




„БАЛКАНКА”
www.balkanka.bg

“Balkanka” Association, Sofia, Bulgaria
“Nature has all the time in the world, we do not”.

COMPLAINT
TO
THE COMMISSION OF THE EUROPEAN COMMUNITIES
CONCERNING FAILURE TO COMPLY WITH COMMUNITY LAW
APPENDIX 4



Representative for this complaint.


/dipl. eng. Dimitar Koumanov/
Member of the board

Sofia, Bulgaria
14.01.2017

ABSTRACT

Regarding the Complaint to the Commission of European Communities, lodged by Balkanka Association, Sofia, Bulgaria on **30.06.2015**, followed by the **Appendix №1, №2 and №3**, lodged on **06.01.2016**, **20.06.2016** and on **03.10.2016** respectively - joined together in DG Environment case file ID number **CHAP(2015)02363**, the following document contains additional information concerning the most brutal case of infringement we have encountered so far.

Although we managed to discover many other new infringements of Union Law since the Appendix №3 was lodged, we will not disclose them in this particular appendix.

It is a special edition - dedicated to one of the most beautiful regions in Bulgaria, a piece of unique nature, untouched by the devastating impacts of modern industrial development, hosting the famous monument of nature - the Erma River Gorge, which is included in the list of the 100 best tourist landmarks we have in our country.

The area includes the Natura 2000 Habitats directive site Ruy BG0000313 and the Birds directive site Ruy BG0002112.

Now a new gold mine is going to be developed at two different mining fields in the region. The North mine is supposed to be located in the center of both the Natura 2000 sites and the South mine reaches a distance of 200 meters from the border line of the Habitats directive site Ruy BG0000313.

The proposed ore extraction method will be drilling and blasting - under the ground in the North mine, and combined with three open pits at the South mine. Some **17.8 tons** of blast are going to be detonated every week.

And the ore contains not only gold and silver, but uranium as well. Actually - the South mine will reopen the old socialist times gold-uranium mine 'Zlata', closed and sealed in the nineties of the last century, when uranium mining in the country was prohibited for good.

The following document will display the efforts of the state administration to disregard and pass by the legal restrictions, applicable in order to achieve the Natura 2000 sites conservation objectives, as well as to avoid and disregard the measures, included in the Danube Region RBMP, aiming to achieve the objectives of the WFD for the surface and ground water bodies in the region. We will also display the fight of local people to protect the unique nature, the cleanness of the air, the good status of the rivers and streams, the purity of their drinking water sources and the health of their children.

The following document contains full description of the case. Depending on DG Environment good practice and will - it may be considered as an integral **Appendix 4** to the original Complaint, or as an entirely new complaint. Only this time there is no need to read the previous complaint editions again - DG Environment case file ID number **CHAP(2015)02363**, because the present case displays a separate infringement, not directly connected to the previous, but a huge one indeed. However, there still is a connection - we will once again prove that Natura 2000 and the small people health and wellbeing mean nothing in Bulgaria, when big money comes along. Therefore it's recommended to read the previous complaints after all - to get a clear view on the entire social and environmental picture in our country.

Acknowledgements

We dedicate the following document to the angry people, living in the villages and cities of the Trun municipality, wishing them luck, enough power and strength to beat the beast in the end, granting them that they are not alone in their fight.

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ABBREVIATIONS

MOEW	- Ministry Of Environment and Waters of Bulgaria
RIEW	- Regional Inspectorate/s of Environment and Waters
RBD	- River Basin Directorate/s
BDDR	- Basin Directorate Danube Region
EARBD	- East Aegean River Basin Directorate
WARBD	- West Aegean River Basin Directorate
BDBSR	- Basin Directorate Black Sea Region
SAC	- Supreme Administrative Court
WA	- Water Act
FA Act	- Fishing and Aquaculture Act
EIA	- Environmental Impact Assessment
AA	- Appropriate Assessment
RBMP	- River Basin Management Plan
HPP	- Hydropower Plant
WWTS	- Wastewater Treatment Station
IP	- Investment Plan

I. IDENTITY AND CONTACT DETAILS

1. Name:

"Balkanka" Association, Sofia, Bulgaria

2. Sector / field of activity and location(s) where active:

"Balkanka" Association is a non-profit, non-governmental organization, registered in Bulgaria for action in public benefit, on 07 August 2013, company file 203/2013 of the Sofia City Court, UIC 176566443. The main objectives of "Balkanka" are protection and conservation of river biodiversity, with a focus on conservation and restoration of indigenous Balkan brown trout */salmo trutta/* populations in Bulgarian rivers.

3. ADDRESS OR REGISTERED OFFICE

3.1. Surname and forename of complainant:

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Dipl.eng. Dimiter Koumanov, member of the board

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4. Correspondence from the Commission can be sent to the complainant

5. Member State or public body alleged by the complainant not to have complied with Community law:

The Bulgarian Ministry of Environment and Waters (MOEW), the Regional Inspectorate of Environment and Waters (RIEW) **Pernik** and the River Basin Directorate Danube Region (**BDDR**) with MOEW.

II. DESCRIPTION OF THE SUSPECTED INFRINGEMENT OF UNION LAW

The investment plan will have significant adverse impact on two Natura 2000 sites - one that is designated for the protection of habitats and species under the Habitats Directive - **Ruy BG0000313**, and another one, designated for the protection of birds under the Birds Directive - **Ruy BG0002112**. It actually is going to destroy the integrity of the sites by increasing to unacceptable levels the fine fractions of dust in the air, containing fine uranium substances. It will happen due to the detonation of **17.8 tons** of blast per week, some part of which will be detonated in open pits, thus increasing the noise level in the protected area to unacceptable levels as well.

The air pollution and the noise levels will also be increased by the heavy truck transportation of the excavated in the North mine material, to the South mine, where the ore will be treated and processed in a flotation plant, together with two tailings ponds, reaching 160-200 meters away from the end houses of some villages in the area.

The investment plan will also affect the human health in the worst possible way - gold mining always does. In addition to the noise and to the air pollution, groundwater pollution will take place, and that is the reason why BDDR has rejected the Mining plan three consecutive times, one after the other, on the basis that it does not comply with the measures included in the Danube RBMP 2010-2015 to avoid deterioration of the chemical status of ground water bodies used for drinking water, which are included in the new RBMP 2016-2021 as well.

Here is just a short citation from the Investment plan - ***a positive factor is that the area is sparsely populated***, meaning that the people can be wasted much more easily...

So it is a proven fact that the investment plan does not comply with the measures in the Danube RBMP. It does not comply with the measures included in the announcement ordinance of the Natura 2000 Birds directive site **Ruy BG0002112** either, since there is a ban set on destroying any elements of the landscape, aiming to prevent the protected bird species from disturbance.

Besides the negative impact on human health, the investment plan will have extremely negative impact on the people's wellbeing as well. **The Municipality of Trun Development Plan 2014-2020** is full of good intentions for the development of eco agriculture and livestock breeding, ecosystem services like all kind of tourism - Water sports, kayaking, rafting, fishing, eco, rural, historic etc. - for detailed information see **Document No1**, please. If you read it carefully, you will find that those people are very proud of their unique nature and the rich biodiversity in the Ruy Mountain. They still rely on both, for any kind of future regional development.

There is not a word in the municipality development Plan about gold-mixed-with-uranium mining in the area. Will any normal tourist visit the region if the mining investment plan is implemented? With **17.8 tons** per week of detonated blast, with 30 tons heavy trucks moving gold-uranium material from one mine to another ten times per hour, which means one truck in every six minutes, with the dust and noise in the area? And the North mine is no more than two kilometers away from the famous Erma River Gorge, which the heavy trucks will be passing nearby.

We know the answer for another area, where a similar plan of the same investor is in progress for many years now - the Asarel-Medet Copper Mine, near the city of Panagyurishte. There is no tourism in and around the city and in the remote vicinity of the mine. And the Medetska River in the area is dead. But the city has a brand new Oncology Clinic instead, with the only option for medical tourism to rely on, hopefully.

Yes, it is declared in the Mining plan, that there will be huge benefits for everyone. **Up to 500** working places for employment, better salaries, taxes, paid to the municipality. Having in mind that most of the jobs require educated personnel and operators, the question is - is it worth killing the other chances for local development, based on the

unique nature that still remains untouched, and on the benefits that the presence of two Natura 2000 sites may offer - wasn't that the meaning of Natura 2000 after all? We will find the answers in the following sections.

A. Short description of the Investment Plan

For detailed information see **Document No2**, please. At the very beginning it should be noted, that there is not a word about the presence of uranium in the minerals that will be excavated and utilized. **And the presence of uranium is a well known fact - for proof see section C., please - Documents No10 and No11.**

That is why the old mine Zlata was closed and sealed more than 20 years ago. The other reason was that, neither the gold quantity, nor the uranium quantity in the minerals, were worth the efforts and the damage caused.

There will be two different mining areas - Trun North and Trun South.

1. The Trun North mine, together with the transportation access area, is located in the heart of the above mentioned Natura 2000 sites - **Ruy BG0000313** Habitats directive site and **Ruy BG0002112** Birds directive site.

For the overall development of the mining and processing activities, an area of **8,36 km2 (8360dka)** is estimated as a necessary space. The ore extraction method will be **drilling and blasting under the ground**, therefore only 200dka above the ground will be used. Mining will be carried out in three different mining fields.

For the transportation of the ore from the "Trun North" mine to the flotation factory (located at the "Trun south" mine) about 22 km of the existing roads will be used.

Important:

Closest to the contour of the "Trun North" area is the village of Zabel - about **170 m** to the South. The nearest houses of the Turokovtsi and Lomnitsa villages are at a distance of **3000 m** and **470 m**, respectively, away from the stack and transport area.

2. The Trun South mine reaches the distance of about 200-300 meters away from Natura 2000 Ruy BG0000313 Habitats directive site and 1500-2000 meters from Ruy BG0002112 Birds directive site. It is also surrounded by 4 /four/ other Natura 2000 sites, situated at a distance of 2.0-5.0 kilometers away from the mine - full description can be found on page 7 of **Document No3**, where the distances are highlighted. See also the maps in the end of this section.

For the overall development of the mining and processing activities, an area of 10,88 km2 (10880dka) is estimated as necessary space, of which 1900dka above the ground are needed. The ore extraction method will be **drilling and blasting under the ground and in open pits**, carried out in three different mining fields.

Blast will be detonated once a week.

Important:

The closest buildings of the Glogovitsa village neighborhood are 160 m away from the tailings pond No2. Part of the village of Erul is about **150 m** away from one of the three open pits, and the village of Milkyovtsi is located **205 m** southeast from another of the stacking areas.

3. Other information

There will be a flotation factory with two tailings ponds.

Operation Mode: the mines (surface and underground) will work on a five day week, two shifts, 250 days per year.

The underground galleries, once exhausted, will be backfilled. Using a hardening backfill will eliminate the risk of possible migration of contaminants into the groundwater, acc. to the Investment Plan description.

Once the project's implementation is finished, recultivation and rehabilitation of the affected area will be carried out.

The mine is located in a seismic zone, estimated to be with the highest seismic hazard in Bulgaria, with possible ground acceleration of 0.27g.

4. Important citations from the Investment Plan description:

Page 9 - 10 Cumulative effects

As a result of the planned mining and processing activities, accumulation of dust pollution can be expected from the open pits, the tailings ponds, the processing activities in the flotation factory and the transport in the region at the "Trun South" mine. In the autumn-winter period, these will be added to the emissions from domestic heating.

For the "Trun North" mine - there will be a cumulative impact from dust pollution, emissions of exhaust gases and noise from transport vehicles

Cumulative impacts for the workers should be expected too.

Page 10 Sustainable Development

*In the municipality a new industrial site will be developed, which will open **up to 500** new jobs. This will lead to an inflow of new people in a municipality, which is suffering constant depopulation in recent years.*

The selected friendly to environment solutions for the mineral extraction and processing, will allow the local tourism to remain unaffected and to keep developing.

Page 10 Supporting activities impact

Heavy trucks transporting ore, rock and backfill for the underground mine shafts will have the most noticeable impact on the region, due to the increased levels of noise and dust. The transport scheme avoids villages, as far as possible.

Page 10-11 Expected environmental impacts

***The air quality** in the mining area will be affected by dust and gas emissions from different sources, to different degrees, in the different stages of project development...*

...The impact will be significant in the "Trun South" mine and smaller in the "Trun North" mine. It can be defined as temporary and periodical (only during the working shift).

*During the operation, significant sources of dust emissions will be the open pit mines, the tailings ponds and the waste stacking areas in the southern mine. Mining equipment, drilling and blasting are sources of dust and gas emissions. The increased traffic in the area will also generate dust and gas emissions within the transport scheme range. In the North mine the dust emissions will be mainly due to the ground complex and ventilation systems. **The impact will be direct, negative and permanent.***

Page 11 Waters

The water supply will be provided from the Erma River - around 20 l/sec..

Waste water - for all stages of the investment plan no discharge of polluted water into the surface and the ground water bodies is expected, since the water is used in closed, repeated cycles.

Page 11 Land and soil

The impact on soil will be direct and permanent.

Page 12 Flora and fauna. Natural protected areas.

***The vegetation will be directly and permanently destroyed** in about **1900dka** at the "Trun South" and about **200dka** in the "Trun North" mine.*

Close to the listed industrial facilities, vegetation can be affected by dust and gas emissions indirectly. **The impact will be long lasting, negative.** Biological recultivation, carried out with indigenous plant species will mitigate the impact.

Permanent expulsion of wild individuals and fragmentation of species inhabiting the considerable affected areas is possible, due to the changes in the landscape, the noise, the loss of soil and vegetation.

At the Trun South Section animal that can't move fast will be affected directly, the rest will leave their habitats in the vicinity of the open-pits areas, industrial sites, waste facilities, roads and other infrastructure, during the construction phase. Some animal species might also be permanently chased away due to the large affected areas, the changes in the landscape, the noise, the soil and vegetation loss."

The "Trun North" mine is located entirely in the Rui BG0002112 Birds directive site. Over 2/3 of the mine is located within the boundaries of the Rui BG0000313 Habitats directive site. The Erma River Gorge is located two kilometers to the east.

Page 12 Landscape

The project activities within the investment plan will lead to long lasting and irreversible changes in the functions and the structure of the landscape.

Page 13 Impact on human health and on the population in the region

The population in the villages, where the Investment Plan will be developed, is sparse. **Low population density is a favorable fact.** Some of the elements of the investment plan are located close to areas occupied by humans.

Impacts generated from dust emissions, noise, mining and drilling vibrations, blasting and transportation can be expected to affect the people in the villages.

Page 13-14 Resources

The local river network water quantities are favorably secured by the mountainous terrain.

Page 15 Output data

Non organized sources of dust in the area, generated mainly by the wind erosion - open pits, dumps, tailings ponds, sites for loading and unloading;

Organized sources of dust - underground mines ventilation shafts (dust emissions, mining machines exhaust gas and dust-gas mixture generation from drilling and blasting; crushing unit filters in the processing complex, other filtering facilities (e.g. cassette filters) in the reagent compartment in the flotation factory.

Drilling and blasting in the mines will outburst a dust-gas mixture.

Page 15 Emissions in the waters

Contaminated surface water quantity from the mining infrastructure - stacking areas, industrial sites, roads a.o. - Up to 8.4 l / s.

Mine waste water quantity - up to 13.5 l / s.

Page 18 Noise

The investment plan will be developed in acoustically unaffected area

Blasting will generate pulsating noises, with a higher level in the open pit mines.

Page 18 Drilling and blasting impact

*Drilling and blasting in open pit mines generates the following physical effects: flying pieces of rocks; air shock wave and seismic wave. The similar open pit mining experience shows that **the radius of the danger zone is 400 m.***

In the underground mines the physical impact is a seismic wave.

*The seismic wave is not registered by human beings at a distance of 700-800 meters
At a distance of 500 meters it is felt as "weak"*

Page 18-19 Trans border impacts

An important fact is that the prevailing winds' direction in the area is from the West - Northwest, i.e. opposite to the Republic of Serbia.

*The South mine with all its units is a potential major emitter of fine dust emissions at long distances, emissions of exhaust gases from quarry equipment and transport of dust and gas emissions from the crushing compartment and the flotation factory. **Dispersion of these emissions towards the Republic of Serbia, however, is unlikely, due to the remoteness of the mine***

Direct or indirect contamination of ground and surface waters, degrading their quality, is not expected.

Trans border effects are not expected.

Page 19-20 Proposed mitigation measures

Moistening of roads, stacking areas, tailings ponds etc. in dry periods

...

Investor's commitment to provide alternative drinking water supply in case the activities included in the investment plan distort the water supply of neighborhoods in the area

Page 20 Earth subsurface

*Drilling and blasting in a way that will avoid negative seismic or other impact on existing elements **of the technical infrastructure;***

Page 21 Flora and fauna

Implementation of fire safety measures.

The routes for motor vehicles, excavated material, rocks and backfill follow existing forest roads to avoid the cutting of trees;

Biological recovery with native plant species;

Study of the slow-moving species in order to move them away from the territory of new mining areas;

Note - we have not included full description of the mitigation measures, because the majority of them are cited above.

Yet again - for detailed information concerning the entire Investment plan see **Document No2**, please.

The source of the above information is an official document prepared by the Investor's company. We received a copy of Document No2 from MOEW under a request in accordance with the Public Information Access Act.

.....

End of citations

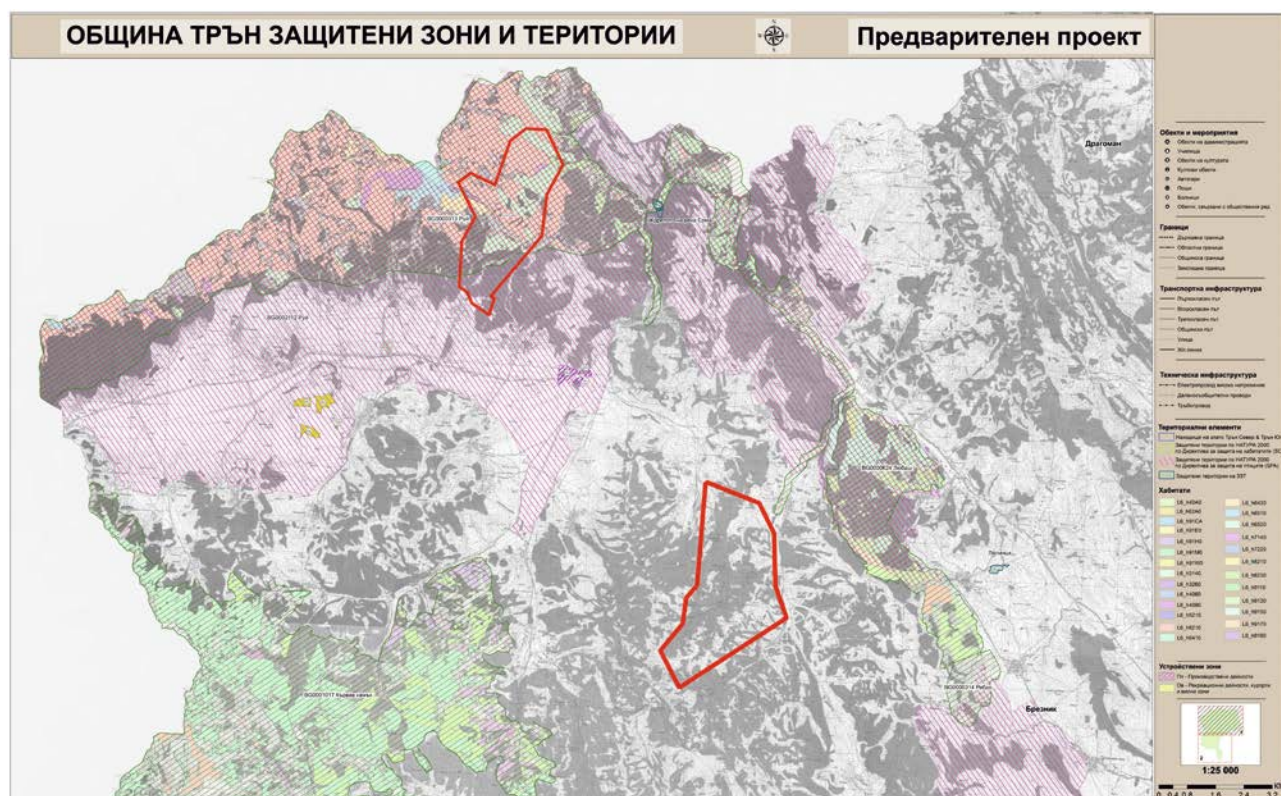
Now, at this point we can't help sharing a brief comment:

One can hardly imagine such an arrogant attitude towards human beings. Once the population scarcity is a favorable advantage, so the people in those villages can be wasted easily, yet another advantage will be the new coming workers in a depopulated region, and the mine will have cumulative effects on the workers - these effects are not mentioned, but everyone knows what they would be, and the winds are blowing towards our people, not to Serbia thankfully? And blasting will be carried out in such a way, only to protect the infrastructure, not the poor peoples' houses that are 160 meters away from the area of the blast?

But the region is depopulated only in the winter. During summertime and on holidays as well, it's full of tourists and it's full of children, visiting their grandparents and their land of origin to have a contact with its genuine nature - it is the Bulgarian tradition. And the end houses are 160 meter away from the open pits, while the flying rocks danger zone was 400 meters, and not a word about uranium in the entire description of the plan! **And the state authorities have swallowed the above - all of it they have, just to agree with the further project's development. Some state that we are all living in, it is.**

Here are the maps of the region, downloaded from the project of the future Trun municipality Spatial Plan:

Map of the Natura 2000 sites



To be enlarged and studied in detail the map can be downloaded from the following link:
http://dams.reki.bg/uploads/Docs/Files/TRUN_NATURA2000.jpg

Map of the villages and cities in the area

On date unknown RIEW Pernik, following the order of MOEW, cancelled the procedure - with a letter to the investor No ПЕ-1-П/2013.

On August 21st 2013 by a decision No 179/21.08.2013 of the minister of Environment and waters, the above decision of RIEW Pernik was overruled, never mind that it was taken pursuant to a previous order of the same minister!

On December 30th 2013, after a consultation between BDDR and RIEW Pernik, BDDR issued another decision No 6758/30.12.2013. It says that the Investment Plan will have trans border effects. Much more important - in that letter the point is once again stressed on the fact, that - ***the implementation of the Investment Plan will compromise the environmental objectives of the Danube region RBMP2010-2015 for the groundwater bodies and for the zones of groundwater protection.***

Proof - Document No5 - see the last highlighted text on page 2, please.

Note that this letter is signed by a new BDDR director - Toma Terziev

Note:

The source of the above chronology is **Document No 3**. After the last BDDR letter, for a year and three months no activity is registered. Then, all of a sudden:

On March 24th 2015, another letter of BDDR No 2162/24.03.2015 is sent to MOEW, containing the following statement once again:

... BDDR confirms the statements issued /our numbers No 2427/08.04.2013 and No 6758/30.12.2013/, concerning the Investment plan eligibility in accordance with the Danube region RBMP 2010-2015.

This letter simply means that the Investment plan still does not comply with the Danube region RBMP 2010-2015, as it is written in the previous letters of BDDR. However, this letter of BDDR is not mentioned in Document No3, but here it is:

Proof - Document No6 - see the last text on page 2, please.

Note that this letter is signed by a new BDDR director - Petar Dimitrov

Finally, on September 8th 2015, the same BDDR director issued yet another letter No 2162/08.09.2015, saying "almost" the same:

... BDDR confirms the statements issued, concerning the project's eligibility, namely that the Investment plan is unacceptable, pursuant to the environmental measures and the objectives to achieve good water status, set in the Danube region RBMP 2010-2015.

UNLESS, in accordance with the opinion of the regional Water Supply Operator, the underground shafts impact is proven within the EIA procedure....

Proof - Document No7 - see the last text on page 3, please.

Note that this letter is signed again by the same BDDR director - Petar Dimitrov. He has learned some lessons after all, hasn't he?

CONCLUSIONS

The first conclusion to be drawn is that the BDDR director's cabinet is a very windy spot and they fall down on the ground like apples, ripe enough to prove Sir Isaac Newton's theory of gravity.

Aside from the inappropriate joke, the question is - who is competent, when the regional groundwater bodies' status is concerned? It is not the water supply operator otherwise the RBMP's wouldn't have been prepared by the RBDs, with all those studies carried out and all the measures included. The overall operational area of the Mine will be some **20 km²**, there will be drilling and blasting in cracked rocks containing uranium,

water will be used for the drilling and for moistening against the dust, there will be blasting in open pits, with **13 /thirteen/ drinking water catchments** from groundwater sources in the nearest vicinity of the mines. Who needs to prove anything within an EIA procedure of a single project, when the SEA and the AA of the RBMP have proven a ban on such project's implementation, as being necessary to achieve the objectives concerning the groundwater bodies' status?

And there is a bigger problem here - the water supply operator is responsible only for the drinking groundwater catchments and is supposed to check the water quality, but the same operator is not responsible for the status of the groundwater body. Yet there are small wells at every house's yard in the area. The water quantity of such wells is very small and is used mainly for irrigation purposes and cattle breeding. However, in some of the remote neighborhoods in the region, the water of such wells is used for drinking too, because there is no other water supply - this is the Bulgarian tradition. Now - what will happen to those wells? They all use the waters of the groundwater body, which is not within the responsibilities of the water supply operator. It is a responsibility of the BDDR.

The wells that are close to the mine will dry up, due to the drainage system of the mine.

The remote wells will be subject to groundwater pollution and contamination, and there will be no one to check the water quality! Then - how long will it take for contamination to be discovered and what will be the indicator - some acceptable casualties?

Maybe all of the above won't happen acc. to the IP description, but then again, why does the investor declare:

...commitment to provide alternative drinking water supply in case the activities included in the investment plan distort the water supply of neighborhoods in the area.

Seems that he knows something, that the competent state authorities do not, but then it will be too late - there is uranium in those rocks, remember? That is why the Pravna River, running nearby the closed and sealed old Zlata mine, still shows radioactivity and will keep showing it forever.

Present status of the administrative procedure

In the last year biodiversity monitoring was carried out. The next step will be an EIA/AA preparation. Financed by the investor, it is a great concern to us. We have shown how such assessments are prepared in Bulgaria so many times, to be sure enough that everything will be proven by the EIA to be OK. In Bulgaria there isn't a single environmental assessment that has proven the project unacceptable or inappropriate.

However, if anyone reads carefully the Management plan of the Erma River Gorge Natural Landmark /see page 1 of **Document No 9**, please/, he will find that **the regimes of the Landmark prohibit:**

3. Hunting, shooting, egg collection, fishing, as well as all other activities, which impair or destroy the protected site.

And there will be blasting two kilometers away, and 30 tons heavy trucks will be passing nearby ten times per hour?

And if anyone reads carefully the Ordinance for the announcement of the **Ruy BG0002112** Birds directive site /see the last page of **Document No 8**, please/, he will find that **the regimes of the site prohibit:**

6.1. The removal of landscape features...

... while in the project's description, on page 12 it is written:

The project activities within the investment plan will lead to long lasting and irreversible changes in the functions and the structure of the landscape.

IMPORTANT:

In the RIEW Pernik assignment for the preparation of the EIA/AA on the project's impact, the cited ban, set in paragraph 6.1 of the Ordinance, is skipped, meaning that the ban is not supposed to be taken into consideration within the AA procedure. This action of RIEW Pernik presents a huge infringement of the Birds and the Habitats directives. The only explanation is that the director of RIEW Pernik obviously knew what happened to the previous directors of BDDR...

Much more important - the RIEW Pernik decision is taken over a false Investment Plan description, in which the fact that those rocks in the area contain uranium is deliberately kept in secret.

There is a huge infringement of the Habitats directive too, because the Habitats directive site Ruy BG0000313 hosts priority habitat types and priority species - see the following section D. for details, please.

And there is a huge infringement of the WFD as well, since the Minister of environment and waters is not supposed to cancel a decision of the competent BDDR, when it strictly follows the measures, included in the RBMP for the aim to achieve/maintain good status of the water bodies. Otherwise there is no sense in the preparation of such Plans and all the measures they contain, if every minister can skip them, having also in mind that the Plan is approved and announced by the Council of the Ministers. Hence the Minister of environment and waters is not competent enough to do a thing like that.

The case of the Trun Mine is also investigated by the most popular TV broadcasting program here. Staring - the RIEW Director, and the reporter is wondering like us - **how can an EIA be trust worthy, when it's paid by the Investor:**

<http://gospodari.com/mobile/риосв--перник-спира-предложението-за-златодобив-в-трън.html>

A subsequent journalist investigation following the TV broadcast from the link above discovered another brutal violation of the administrative procedures. In 2009, the Minister of Environment and Water Nona Karadjova, has agreed to an Annex with the investor - №2/ 10.07.2009, to extend the exploration activities contract, while the same minister Karadjova has taken the position of a minister on 27.07. 2009. i.e. 17 /seventeen/ days later? In other words - she, as a minister, extended the term of the contract 17 days earlier than then the date on which she became a minister. The reason was simple - the contract expiry date was 11.07.2009 and the previous minister has refused to extend the contract obviously. It proves once again what the senior state environmental protection officials are capable of, when they are properly stimulated by a private investor's interest.

Proof - subsequent report by the same TV broadcast program

<http://gospodari.com/министър-който-не-е-встъпил-в-длъжност-подписва-договор-свързан-с-концесията-за-златодобив-в-трънско--video117040.html>

Note:

We hope now that DG Environment will take the above infringements into consideration. It is not a case in which an EIA or AA can solve a problem, not that they do solve any problems in our country anyway. It is a case in which the preparation of an EIA/AA shouldn't have been ordered in the first place. A special ban set by the Danube RBMP and approved by a SEA and an AA of the entire RBMP as necessary to achieve the objectives of the entire Plan, cannot be disregarded by the preparation of an EIA or AA for an individual project, which is in breach of the same ban included in the same strategic Plan. Neither can the ban, set by the BG Biodiversity Act in accordance with article 6.3 of the Habitats Directive on such project's implementation in a Natura 2000 habitats directive

site hosting priority habitat types and priority species, be skipped. A gold mine is not a question of overriding public interest after all. The fact that the investor has tried to hide from the competent authorities the presence of uranium in the ore is a "minor" issue only and another one is the absence of a single word in the entire project's description about how will the waste material be treated.

C. The project's overall impact

We have vast experience with another mine belonging to the same investor - the Asarel Medet mine. The Medetska River is dead, as well as the bigger Topolnitsa River - from the confluence with Medetska, to the next tributary river - Bunovska. Through the years, after heavy rainfalls some poisonous amounts are discharged into the Medetska River on a regular basis, to kill the entire life in the Topolnitsa River for many kilometers downriver.

However, **besides the presence of uranium in the rocks**, everything else is written in the Investment plan's description fair and square. Here it is:

First - there will be the noise...

There will be noise all over the place - if anyone has any doubt, then read the IP description once again - the underground and open pit detonation of **17.8 tons** of blast per week, the heavy truck transport etc. etc.

Second - there will be the dust...

There will be dust all over the place - if anyone has any doubt, then do the reading once again, but this time read about the flotation factory and the tailings ponds as well.

Then - there will be seismic waves...

There will be seismic waves all over the place - they will be initiated some 160 meters away from houses, with living people in the neighborhood, in a region considered to be with the highest seismic hazard in Bulgaria.

Then - there will be groundwater pollution and contamination...

If anyone has any doubt, then read those three consecutive rejections of the IP, issued by BDDR, then read the fourth rejection once again. Everyone knows that pollution and contamination will be all over the groundwater bodies, due to the blasting and drilling in cracked rocks, containing uranium. Yes the galleries will be backfilled in the end, but is the backfill safe enough and what will happen until then? The shafts will enter the groundwater levels - did you read that? And there is uranium in the rocks..., while *the task of ensuring good status of groundwater requires early action and stable long-term planning of protective measures!* - see paragraphs (26) and (28) of the WFD.

Then - there will be surface water pollution and contamination...

Needless to say that groundwater and surface water bodies are connected and if the first one is contaminated, it will affect the second. The same is written in the WFD. And after each and every rainfall - all the surface dust will be dragged into the rivers. And the Pravna River passing by the South Mine will be poisoned - just like Medetska River near Asarel Medet, then the Yablanitsa River which Pravna is tributary to, and then the Erma River. One single difference from the Asarel Medet Mine - the Erma River in our case is 5 /five/ times smaller than Topolnitsa and it goes to Serbia in the end.

Then - there will be biodiversity loss...

The seismic waves, the dust, the noise, the water contamination - shall we proceed? Just a small detail though - wild animals are much more sensitive than human beings, hence the radius of the impact area, cited in the IP description, must be multiplied how many times?

Then - there will be social problems...

We shall discuss the matter in detail in the following section F.

Yes - there will be a benefit.

Up to 500 jobs? Still, the meaning of the words "up to" remains unclear.

MOST IMPORTANT

The information about the blast quantity is included in **Document 2A** - the full description of the Investment Plan. See the top lines of page 13, please.

The information about the presence of uranium can be found in the following link:

<http://www.tranonline.info/content/uran-i-radiy-ot-6-do-200-pti-nad-predelno-dopustimata-norma-na-mina-zlata-0>

... and in **Document No10** - it is a study, carried out in 1994-1997 by an independent company after the sealing of the old gold-uranium Zlata mine. The report contains dosimetric and radiometric analysis results from a survey, carried out in the vicinity of the Zlata mine.

It should be noted that it was an underground mine and that the survey was carried out after the mine was sealed. Here is what the Report says at the bottom lines on page 5:

The drainage water overall beta activity is two to seven times the limit rate...

Document No11 contains another proof - it is a geological report concerning the old Zlata mine development, prepared in 1987, during Socialist times. On the last page it says the following:

... ten ore bodies of rich uranium mineralization - 0.035-0.135%, are present. Contrast mineralization ore lenses are discovered, containing uranium up to 0.688 and 1.610%.

The meaning of the above is - up to 0.688 - 1.610 kilograms uranium per ton of excavated material, with 35 - 135 grams uranium per ton at the average. And the Investment Plan's description talks about 1.84 - 2.0 grams of gold per ton material? Is this really going to be a gold mine, or a uranium mine, or what? Uranium mining is prohibited in our country for good. It will cause a devastating impact on the ground and surface water bodies' chemical status, not to mention the dust in the air, etc.

D. The Habitats directive site Ruy BG0000313

It's obvious that all the impacts, described in the previous section, will be in effect for the Habitats directive site.

We will stress the point on only one other major problem here - **17.8 tons of blast, detonated every week**, in a Mine that is a matter of a 35 years concession? Let's take it that the blast will not be detonated in its full capacity during the entire concession period. Let's take one half of it - it means that the overall blast quantity for the entire period will be about **16 kilotons** - just a bit more than the nuclear bomb in Hiroshima, or maybe we should take one half of that...

And it is declared in the IP description that detonation will be carried out once a week. We do not believe it - 17.8 tons are too much for a single blast. And even if it's true - then it would have a devastating impact.

Then again - is it possible that the wild animals would stay in the vicinity? Obviously it is not - they will be forced to run away in the nearby areas that are not affected. Yet some of them are very small and/or slow moving and there is a mitigation measure in the Plan for them:

Study of the slow-moving species in order to move them out of the territory of new mining areas...

But then the question is - how far shall we move these species, if the seismic waves are felt like "*weak*" by human beings at a distance of 500 meters? And the south mine is 200 meters away from the boundaries of the Natura 2000 Habitats directive site, which means - the protected part of Pravna River!

Why only in the territory occupied by the new mining areas, but not in a much wider zone /considering the dust and the noise/, the broadness of which is unknown to anyone? And who will catch those species to be sure enough that all of them were

caught, or any acceptable part of them, and what part of them will be considered acceptable? Who will choose the new territories, based on what criteria? This is not a mitigation measure, it is nonsense.

What about big animals? They will hopefully be able to reach an area that is not affected alright. But will that area be able to provide food and other living conditions to suffice for all the newcomers, considering that it is already inhabited and occupied by the same kind of animals? In a Natura 2000 Habitats directive site?

IMPORTANT

The Habitats directive site Ruy BG0000313 hosts the following priority habitat types and priority species:

HABITAT TYPES:

6110 * Rupicolous calcareous or basophilic grasslands of the Alysso-Sedion albi

6210 * Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco Brometalia)(*important orchid sites)

91E0 * Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (Alno-Padion, Alnion incanae, Salicion albae)

9180 * Tilio-Acerion forest of slopes, screens and ravines

40A0 * Subcontinental peri-Pannonic scrub

91H0 * Pannonian woods with *Quercus pubescens*

9530 * (Sub-)Mediterranean pine forest with endemic black pines

ANIMAL SPECIES:

* **Canis lupus**

* **Ursus arctos**

* **Austropotamobius torrentium**

* **Rosalia alpina**

Full information on the protected species can be downloaded from the following link:

http://natura2000.moew.government.bg/PublicDownloads/Auto/PS_SCI/BG0000313/BG0000313_PS_17.pdf

Then, in accordance with Council Directive 92/43/EEC, article 6.3:

- **Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.**

E. The Birds directive site Ruy BG0002112

In the Ordinance for the announcement of the **Ruy BG0002112** Birds directive site - **Document No 8**, all the bird species subject to protection are specified, therefore we shall not repeat them here.

However, we are not experts in birds, but have some knowledge to be sure enough that the negative impacts, concerning all the other species, will more or less be in effect again. The only difference is that most of the birds can get away more easily and that's exactly what will happen.

We have every reason to believe that the **Ordinance for the announcement of the Ruy BG0002112** Birds directive site was prepared by someone, who knows birds much better than us. On the last page of **Document No 8**, the regimes for the Birds Directive site are listed. **There is a ban for:**

6.1. The removal of landscape features /headlands, single- and groups of trees, protective forest belts, stone fences and hedges/, when using the agricultural areas as such.

.....
6.3. The use of pesticides and fertilizers in grassland and meadows

In the light of the above two bans, how can a Gold Mine be in compliance with the regimes of the Birds directive site, when there will be cutting of trees at an unknown range and number - for the mining and for the forest roads that will have to be built or widened for the heavy trucks. When there will be noise from blasting, heavy truck transport etc., and there will be dust all over the place /radioactive to some extent, which is not known yet/, and according to the Investment Plan's description:

The project activities within the investment plan will lead to long lasting and irreversible changes in the functions and the structure of the landscape.

And what about the protection and wellbeing of the human beings? We will find the answer in the following section.

F. The horizontal social problem again.

We have mentioned many times the impacts of the new Trun Mine on human health and will not repeat them once again. Neither shall we repeat the negative effects on the chances for local rural development and tourism, never mind that one of the purposes for the establishment of those Natura 2000 sites is directly connected to the so called "ecosystem services" in the area. These services and the chances for development will die after the first blast in the area, with the first heavy truck that will move the excavated material from the North Mine to the West Mine, passing nearby the Erma River Gorge.

But the locals are aware like us, of what is happening around another mine of the same investor - the Asarel Medet Mine, near the city of Panagyurishte and they don't want the same fate for themselves. They are also aware of the infringements of the Bulgarian law and of the EU directives as well. They are also well aware of the fact that, acc. to the investment plan, the biggest advantage of the plan is its implementation in a scarcely populated area, meaning that they can easily be wasted, and they are well aware of the willingness of MOEW to buy the idea. **But they are also well aware of their rights!**

Therefore they will not allow the project's implementation to take place. There have been two protests already - one in the city of Trun and another one in front of the MOEW headquarters in Sofia.

Here is the proof for the protest in the city of Trun:

http://offnews.bg/news/Ikonomika_59/Tran-na-protest-Ne-iskame-zlato-a-chista-priroda-snimki-i-video_641851.html#ad-image-0

Here is the proof for the protest in Sofia:

<http://www.dnes.bg/stranata/2016/12/13/tryn-skochi-sreshtu-dobiv-na-zlato-v-natura-2000.325400>

Here is a petition too

<http://www.petitions247.net/151264>

Now here is the horizontal social problem - once again MOEW is taking controversial decisions in breach of the environmental BG legal framework and of the relevant EU Directives, only in the interest of a single investor, opposed to the public interest of saving nature - which one of them can be defined as a matter of *overriding public interest*? And yet again too much social energy was wasted insofar for protests, petitions etc., and much more energy is going to be spent in the future

It turns out that people here are wasting energy to fight with the Ministry of Environment only to protect nature from those, who are expected and supposed to protect it? And the administration hasn't learned the most important lesson - they will always lose against the local people.

During the second protest in Sofia, a petition was submitted to the minister, asking for additional measures to be included in the new Danube Region RBMP 2016-2021. They were only partially accepted and included in the RBMP. The most relevant new measure rules the following:

In the permits for all future investment activities in the territory of the Danube region, a term for termination of the activity should be included in the cases of revealed deterioration of the qualitative and quantitative indicators of the surface and ground waters, caused as a result of the activity, proven by the monitoring data, unless a derogation is granted by the Water Act, articles 156b - 156e.

Now this one is a good measure, but it will only act *post factum*, meaning that the precautionary principle set in paragraph (11) of the WFD is disregarded.

There are two other new measures, but in the case of the Investment Plan we are discussing here, they can be outsmarted easily.

G. Union laws (e.g. Treaties, regulations, directives, decisions) or principles underpinning Union law that we believe to have been breached by the authorities of the country

- **Directive 2001/42/EC** of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment:
 - **Article 3(2)(a)**
- **2. Subject to paragraph 3, an environmental assessment shall be carried out for all plans and programmes,**
- **(a) which are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management...**
 - Article 8
- The environmental report prepared pursuant to Article 5, the opinions expressed pursuant to Article 6 ... shall be taken into account during the preparation of the plan or programme and before its adoption or submission to the legislative procedure.
 - Article 11

Relationship with other Community legislation

- 1. An environmental assessment carried out under this Directive shall be without prejudice to any requirements under Directive 85/337/EEC and to any other Community law requirements.
- 2. For plans and programmes for which the obligation to carry out assessments of the effects on the environment arises simultaneously from this Directive and other Community legislation, Member States may provide for coordinated or joint procedures fulfilling the requirements of the relevant Community legislation in order, *inter alia*, to avoid duplication of assessment.

- 3. For plans and programmes co-financed by the European Community, the environmental assessment in accordance with this Directive shall be carried out in conformity with the specific provisions in relevant Community legislation.
- **Directive 2000/60/EC** of the European Parliament and of the Council establishing a framework for Community action in the field of water policy

(1) Water is not a commercial product like any other but, rather, a heritage which must be protected, defended and treated as such.

(3) The declaration of the Ministerial Seminar on groundwater held at The Hague in 1991 recognized the need for action to avoid long-term deterioration of freshwater quality and quantity and called for a programme of actions to be implemented by the year 2000 aiming at sustainable management and protection of freshwater resources. In its resolutions of 25 February 1992(6), and 20 February 1995(7), the Council requested an action programme for groundwater and a revision of Council Directive 80/68/EEC of 17 December 1979 on the protection of groundwater against pollution caused by certain dangerous substances(8), as part of an overall policy on freshwater protection.

(11) As set out in Article 174 of the Treaty, the Community policy on the environment is to contribute to pursuit of the objectives of preserving, protecting and improving the quality of the environment, in prudent and rational utilization of natural resources, and to be based on the precautionary principle and on the principles that preventive action should be taken, environmental damage should, as a priority, be rectified at source and that the polluter should pay.

20) The quantitative status of a body of groundwater may have an impact on the ecological quality of surface waters and terrestrial ecosystems associated with that groundwater body.

(26) Member States should aim to achieve the objective of at least good water status by defining and implementing the necessary measures within integrated programmes of measures, taking into account existing Community requirements. Where good water status already exists, it should be maintained. For groundwater, in addition to the requirements of good status, any significant and sustained upward trend in the concentration of any pollutant should be identified and reversed.

(28) Surface waters and groundwaters are in principle renewable natural resources; in particular, the task of ensuring good status of groundwater requires early action and stable long-term planning of protective measures, owing to the natural time lag in its formation and renewal. Such time lag for improvement should be taken into account in timetables when establishing measures for the achievement of good status of groundwater and reversing any significant and sustained upward trend in the concentration of any pollutant in groundwater.

Article 1

Purpose

The purpose of this Directive is to establish a framework for the protection of inland surface waters, transitional waters, coastal waters and groundwater which:

- **(d) ensures the progressive reduction of pollution of groundwater and prevents its further pollution, and**
- **Article 4**
- 1. In making operational the programmes of measures specified in the river basin management plans:
 - (a) for surface waters
 - **(i) Member States shall implement the necessary measures to prevent deterioration of the status of all bodies of surface water, subject to the application of paragraphs 6 and 7 and without prejudice to paragraph 8;**
 - (ii) Member States shall protect, enhance and restore all bodies of surface water, subject to the application of subparagraph (iii) for artificial and heavily modified bodies of water, with the aim of achieving good surface water status at the latest 15 years after the date of entry into force of this Directive, in accordance with the provisions laid down in Annex V, subject to the application of extensions determined in accordance with paragraph 4 and to the application of paragraphs 5, 6 and 7 without prejudice to paragraph 8;
 - **(b) for groundwater**
 - (i) Member States shall implement the measures necessary to prevent or limit the input of pollutants into groundwater and to prevent the deterioration of the status of all bodies of groundwater, subject to the application of paragraphs 6 and 7 and without prejudice to paragraph 8 of this Article and subject to the application of Article 11(3)(j);
 - (ii) Member States shall protect, enhance and restore all bodies of groundwater, ensure a balance between abstraction and recharge of groundwater, with the aim of achieving good groundwater status at the latest 15 years after the date of entry into force of this Directive, in accordance with the provisions laid down in Annex V, subject to the application of extensions determined in accordance with paragraph 4 and to the application of paragraphs 5, 6 and 7 without prejudice to paragraph 8 of this Article and subject to the application of Article 11(3)(j);
 - (iii) Member States shall implement the measures necessary to reverse any significant and sustained upward trend in the concentration of any pollutant resulting from the impact of human activity in order progressively to reduce pollution of groundwater.
 - **(c) for protected areas**
 - **Member States shall achieve compliance with any standards and objectives at the latest 15 years after the date of entry into force of this Directive, unless otherwise specified in the Community legislation under which the individual protected areas have been established.**
- 2. Where more than one of the objectives under paragraph 1 relates to a given body of water, the most stringent shall apply.
- **Article 7**

- **Waters used for the abstraction of drinking water**
- **2.** For each body of water identified under paragraph 1, in addition to meeting the objectives of Article 4 in accordance with the requirements of this Directive, for surface water bodies including the quality standards established at Community level under Article 16, Member States shall ensure that under the water treatment regime applied, and in accordance with Community legislation, **the resulting water will meet** the requirements of Directive 80/778/EEC as amended by Directive 98/83/EC.

- **Article 11**

Programme of measures

- **1.** Each Member State shall ensure the establishment for each river basin district, or for the part of an international river basin district within its territory, of a programme of measures, taking account of the results of the analyses required under Article 5, in order to achieve the objectives established under Article 4. Such programmes of measures may make reference to measures following from legislation adopted at national level and covering the whole of the territory of a Member State. Where appropriate, a Member State may adopt measures applicable to all river basin districts and/or the portions of international river basin districts falling within its territory.
- **Council Directive 92/43/EEC of 21 May 1992** on the conservation of natural habitats and of wild fauna and flora
- **Article 6**
- **1.** For special areas of conservation, Member States shall establish the necessary conservation measures involving, if need be, appropriate management plans specifically designed for the sites or integrated into other development plans, and appropriate statutory, administrative or contractual measures which correspond to the ecological requirements of the natural habitat types in Annex I and the species in Annex II present on the sites.
- **2.** Member States shall take appropriate steps to avoid, in the special areas of conservation, the deterioration of natural habitats and the habitats of species as well as disturbance of the species for which the areas have been designated, in so far as such disturbance could be significant in relation to the objectives of this Directive.
- **3.** Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.
- **4.** If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member State shall take all compensatory

measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

- Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.

DIRECTIVE 2009/147/EC on the conservation of wild birds

- (6) The measures to be taken must apply to the various factors which may affect the numbers of birds, namely the repercussions of man's activities and in particular the destruction and pollution of their habitats, capture and killing by man and the trade resulting from such practices; the stringency of such measures should be adapted to the particular situation of the various species within the framework of a conservation policy.
- (7) Conservation is aimed at the long-term protection and management of natural resources as an integral part of the heritage of the peoples of Europe. It makes it possible to control natural resources and governs their use on the basis of the measures necessary for the maintenance and adjustment of the natural balances between species as far as is reasonably possible.
- (8) The preservation, maintenance or restoration of a sufficient diversity and area of habitats is essential to the conservation of all species of birds. Certain species of birds should be the subject of special conservation measures concerning their habitats in order to ensure their survival and reproduction in their area of distribution. Such measures must also take account of migratory species and be coordinated with a view to setting up a coherent whole.

Bern Convention

The aim of this convention is to ensure the conservation of European wildlife and natural habitats by means of cooperation between States.

The parties undertake to:

- promote national policies for the conservation of wild flora, wild fauna and natural habitats;

Decision by the European Court of Justice on 01.07.2015:

Article 4(1)(a)(i) to (iii) of Directive 2000/60/EC [the Water Framework Directive] must be interpreted as meaning that the Member States are required — unless a derogation from Art 4(7) is granted — to refuse authorization for an individual project where it may cause a deterioration of the status of a body of surface water or where it jeopardizes the attainment of good surface water status or of good ecological potential and good surface water chemical status by the date laid down by the directive.

H. Does the EU country concerned receive EU funding relating to the issue that prompted your complaint, or may it receive such funding in future?

To our knowledge - River Basin Management Plans 2010-2015 were prepared using Community funding, and so were all proceedings on Natura 2000 Habitats and Birds Directives Protected Area Sites.

III. LIST OF DOCUMENTS / EVIDENCE

Document 1 - Trun municipality Development Plan 2014-2020

Document 2 - Investment Plan description - tabular form

Document 2A - Investment Plan full description

Document 3 - RIEW Pernik letter 2015

Document 4 - BDDR letter No1 - 2013

Document 5 - BDDR letter No2 - 2013

Document 6 - BDDR letter No3 - 2015

Document 7 - BDDR letter No4 - 2015

Document 8 - Ruy BG0002112 Birds directive site announcement

Document 9 - Erma River Gorge regimes

Document 10 - dosimetric and radiometric analysis Protocol

Document 11 - Zlata Mine geological report

IV. APPEALS/LEGAL ACTIONS/ OTHER ACTIONS

All the actions we have taken insofar are described in the previous complaints. The actions, taken by the local people of the Trun municipality are described in section F. of this document.

We have tried to contact EU Institutions to request help on similar issues already. On June 30th 2015 we lodged the initial Complaint - DG Environment case file ID number CHAP(2015)02363. On January 6th 2016 we lodged the Appendix 1 to the original Complaint, which was accepted under the same ID number. On June 20th and on October 3rd 2016 we lodged the Appendix 2 and 3 respectively - we received no feedback for them, but hope that they are accepted under the same ID number.

There is no answer yet to any of the above complaints, that's why we hope that this document will be considered as an integral part of the previous complaints.

We do not believe that SOLVIT is better placed to deal with this problem.

V. CONFIDENTIALITY – DATA PROTECTION

We authorize the Commission to disclose the identity of Balkanka Association and/or the identity of our representative in its contacts with the Bulgarian state authorities, against which we are lodging this complaint.

Actually, we have sent copies of the previous complaints to MOEW, so they are pretty well aware of our actions. Having nothing to hide, we will send a copy of this document too.

VI. AIM OF THE COMPLAINT

Ladies and gentlemen,

In the original Complaint the aim was thoroughly described. We will not repeat that once again, only with the following exception:

Natura 2000 means nothing in Bulgaria never mind the EU money that were spent for it. It is quite clear now that the MOEW is not taking any measures to protect the Habitat and Birds directive sites but, on the contrary - such sites destruction has been done with the explicit permission of MOEW. The same will inevitably happen to the Natura 2000 sites in the impact area of the future Trun Mine, therefore the project must be stopped for good!

If anyone has any doubt - come here and see the dead Medetska River in the impact area of the other mine belonging to the same investor. Then have a tourist trip in the city of Panagyurishte and don't forget to go around the brand new Oncology Clinic there. It is the only tourist site worth sightseeing in the city.

In our contacts with DG Environment we have learned our lessons, namely that things are done in a precautionary manner, requiring some time for our complaints to be studied and be dealt with.

However, the final decision for the Investment Plan we are discussing here, will be taken by RIEW Pernik around the beginning of September 2017. We, therefore, hope that all our previous complaints will be put aside for a while, so that DG Environment can deal with this particular one, because it really is urgent. If the plan receives authorization and if the digging and the blasting start, then it will be too late.

Full description of the actual infringements of the EU Directives can be found in section B. of this document.



One last thing - to our knowledge, DG Environment has opened an infringement procedure against Bulgaria, concerning the dust pollution in the air. In this respect we here display a case that will lead to a significant increase of the dust and gas emissions in the air, within and beyond the area of the project's implementation. Therefore we hope that the problem will be taken into consideration by DG Environment. Otherwise there will be radioactive dust all over the place, produced by unknown how many kilotons of blast detonated during the entire project period of the concession.

Thank you for your kind understanding and cooperation.
"Nature has all the time in the world, we do not".

Place, date and signature of complainant/representative:

Representative for this complaint:

Sofia, Bulgaria
14.01.2017


/dipl.eng. Dimitar Koumanov/
Member of the board


VII. SUPPORT:

The following organizations affirm to have witnessed the damage caused by Gold mining in Bulgaria and declare their utter support to the aim of this complaint:

"Ruy" Association:

Chairman of the board: /Alexander Gyurov/



Bulgarian Kayak Society:

Chairman of the board: /Dimitar Manev/



Flyfishing club "Stari Vidry" Sofia:

Chairman of the board: /Stanislav Mankov/



Bulgarian Flyfishing Federation:

Chairman of the board: /Dancho Savov/



Sofia, Bulgaria
14.01.2017