of the short-term coexistence of EDU1-4 with the 1200 MW NPP."

Climate change is a continuous, non-linear process and it is therefore necessary to model possible scenarios and their impacts at the location where the construction and operation of new nuclear units is envisaged. It is also necessary to assess the impacts on the water conditions in the Jihlava River due to the pumping of water for cooling and operation of the new nuclear power plant.

The opinion of D. Stráský and the reply to it in the opinion show that, as far as water supply is concerned, under the current conditions, taking into account the local impact of climate change, the number of new nuclear units and the related power and water consumption, the project would be feasible. However, this may not be the case in the future and problems related to climate change and water scarcity are more likely to be expected. For this reason, it would be desirable to provide specific water consumption data for other 1200 MWe plants already in operation for comparison at the planning stage. Furthermore, the measures that would have to be taken in a situation where it would have to be decided what would be the priority - the supply of water to the population and other activities or the operation of a nuclear power plant - should be addressed in the planning procedure. It should also be stated on the basis of what criteria such a decision would be made. Thus, on the realistic assumption that Dukovany 5 could be operational in 15 years and the nuclear industry envisages it operating for 50-80 years, the assessment needs to take into account developments over almost a century:



### **Settlement:**

Within the documentation for the issuance of the zoning decision), in particular for the location of the construction "Set of buildings in the nuclear facility "New nuclear source in the locality of Dukovany", the data provided in the EIA documentation of the project New nuclear source in the locality of Dukovany and in its Annex No. G. Masaryk, v.v.i. (hereinafter referred to as VÚV), Prague, 04/2017, in accordance with the condition of the EIA binding opinion, which stipulates the obligation to ensure

that the envelope of environmental parameters specified in the documentation of the environmental impact of the project (chapters B.II.)

To evaluate the impacts on the water conditions in the Jihlava River within the EIA process, a model series of flows on the Jihlava River was used, derived from the actual observed series of flows for the period of 84 years (1932-2015), subsequently modified also for the +2 °C climate scenario, the validity of which has been demonstrated here.

In the course of the zoning proceedings, the document *Expert cooperation in updating documents in the field of water management issues, prepared by the T. G. Masaryk Water Management Research Institute*, a public research institution, was prepared - among other things, in connection with Condition No. 17 of the binding opinion of the EIA, which stipulates that the development of climatic conditions be continuously monitored during the next phases of the project preparation and, in the event of demonstrable changes, responded to in the preparation of the project, especially in terms of securing the water requirements of the NWP. The document referred to also dealt with climate change scenarios, and on the basis of the use of new climate change model simulations, it was concluded that the use of the +2 °C climate scenario (to 2045) was still valid. Meanwhile, for the development of the climate change scenarios, time series of precipitation and air temperature at the selected catchment scale for the very long period 1981 - 2100 were extracted from the simulations, thus the assessment considered the evolution for more than a full century (i.e. for a period longer than required by GLOBAL 2000). The conclusions of the paper then show that based on the assessment of the extended input/observed data (air temperature, precipitation and discharge) and the new simulations, previous studies (Hanel et al, 2012; Vizina et al., 2016) elaborated on the issue are still valid and the results of modelling climate change impacts on water regime would not show significant differences. The security for the NJZ EDU is sufficient.

In view of the above, GLOBAL 2000's objections must be rejected as unfounded.

With regard to the objections requesting a comparison of water consumption data for other 1200 MWe plants already in operation at the planning stage and a discussion of the measures to be taken in the event of water shortages (whether priority will be given to supplying people and other activities or to operating the nuclear power plant), these objections are speculative, hypothetical and go beyond the subject matter of the above-mentioned proceedings. It is not even clear from these objections how GLOBAL 2000's rights would be affected in the context of the above-mentioned planning procedure, or how the interest which the association is seeking to protect is affected. This is all the more so as the individual sources are specific, either in terms of their location or the technology used. A comparison of the consumption of individual sources of similar output would therefore be of no practical significance, particularly in a situation where the water consumption of the project to be permitted has been calculated precisely in the light of the specifics of its location and the technology used.

For completeness, the Building Authority refers to Condition No. 6 of the binding opinion of the EIA, which requires updating the results of water management balances (resp. On the basis of the new data from the selected supplier of the NPP and on the basis of the extended flow series in the Jihlava River in the *Jihlava - Ptáčov* profile, the current values of the then valid minimum residual flow in the *Jihlava - Mohelno* profile below and other actually monitored data on climatic changes (temperature, precipitation).

The Building Authority adds for completeness that some other entities, including foreign entities (especially from the Slovak Republic), have also commented on the permitted project - see the section on the notification of the initiation of the procedure and its further course above. However, these comments were in agreement and without comments, and therefore the construction authority did not elaborate on them in the justification of this decision.

#### Administrative fee:

On 12 September 2023, under reference No. MPO 76834/23/404, the building authority, pursuant to the provisions of Section 5(2) of Act No. 634/2004 Coll, No. 17(1)(e) in the amount of CZK 1,000, No. 17(1)(f) in the amount of CZK 20,000, No. 17(1)(h) in the amount of CZK 3,000, No. 17(4) in the amount of CZK 2,000, for a total of CZK 26,000. The administrative fee has been paid.

### Conclusion:

The Building Authority proceeded in the zoning proceedings in accordance with the basic principles of the activities of administrative authorities under the Administrative Procedure Code, in particular, it established the state of affairs beyond reasonable doubt to the extent necessary for the issuance of the decision, ensured the completeness of the documents for the decision, and allowed the parties to the proceedings and the public to become acquainted with them and to submit objections and comments to them in accordance with the requirements of the Administrative Procedure Code, the Building Act and the EIA Act.

In order to protect public interests, the building authority examined and justified the conformity of the project with the spatial planning documentation, with the objectives and tasks of spatial planning, with the requirements of the Building Act and its implementing regulations (especially with the general requirements for the use of the territory), with the requirements for public transport and technical infrastructure with regard to the possibility and method of connection or the conditions of the affected protection and safety zones, with the requirements of the relevant special legislation, and with the binding opinions and decisions of the authorities concerned under special legislation. In order to protect public interests, the construction authority set out in the operative part of the decision the requirements resulting from the binding opinions of the authorities concerned and from the opinions, statements and consents of other entities, in particular the owners and administrators of public infrastructure.

Furthermore, the building authority concluded that the participant's or other rights in rem to other land and buildings could not be directly affected by this decision.

On the basis of the above, and having assessed that the construction under consideration is in accordance with the public interests, the Building Authority has decided as set out in the operative part of the decision.

### **Lessons learned**

Pursuant to Section 152(1) of the Administrative Procedure Code, the parties to the proceedings may lodge an appeal against this decision with the Minister of Industry and Trade through the Ministry of Industry and Trade, as the competent construction authority that issued the decision, within 15 days of its notification. The time limit for lodging an appeal shall run from the day following the date of notification of the decision. The Minister of Industry and Trade shall decide on the appeal.

The dissent must have the particulars referred to in Section 37(2) of the Administrative Procedure Code and must contain information on the decision against which it is directed, the extent to which it is contested, and the grounds for the contradiction with legal provisions or the incorrectness of the decision or the procedure preceding it. An appeal against the grounds of the decision alone is inadmissible (pursuant to Article 82(1) and (2) in conjunction with Article 152(5) of the Administrative Procedure Code).

According to Section 9c(4) of the EIA Act, the public concerned referred to in Section 3(i)(2) of the EIA Act may also lodge an appeal against this decision, even if they were not a party to the proceedings in the first instance.

### **Execution of the construction:**

- "Drainage of precipitation water from the NJZ EDU by the Lipňanský brook including its retention",



- "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany""",
- "Underground cable lines 110 kV NJZ EDU from TR Slavětice substation",
- "400 kV line - power output of V883 and V884 for NJZ EDU",
- "Raw water supply lines from Mohelno HPP and new water tank for NJZ EDU",
- "Drainage of wastewater from the NPP EDU and SHPP",
- "Drainage of wastewater from the construction of the NJZ EDU into the Skryje reservoir",
- "Drainage of rainwater from the area of the NJZ EDU to the Skryje reservoir",
- "Drainage of rainwater from the area of the NJZ EDU into the Lipňanský brook",
- "Drainage of rainwater from the NPP EDU construction site into the Heřmanický Brook",
- "Purpose-built roads for access to other people's land on the area of the NJZ EDU",

**requires a final building permit (Section 115 of the Building Act).**

This decision shall also be binding on the applicant's successors in title and other parties to the proceedings.

Ing. Zdeňka F i a l o v á  
Director of the Building Authority Department

Attachments:

- Annex No. 1 - situational drawing at a scale of 1:1000 for the construction "Drainage of rainwater from the NJZ EDU by the Lipňanský brook including its retention":  
Cadastral situation drawing
- Annex No. 2 - situational drawings in scale 1:2000 for the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany""  
C.2.1 Cadastral situation drawing - Part 1  
C.2.2 Cadastral situation drawing - Part 2  
C.2.3 Cadastral situation drawing - Part 3
- Annex No. 3 - situational drawing in scale 1:1000 for the construction "Underground cable lines 110 kV NJZ EDU from the TR Slavětice substation":  
Cadastral situation drawing (sheet 1, 2, 3)
- Annex No. 4 - situational drawing in scale 1:1000 for the construction "400 kV line - power transmission lines V883 and V884 for NJZ EDU":  
Cadastral situation drawing
- Annex No. 5 - situational drawing at scale 1:1000 for the construction "Raw water supply lines from Mohelno HPP and new water tank for NJZ EDU":  
Cadastral situation drawing
- Annex No. 6 - situational drawing in scale 1:1000 for the construction "Drainage of wastewater from the NPP EDU and HPP":

## Cadastral situation drawing

- Annex No. 7 - situational drawing in scale 1:1000 for the construction "Drainage of wastewater from the construction of the EDU NPP to the Skryj reservoir":  
Cadastral situation drawing
- Annex No. 8 - situational drawing in scale 1:1000 for the construction "Drainage of rainwater from the area of the NJZ EDU to the Skryje reservoir":  
Cadastral situation drawing
- Annex No. 9 - situational drawing in scale 1:1000 for the construction "Drainage of rainwater from the area of the NJZ EDU into the Lipňanský brook":  
Cadastral situation drawing
- Annex No. 10 - situational drawing at scale 1:1000 for the construction "Drainage of rainwater from the NPP EDU construction site into the Heřmanický brook":  
Cadastral situation drawing
- Annex No. 11 - situational drawings at a scale of 1:500 for the construction of "Purpose-built roads to provide access to other people's land on the area of ZS NJZ EDU":  
C.2.1 Cadastral situation drawing - part 1  
C.2.2 Cadastral situation drawing - part 2

**He will receive:**

***Participants in the zoning proceedings pursuant to Section 85(1)(a) of the Building Act, who are served individually pursuant to Section 2(5) of the Linear Act:***

For delivery by data mailbox:

Elektrárna Dukovany II, a. s., **IDDS: zcnewnf** Headquarters: Duhová č. p. 1444/2, Michle,  
140 00 Praha 4

***Participants in the zoning proceedings pursuant to Section 85(1)(b) of the Building Act, who are served individually pursuant to Section 2(5) of the Linear Act:***

For delivery by data mailbox:

Municipality of Dukovany, **IDDS: u6tb3rm** Headquarters: Dukovany č. p. 99, 675 56  
Dukovany,

Village Rouchovany, **IDDS: t7gbqyz** Headquarters: Rouchovany No. 35, 675 57  
Rouchovany,

Municipality Slavětice **IDDS: kjnbgas** Headquarters: Slavětice No. 58, 675 55 Hrotovice

***Participants in the zoning proceedings pursuant to Section 85(2)(a) of the Building Act, who are served individually pursuant to Section 2(5) of the Linear Act:***

ČEZ Obnovitelné zdroje, s.r.o.

**IDDS: ci5xkwx**

Headquarters: Křižíkova 788, 500 03 Hradec Králové

***Participants in the zoning proceedings pursuant to Section 85(2)(a) of the Building Act, who are served by public notice pursuant to Section 2(5) of the Linear Act:***

Bureš Pavel, Pionýrská č. p. 532, 672 01 Moravský Krumlov

Hájek František, Slavětice no. 34, 675 55 Hrotovice  
Hájková Marie, Slavětice č. p. 34, 675 55 Hrotovice  
Horák Dušan, Střední č. p. 401/25, Ponava, 602 00 Brno 2  
Horká Barbora, U Obory 687, 675 55 Hrotovice  
Horká Iva, U Obory č. p. 387, 675 55 Hrotovice  
Horká Kateřina, U Obory 687, 675 55 Hrotovice  
Horký Richard Jr., U Obory 687, 675 55 Hrotovice  
Kovář Antonín, Slavětice č. p. 44, 675 55 Hrotovice  
Kovář Bohumil, Slavětice č. p. 44, 675 55 Hrotovice  
Kovářová Hana, Slavětice No. 44, 675 55 Hrotovice  
Maštera Jaroslav, Slavětice č. p. 56, 675 55 Hrotovice  
Maštera Libor, Slavětice No. 56, 675 55 Hrotovice  
Mašterová Hana, Podloučky č. p. 244, 675 55 Hrotovice  
Mityška Luděk, Slavětice No. 27, 675 55 Hrotovice  
Potůček Bohumil, Zahradní č. p. 457, 675 55 Hrotovice  
Institute of Archaeology of the CAS, Brno, v. v. i.,  
Headquarters: Čechyňská no. 363/19, Trnitá, 602 00 Brno 2  
CETIN a.s.,  
Headquarters: Českomoravská č. p. 2510/19, Libeň, 190 00 Prague 9  
ČEPS, a.s.,  
Headquarters: Elektrárenská č. p. 774/2, Michle, 101 00 Prague 101  
České Radiokomunikace a. s.,  
Headquarters: Skokanská č. p. 2117/1, Břevnov, 169 00 Praha 69  
Czech Hydrometeorological Institute,  
Headquarters: Na Šabatce č. p. 2050/17, Komořany, 143 00 Praha 412  
ČEZ, a. s.,  
Headquarters: Duhová č. p. 1444/2, Michle, 140 00 Prague 4  
ČEZ ICT Services, a. s.,  
Headquarters: Duhová č. p. 1531/3, 140 53 Prague 4  
EG.D, Inc.,  
Headquarters: Lidická no. 1873/36, Černá Pole, 602 00 Brno 2  
ESHG Ltd,  
Headquarters: Malé náměstí No. 125/16, 500 03 Hradec Králové 3  
Czech Tourist Club, Trebic Department,  
Headquarters: Okružní no. 892/12, Borovina, 674 01 Třebíč 1  
Highlands Region,  
Headquarters: Žižkova No. 1882/57, 586 01 Jihlava 1  
Regional Administration and Maintenance of Roads of Vysočina Region, contributory organization,  
Headquarters: Hrotovická 1102, 674 82 Třebíč  
Forests of the Czech Republic, s.p.,  
Headquarters: Přemyslova no. 1106/19, Nový Hradec Králové, 500 08 Hradec Králové 8  
Microregion Ivančicko,  
Headquarters: Palackého náměstí No. 196/6, 664 91 Ivančice  
Morava River Basin, s.p.,  
Headquarters: Dřevařská no. 932/11, Veverí, 602 00 Brno 2

Administration of radioactive waste storage sites,  
Headquarters: Dlážděná 1004/6, Nové Město, 110 00 Prague 1

Strojírny Brno, a.s.,  
Headquarters: Blanenská 1278/55, 664 34 Kuřim

Vodafone Czech Republic a.s.,  
registered office: náměstí Junkových č. p. 2808/2, Stodůlky, 155 00 Prague 5

VODÁRENSKÁ AKCIOVÁ SPOLEČNOST, a.s. division Třebíč,  
Headquarters: Kubišova č. p. 1172, 674 11 Třebíč 1

WATER SUPPLY AND SEWERAGE,  
Headquarters: Kubišova č. p. 1172/11, Horka-Domky, 674 01 Třebíč 1

***Participants in the proceedings pursuant to Section 85(2)(b) of the Building Act identified for the construction "Drainage of rainwater from NJZ EDU by the Lipňanský brook, including its retention" pursuant to Section 87(3) of the Building Act by identification of land and buildings registered in the Land Registry, which are served by public notice pursuant to Section 2(5) of the Linear Act:***

**Cadastral territory Lipňany u Skryji**

parc. no.: 32 (arable land), 33 (arable land), 38 (arable land), 39 (arable land), 41 (arable land), 42 (arable land), 43 (arable land), 44 (arable land), 45 (arable land), 46 (arable land), 47 (arable land), 48 (arable land), 49 (arable land), 50/1 (arable land), 52/1 (arable land), 60/7 (arable land), 60/17 (arable land), 60/20 (arable land), 60/21 (arable land), 67/1 (arable land), 67/3 (arable land), 67/7 (other area), 67/8 (arable land), 67/9 (arable land), 68/1 (other area), 68/7 (forest land), 68/8 (forest land), 68/11 (water area), 70/2 (water area), 143/34 (arable land), 152/3 (arable land), 152/4 (garden), 152/5 (arable land), 152/15 (arable land), 182/2 (other area), 187/2 (arable land)

**Cadastral territory Rouchovany**

parc. no.: 599/1 (arable land), 599/2 (water area), 600 (arable land), 601 (arable land)

***Participants in the proceedings pursuant to Section 85(2)(b) of the Building Act identified for the construction "Set of buildings in the area of the nuclear facility "New nuclear source in the locality of Dukovany"" pursuant to Section 87(3) of the Building Act by identification of land and buildings registered in the Land Registry, which are served by public notice pursuant to Section 2(5) of the Linear Act:***

**Cadastral territory Skryje nad Jihlavou**

parc. no.: 109/13 (arable land), 109/25 (arable land), 341/6 (arable land), 341/26 (other area), 375/1 (other area), 375/2 (other area), 376/5 (other area), 376/9 (other area), 418 (other area)

**Cadastral territory Lipňany u Skryji**

parc. no.: 66/1 (arable land), 66/15 (arable land), 127 (arable land), 128 (arable land), 134/1 (arable land), 134/13 (arable land), 134/15 (arable land), 134/17 (arable land), 134/18 (arable land), 134/19 (arable land), 134/20 (arable land), 134/28 (arable land), 142/13 (arable land), 142/15 (arable land), 142/19 (arable land), 142/20 (arable land), 142/21 (arable land), 142/22 (arable land), 142/38 (arable land), 142/41 (arable land), 142/89 (arable land), 142/92 (arable land), 142/93 (arable land), 142/94 (arable land), 142/95 (arable land), 142/96 (arable land), 142/97 (arable land), 142/102 (arable land), 143/4 (other area), 143/78 (other area), 182/3 (other area)

**Cadastral territory Heřmanice u Rouchovan**

parc. no.: 205/2 (arable land), 205/5 (arable land), 206 (arable land), 210 (arable land), 212/4 (arable land), 212/7 (arable land), 212/8 (arable land), 212/9 (arable land), 212/10 (arable land), 212/11 (arable land), 212/12 (arable land), 212/13 (arable land), 215/7 (other area), 215/16 (other area), 215/17 (other area), 219 (arable land), 240/12 (other area), 240/19 (other area), 240/20 (other area), 240/23 (arable land), 240/32 (arable land), 251/3 (arable land), 251/5 (arable land), 251/18 (arable land), 251/25 (arable land), 251/26 (arable land), 251/29 (arable land), 260/6 (other area), 260/25 (other area), 260/26 (other area), 260/27 (other area), 335/1 (arable land), 336/1 (other area), 336/8 (other area), 1526 (other area), 1530 (other area)

***Participants in the proceedings pursuant to Section 85(2)(b) of the Building Act identified for the construction "Underground cable line 110 kV NJZ EDU from the substation TR Slavětice" pursuant to Section 87(3) of the Building Act by identification of land and buildings registered in the Land Registry, which are served by public notice pursuant to Section 2(5) of the Line Act:***

**Cadastral territory Skryje nad Jihlavou**

parc. no.: 109/13 (arable land), 109/20 (arable land), 109/21 (arable land), 109/24 (arable land), 109/25 (arable land), 109/26 (arable land), 375/3 (other area), 375/5 (other area), 376/5 (other area)

**Cadastral territory Lipňany u Skryji**

parc. no.: 140 (other area), 142/66 (arable land), 142/68 (arable land), 142/69 (arable land), 142/70 (arable land), 142/71 (arable land), 142/72 (arable land), 142/73 (arable land), 142/74 (arable land), 142/75 (arable land), 142/76 (arable land), 142/77 (arable land), 142/78 (arable land), 142/79 (arable land), 142/80 (arable land), 142/83 (arable land), 142/103 (other area), 182/18 (other area)

**Cadastral territory Slavětice**

parc. no.: 117 (arable land), 122/1 (arable land), 122/2 (arable land), 123/1 (arable land), 123/6 (arable land), 123/7 (arable land), 125/1 (arable land), 125/2 (arable land), 128/6 (arable land), 128/7 (arable land), 138/4 (other area), 144/4 (other area), 144/7 (arable land), 144/8 (arable land), 144/16 (arable land), 145/7 (other area), 145/10 (other area), 145/11 (other area), 148/2 (other area), 148/5 (arable land), 148/15 (other area), 148/17 (other area), 150/1 (arable land), 150/2 (arable land), 151/4 (other area), 155/5 (arable land), 155/6 (arable land), 155/7 (arable land), 155/13 (arable land), 155/14 (arable land), 155/15 (arable land), 157/1 (arable land), 157/3 (arable land), 162/1 (arable land), 162/2 (arable land), 619/4 (other area), 619/9 (other area), 631/2 (other area), 633 (other area), 635 (other area), 636 (arable land), 645/2 (arable land), 763/1 (other area), 763/4 (other area), 766 (other area), st. 166 (built-up area and courtyard), st. 167 (built-up area and courtyard), st. 168 (built-up area and courtyard), st. 169 (built-up area and courtyard), st. 170 (built-up area and courtyard), st. 171 (built-up area and courtyard), st. 172 (built-up area and courtyard), st. 173 (built-up area and courtyard), st. 174 (built-up area and courtyard), st. 175 (built-up area and courtyard)

***The parties to the proceedings pursuant to Section 85(2)(b) of the Building Act identified for the construction "400 kV line - power supply V883 and V884 for NJZ EDU" pursuant to Section 87(3) of the Building Act by identification of the land and buildings registered in the Land Registry, which are served by public notice pursuant to Section 2(5) of the Line Act:***

**Cadastral territory Skryje nad Jihlavou**

parc. no.: 108/2 (arable land), 108/3 (arable land), 109/7 (arable land), 109/8 (arable land), 109/9 (arable land), 109/13 (arable land), 109/20 (arable land), 109/21 (arable land), 109/25 (arable land), 123 (arable land), 124/9 (other area), 124/30 (arable land), 124/34 (arable land), 124/38 (arable land), 128 (arable land), 134 (arable land), 139 (arable land), 160 (arable land), 171 (arable land), 390 (other area), 375/1 (other area), 375/3 (other area), 375/5 (other area), 379 (other area), 383 (other area), 384 (arable land), 389 (other area)

**Cadastral territory Lipňany u Skryji**

parc. no.: 142/58 (arable land), 142/59 (arable land), 142/60 (arable land), 142/61 (arable land), 142/62 (arable land), 142/63 (arable land), 142/64 (arable land), 142/65 (arable land), 142/67 (arable land), 142/68 (arable land), 142/69 (arable land), 142/70 (arable land), 142/71 (arable land), 142/72 (arable land), 142/73 (arable land), 142/74 (arable land), 142/75 (arable land), 142/76 (arable land), 142/77 (arable land), 142/78 (arable land), 142/80 (arable land), 142/83 (arable land), 140 (other area), 182/18 (other area)

***Participants in the proceedings pursuant to Section 85(2)(b) of the Building Act identified for the construction "Raw water supply lines from Mohelno HPP and new water tank for NJZ EDU"***

***pursuant to Section 87(3) of the Building Act by identification of land and buildings registered in the Land Registry, which are served by public notice pursuant to Section 2(5) of the Linear Act:***

**Cadastral territory Skryje nad Jihlavou**

parc. no.: 2/3 (water area), 109/1 (arable land), 109/13 (arable land), 109/20 (arable land), 109/21 (arable land), 109/24 (arable land), 109/25 (arable land), 140/22 (arable land), 140/32 (permanent grassland), 140/40 (permanent grassland), 143/1 (arable land), 143/2 (other land), 143/5 (arable land), 143/7 (arable land), 143/11 (arable land), 144 (arable land), 146/1 (permanent grassland), 147/1 (permanent grassland), 180/1 (arable land), 181/1 (arable land), 181/5 (arable land), 181/6 (arable land), 181/7 (garden), 181/21 (arable land), 181/22 (arable land), 181/26 (arable land), 181/27 (arable land), 181/31 (arable land), 198 (arable land), 241/1 (forest land), 241/3 (other area), 241/4 (other area), 241/5 (forest land), 241/9 (forest land), 241/10 (forest land), 241/11 (forest land), 241/12 (forest land), 241/23 (forest land), 241/26 (forest land), 241/30 (other area), 241/32 (other area), 241/35 (forest land), 241/39 (forest land), 241/47 (forest land), 242 (forest land), 259/2 (permanent grassland), 367/3 (other area), 375/3 (other area), 375/5 (other area), 378/1 (other area), 378/3 (other area), 378/4 (other area), 379 (other area), 390 (other area), 393 (other area), 395/1 (arable land), 396/1 (other area), 396/2 (arable land), 399 (arable land), 402 (other area), 422 (other area), 426/1 (water area), 426/2 (water area), st. 114 (built-up area and courtyard)

**Cadastral territory Lipňany u Skryji**

parc. no.: 140 (other area), 142/67 (arable land), 142/68 (arable land), 142/69 (arable land), 142/70 (arable land), 142/71 (arable land), 142/72 (arable land), 142/73 (arable land), 142/74 (arable land), 142/75 (arable land), 142/76 (arable land), 142/77 (arable land), 142/78 (arable land), 142/79 (arable land), 142/80 (arable land), 142/83 (arable land), 182/18 (other area)

**Cadastral territory Dukovany**

parc. no.: 586/5 (water area), 586/7 (other area), 586/16 (forest land), 586/9 (forest land), 753/3 (water area), 753/7 (water area), 766/2 (forest land), st. 348 (built-up area and courtyard)

***Participants in the proceedings pursuant to Section 85(2)(b) of the Building Act identified for the construction of the "Wastewater Diversion from the EDU NPP and the HPP" pursuant to Section 87(3) of the Building Act by identification of the land and structures registered in the Land Registry, which are served by public notice pursuant to Section 2(5) of the Linear Act:***

**Cadastral territory Skryje nad Jihlavou**

parc. no.: 2/3 (water area), 2/18 (arable land), 2/21 (other area), 2/22 (arable land), 2/23 (garden), 2/24 (other area), 2/25 (garden), 2/26 (other area), 109/1 (arable land), 109/13 (arable land), 109/20 (arable land), 109/21 (arable land), 109/24 (arable land), 109/25 (arable land), 140/1 (arable land), 140/36 (arable land), 140/42 (garden), 143/1 (arable land), 143/2 (other area), 143/5 (arable land), 143/7 (arable land), 143/9 (arable land), 143/11 (arable land), 144 (arable land), 241/5 (forest land), 241/10 (forest land), 241/39 (forest land), 256/4 (other area), 256/5 (other area), 256/6 (other area), 256/7 (other area), 275/1 (forest land), 275/5 (forest land), 275/6 (forest land), 275/7 (forest land), 275/10 (forest land), 278/2 (other area), 288/2 (arable land), 290/2 (arable land), 292/1 (arable land), 292/2 (arable land), 295 (arable land), 296/5 (arable land), 296/6 (arable land), 296/7 (arable land), 296/8 (arable land), 296/9 (arable land), 296/14 (arable land), 296/15 (arable land), 296/16 (arable land), 298/2 (arable land), 324/1 (forest land), 324/6 (forest land), 324/7 (forest land), 324/8 (forest land), 324/10 (forest land), 325/1 (forest land), 367/5 (other area), 375/3 (other area), 375/5 (other area), 378/3 (other area), 378/4 (other area), 379 (other area), 405/1 (other area), 405/3 (other area), 410 (arable land), 422 (other area), 426/3 (water area), 430/1 (water area), 430/5 (water area), 430/7 (water area), 430/8 (water area), 435/1 (other area), 435/2 (other area), st. 113 (built-up area and courtyard), st. 117 (built-up area and courtyard)

**Cadastral territory Lipňany u Skryji**

parc. no.: 140 (other area), 142/67 (arable land), 142/68 (arable land), 142/69 (arable land), 142/70 (arable land), 142/71 (arable land), 142/72 (arable land), 142/73 (arable land), 142/74 (arable land), 142/75 (arable land), 142/76 (arable land), 142/77 (arable land), 142/78 (arable land), 142/79 (arable land), 142/80 (arable land), 142/83 (arable land), 182/18 (other area)

**Cadastral territory Dukovany**

parc. no.: 586/3 (forest land), 586/4 (forest land), 586/6 (forest land), 586/9 (forest land), 586/15 (forest land), 753/3 (water area), 753/7 (water area), 766/1 (forest land), st. 348 (built-up area and courtyard), st. 527 (built-up area and courtyard)

***Participants in the proceedings under Section 85(2)(b) of the Building Act identified for the construction of the "Drainage of wastewater from the construction of the NJZ EDU to the Skryja reservoir" under Section 87(3) of the Building Act by identification of land and buildings registered in the Land Registry, which are served by public notice under Section 2(5) of the Linear Act:***

**Cadastral territory Skryje nad Jihlavou**

parc. no.: 2/3 (water area), 2/4 (other area), 2/12 (other area), 2/13 (arable land), 2/14 (arable land), 2/18 (arable land), 2/20 (other area), 2/21 (other area), 2/22 (arable land), 2/23 (garden), 2/24 (other area), 2/25 (garden), 2/26 (other area), 72/1 (other area), 109/1 (arable land), 109/13 (arable land), 109/20 (arable land), 109/21 (arable land), 109/24 (arable land), 109/25 (arable land), 140/1 (arable land), 140/36 (arable land), 140/42 (garden), 143/1 (arable land), 143/2 (other area), 143/5 (arable land), 143/7 (arable land), 143/9 (arable land), 143/11 (arable land), 144 (arable land), 147/4 (other area), 147/5 (permanent grassland), 268/2 (arable land), 274/1 (forest land), 275/1 (forest land), 278/2 (other area), 280/2 (other area), 288/2 (arable land), 367/5 (other area), 369/2 (other area), 375/1 (other area), 375/3 (other surface), 375/5 (other surface), 378/3 (other surface), 378/4 (other surface), 379 (other surface), 396/2 (arable land), 396/3 (arable land), 422 (other surface), 430/1 (water surface), 432/1 (other surface), 435/1 (other surface), 435/2 (other surface), st. 14/2 (built-up area and courtyard), st. 113 (built-up area and courtyard), st. 117 (built-up area and courtyard)

**Cadastral territory Lipňany u Skryji**

parc. no.: 140 (other area), 142/67 (arable land), 142/68 (arable land), 142/69 (arable land), 142/70 (arable land), 142/71 (arable land), 142/72 (arable land), 142/73 (arable land), 142/74 (arable land), 142/75 (arable land), 142/76 (arable land), 142/77 (arable land), 142/78 (arable land), 142/79 (arable land), 142/80 (arable land), 142/83 (arable land), 182/18 (other area)

***Participants in the proceedings under Section 85(2)(b) of the Building Act identified for the construction "Drainage of rainwater from the EDU NWP area to the Skryja reservoir" under Section 87(3) of the Building Act by identification of land and buildings registered in the Land Registry, which are served by public notice under Section 2(5) of the Linear Act:***

**Cadastral territory Skryje nad Jihlavou**

parc. no.: 2/3 (water area), 2/4 (other area), 2/12 (other area), 2/13 (arable land), 2/14 (arable land), 2/18 (arable land), 2/20 (other area), 2/21 (other area), 2/22 (arable land), 2/23 (garden), 2/24 (other area), 2/25 (garden), 2/26 (other area), 72/1 (other area), 109/1 (arable land), 109/13 (arable land), 109/20 (arable land), 109/21 (arable land), 109/24 (arable land), 109/25 (arable land), 140/1 (arable land), 140/36 (arable land), 140/42 (garden), 143/1 (arable land), 143/2 (other area), 143/5 (arable land), 143/7 (arable land), 143/9 (arable land), 143/11 (arable land), 144 (arable land), 147/4 (other area), 147/5 (permanent grassland), 268/2 (arable land), 274/1 (forest land), 275/1 (forest land), 278/2 (other area), 280/2 (other area), 288/2 (arable land), 367/5 (other area), 369/2 (other area), 375/1 (other area), 375/3 (other surface), 375/5 (other surface), 378/3 (other surface), 378/4 (other surface), 379 (other surface), 396/2 (arable land), 396/3 (arable land), 422 (other surface), 430/1 (water surface), 432/1 (other surface), 435/1 (other surface), 435/2 (other surface), st. 14/2 (built-up area and courtyard), st. 113 (built-up area and courtyard), st. 117 (built-up area and courtyard)

**Cadastral territory Lipňany u Skryji**

parc. no.: 140 (other area), 142/67 (arable land), 142/68 (arable land), 142/69 (arable land), 142/70 (arable land), 142/71 (arable land), 142/72 (arable land), 142/73 (arable land), 142/74 (arable land), 142/75 (arable land), 142/76 (arable land), 142/77 (arable land), 142/78 (arable land), 142/79 (arable land), 142/80 (arable land), 142/83 (arable land), 182/18 (other area)

***Participants in the proceedings under Section 85(2)(b) of the Building Act identified for the construction "Drainage of rainwater from the EDU NWP area into the Lipňanský Brook" under Section 87(3) of the Building Act by identification of land and buildings registered in the Land Registry, which are served by public notice under Section 2(5) of the Linear Act:***

**Cadastral territory Lipňany u Skryji**

parc. no.: 26/2 (arable land), 32 (arable land), 33 (arable land), 38 (arable land), 39 (arable land), 41 (arable land), 42 (arable land), 43 (arable land), 44 (arable land), 45 (arable land), 46 (arable land), 47 (arable land), 48 (arable land), 49 (arable land), 50/1 (arable land), 52/1 (arable land), 59 (water area), 60/3 (other area), 60/7 (arable land), 60/13 (other area), 60/14 (permanent grassland), 60/15 (permanent grassland), 60/16 (permanent grassland), 60/21 (arable land), 67/1 (arable land), 67/9 (arable land), 143/33 (arable land), 143/35 (arable land), 143/38 (arable land), 143/41 (garden), 143/42 (other area), 143/43 (other area), 143/60 (arable land), 143/62 (arable land), 143/78 (other area), 152/3 (arable land), 152/4 (garden), 152/5 (arable land), 152/6 (arable land), 152/7 (arable land), 152/15 (arable land), 182/2 (other area), 187/2 (arable land), st. 15 (built-up area and courtyard)

***The parties to the proceedings under Section 85(2)(b) of the Building Act identified for the construction "Drainage of rainwater from the NW EDU construction site into the Heřmanický Brook" under Section 87(3) of the Building Act by identification of the land and buildings registered in the Land Registry, which are served by public notice under Section 2(5) of the Linear Act:***

**Cadastral territory Heřmanice u Rouchovan**

parc. no.: 104 (arable land), 109/5 (arable land), 109/9 (arable land), 109/14 (arable land), 109/18 (arable land), 109/20 (arable land), 109/25 (arable land), 109/26 (arable land), 109/27 (arable land), 109/28 (arable land), 109/29 (arable land), 109/30 (arable land), 109/31 (arable land), 170/1 (arable land), 170/2 (arable land), 171 (arable land), 172 (arable land), 173 (arable land), 181/1 (permanent grassland), 181/5 (permanent grassland), 198 (arable land), 200/6 (arable land), 205/3 (arable land), 251/32 (arable land), 304/8 (arable land), 304/9 (arable land), 304/15 (arable land), 328/1 (arable land), 328/2 (arable land), 328/7 (arable land), 334 (arable land), 336/4 (other area), 336/5 (other area), 338 (arable land), 339 (arable land), 379/2 (other area), 379/3 (other area), 379/7 (other area), 379/10 (other area), 379/11 (other area), 379/12 (other area), 1530 (other area)

**Cadastral territory Kordula**

parc. no.: 132 (arable land), 160 (permanent grassland)

***The parties to the proceedings under Section 85(2)(b) of the Building Act identified for the construction of "Purpose-built roads to provide access to other people's land on the area of the NW NW EDU" under Section 87(3) of the Building Act by identification of the land and buildings registered in the Land Registry, which are served by public notice under Section 2(5) of the Linear Act:***

**Cadastral territory Heřmanice u Rouchovan**

parc. no.: 205/2 (arable land), 205/6 (arable land), 205/7 (arable land), 206 (arable land), 210 (arable land), 212/4 (arable land), 215/17 (other area), 219 (arable land), 222 (arable land), 249 (arable land), 250 (arable land), 251/3 (arable land), 251/5 (arable land), 251/14 (arable land), 251/18 (arable land), 251/26 (arable land), 251/32 (arable land), 336/1 (other area), 344 (arable land), 1520 (other area), 1530 (other area)

**Cadastral territory Lipňany u Skryji**

parc. no.: 61/9 (permanent grassland), 61/12 (other area), 134/1 (arable land), 134/17 (arable land), 134/18 (arable land), 134/19 (arable land), 134/20 (arable land), 134/26 (arable land), 134/28 (arable land), 138/1 (orchard), 138/2 (garden), 182/10 (other area), 182/15 (other area)

***Participants in the planning proceedings pursuant to Section 9c(3) of the EIA Act, who are served by public notice pursuant to Section 2(5) of the Linear Act:***

EUROSOLAR.CZ, z.s., U půjčovny č. p. 1353/8, Nové Město, 110 00 Prague 1



Children of the Earth - Club for Sustainable Transport, Cejl no. 866/50a, Zábřdovice, 602 00 Brno 2

"VODA Z TETČIC z.s.", Hybešova no. 178, 664 17 Tetčice

South Bohemian Mothers, z.s., Karla Buriana č. p. 1288/3, České Budějovice 6, 370 01 České Budějovice 1

OIŽP - Civic Initiative for Environmental Protection, z.s., Kubatova č. p. 1240/6, České Budějovice 3, 370 04 České Budějovice 4

Calla - Association for the Rescue of the Environment, z.s., Fráni Šrámka č. p. 1168/35, České Budějovice 3, 370 01 České Budějovice 1

Forum Wissenchaft & Umwelt, Palmgasse 3/2, 1150 Wien

Umweltschutzorganisation GLOBAL 2000, Neustiftgasse 36, 1070 Wien

Naturschutzbund Vorarlberg, Schulgasse 7, 6850 Dornbirn

Naturschutzbund Niederösterreich, Mariannengasse 32/2/16, 1090 Wien

### **Authorities concerned:**

#### To be delivered to by data mailbox

Třebíč City Council, Environmental Department,

**IDDS:** 6pub8mc

Headquarters: Masarykovo nám. p. 116/6, 674 01 Třebíč

Třebíč City Council, Department of Education and Culture,

**IDDS:** 6pub8mc

Headquarters: Karlovo nám. p. 104/55, Vnitřní Město, 674 01 Třebíč

Třebíč City Council, Department of Transport and Municipal Services,

**IDDS:** 6pub8mc

Headquarters: Karlovo nám. p. 104/55, Vnitřní Město, 674 01 Třebíč

Třebíč City Council, Department of Development and Spatial Planning,

**IDDS:** 6pub8mc

Headquarters: Karlovo nám. p. 104/55, Vnitřní Město, 674 01 Třebíč

Vysočina Regional Authority, Department of Environment and Agriculture,

**IDDS:** ksab3eu

Headquarters: Žižkova No. 1882/57, 587 33 Jihlava

Vysočina Regional Authority, Department of Transport and Road Management,

**IDDS:** ksab3eu

Headquarters: Žižkova No. 1882/57, 587 33 Jihlava

The Regional Hygiene Station of the Vysočina Region is located in Jihlava,

**IDDS:** uuai3w

Headquarters: Tolstého č. p. 1914/15, 586 01 Jihlava 1

Fire Rescue Service of the Vysočina Region,

**IDDS:** ntdaa7v

Headquarters: Ke Skalce No. 4960/32, 586 01 Jihlava 1

Police of the Czech Republic - Regional Police Directorate of the Vysočina Region, Territorial Department Třebíč, Traffic Inspectorate,

**IDDS:** x9nhptc

Headquarters: Bráfova 1274/11, 674 01 Třebíč 1

Ministry of Health, Czech Spa and Spa Inspectorate,

**IDDS:** pv8aaxd

Headquarters: Palackého náměstí 375/4, 128 01 Prague 2

Ministry of the Environment, Department of Environmental Impact Assessment and Integrated Prevention,

**IDDS:** 9gsaax4

Headquarters: Vršovická č. p. 1442/65, Vršovice, 100 00 Prague 10  
Ministry of the Environment, Department of State Administration VII,  
**IDDS: 9gsaax4**  
Headquarters: Mezírka 1; 602 00 Brno  
Department of Defense,  
**IDDS: hjyaavk**  
Headquarters: Svatoplukova no. 2687/84, 662 10 Brno  
Ministry of the Interior,  
**IDDS: 6bnaawp**  
Headquarters: Nad Štolou No. 936/3, Holešovice, 170 00 Prague 7  
Ministry of the Interior, General Directorate of the Fire and Rescue Service  
**IDDS: 6bnaawp**  
Headquarters: Nad Štolou No. 936/3, Holešovice, 170 00 Prague 7  
State Office for Nuclear Safety,  
**IDDS: me7aazb**  
Headquarters: Senovážné Square No. 1585/9, Nové Město, 110 00 Prague 1  
Municipal Office Dukovany,  
**IDDS: u6tb3rm**  
Headquarters: Dukovany No. 99, 675 56 Dukovany  
Rouchovany Municipal Office,  
**IDDS: t7gbqvz**  
Headquarters: Rouchovany no. 35, 675 57 Rouchovany  
Slavětice Municipal Office,  
**IDDS: kjnbgas**  
Headquarters: Slavětice No. 58, 675 55 Hrotovice  
Hrotovice City Council, Department of Construction and Environment,  
**IDDS: 3zebdza**  
registered office: nám. 8. května 1, 675 55 Hrotovice  
State Veterinary Administration, Regional Veterinary Administration of the State Veterinary  
Administration for Vysočina Region,  
**IDDS: d2vairv**  
Headquarters: Rantířovská 94/22, Jihlava - Horní Kosov, 586 01  
District Mining Office for the territory of the Liberec and Vysočina regions,  
**IDDS: tqjaduc**  
Headquarters: I. máje 858/26, 460 02 Liberec  
Railway Authority, Infrastructure Section, Territorial Department Olomouc,  
**IDDS: 5mjaatd**  
Headquarters: Nerudova 1, 779 00 Olomouc;  
Civil Aviation Authority,  
**IDDS: v8gaaz5**  
Headquarters: K letišti 1149/23, 160 08 Prague 6.

**Posting without delay for a period of 15 days on official boards in the Czech Republic:**

Ministry of Industry and Trade, Na Františku č. p. 1039/32, Staré Město, 110 00 Prague 1  
Třebíč Municipal Office, Karlovo nám. 104/55, 674 01 Třebíč  
Municipal Office Rouchovany, Rouchovany č. p. 35, 675 57 Rouchovany  
Municipal Office Dukovany, Dukovany No. 99, 675 56 Dukovany  
Slavětice Municipal Office, Slavětice No. 58, 675 55 Hrotovice

**Noted:**

Třebíč Municipality, Department of Construction,

**IDDS:** 6pub8mc

Karlovo nám. 104/55, 674 01 Třebíč

Retrieved from .....

Retrieved from .....

Stamp, signature of the authority confirming the posting and removal of the notice.

Notice to applicants:

After the decision has become legally valid, the building authority shall deliver to the applicant a copy of the written copy of the zoning decision bearing the legal force clause together with the certified graphic annexes, namely:

- verified graphic annex No. 1 for the construction "Drainage of rainwater from the NJZ EDU by the Lipňanský brook including their retention", which is a situational drawing at a scale of 1:1000:  
Cadastral situation drawing
- verified graphic annex No. 2 for the construction "Set of buildings in the nuclear facility "New nuclear source in the locality of Dukovany"", which consists of situational drawings in scale 1:2000:
  - C.2.1 Cadastral situation drawing - Part 1
  - C.2.2 Cadastral situation drawing - Part 2
  - C.2.3 Cadastral situation drawing - Part 3
- verified graphic annex No. 3 for the construction "Underground cable lines 110 kV NJZ EDU from the TR Slavětice substation", which is a situational drawing at a scale of 1:1000:  
Cadastral situation drawing (sheet 1, 2, 3)
- verified graphic annex No. 4 for the construction "400 kV power line V883 and V884 for NJZ EDU", which consists of a situational drawing at a scale of 1:1000:  
Cadastral situation drawing
- verified graphic annex No. 5 for "Raw water supply lines from Mohelno HPP and new water reservoir for NJZ EDU", which is a situational drawing at a scale of 1:1000:  
Cadastral situation drawing
- verified graphic annex No. 6 for the construction "Drainage of wastewater from the NPP EDU and HPP", which consists of a situational drawing at a scale of 1:1000:  
Cadastral situation drawing
- verified graphic annex No. 7 for the construction "Drainage of wastewater from the construction of the NJZ EDU to the Skryje reservoir", which consists of a situational drawing at a scale of 1:1000:  
Cadastral situation drawing

- verified graphic annex No. 8 for the construction "Drainage of rainwater from the area of the NJZ EDU to the Skryje reservoir", which consists of a situational drawing at a scale of 1:1000:  
Cadastral situation drawing
- verified graphic annex No. 9 for "Drainage of rainwater from the NJZ EDU area into the Lipňanský brook", which is a situational drawing at a scale of 1:1000:  
Cadastral situation drawing
- verified graphic annex No. 10 for the construction "Drainage of rainwater from the areas of the NPP EDU construction site into the Heřmanický brook", which consists of a situational drawing at a scale of 1:1000:  
Cadastral situation drawing
- verified graphic annex No. 11 for the construction "Purpose-built roads for access to foreign land on the area of the NJZ EDU", which consists of situational drawings at a scale of 1:500:
  - C.2.1 Cadastral situation drawing - part 1
  - C.2.2 Cadastral situation drawing - part 2