

Madrid, 11 november 2016

Dear Minister,

With reference to your letters dated 3 and 8 October, manifestating your interest in participate in the environmental impact assessment procedure of a Individualised Temporary Storage facility (ATI) of spent fuel in Almaraz Nuclear Power Plant, we would like firstly to express that the Spanish Government fully shares the interest to ensure the population safety and the environmental protection at any moment, as well as to cooperate closely with Portuguese Authorities all along the proceess.

Accordingly, as you are aware, a direct communication has been adopted between both administrations, in both technical and institutional level, through the Spain ambassador, to guarantee that Portuguese Authorities will be promptly and transparently informed about the process.

Additionally, we would like to traslate the confidence in the procedure that has been carried out in strict accordance with the normative, and the principles arising from our commitment within the European Union and the IAEA.

In this context, we consider that the bilateral cooperation agreement on nuclear border facilites safety signed between Spain and Portugal, in Lisbon, on the 31st march of 1980, is a valuable instrument for cooperation between both countries.

The provisions of that agreement establishes, *inter alia*, the criteria for distance for characterise the border nuclear facilities. These provisions have been strictly applied in the authorisation dossier of the ATI.

It's worth recalling that spanish nuclear power plants meet all the conditions establish by the Nuclear Safety Council, the independent body and the competent authority to supervise the operation conditions, safety and radiological protection in nuclear power plants in Spain. In this regard, we would like to point out thar this Organism has verify that the design of the container model complies with all required safety conditions.

Regarding the authorisation procedure of the ATI Almaraz, we kindly inform that it started in August 2015, on request of the holder, as a temporary spent fuel storage within the nuclear power plan plot.

This ATI, is basically, a reinforced concrete floor of 51 by 20 m², and one metre thick, below ground level, with a perimeter wall 5 metres high. It has capacity for 20 containers. It is similar to ATIs in others nuclear power plants, like Jose Cabrera NPP; Asco I NPP or Asco II NPP:

The enviromental impac assesment procedure of this ATI has been conducted in accordance with the spanish environmental impact assesment law (Law 21/2013, 13 of december 2013) and the Directive 2011/92/UE. The Spanish Minister for Agriculture, Fisheries, Food and Environment has evaluated the possibility of any significant transboundary environmental effects in portuguese territory, concluding that the project will not have any environmental transboundary impact.

Based on the principle of mutual cooperation, that drives the relations between both countries, and in accordance with the provisions of Directive 2011/92, and the agreement in cooperation establish in the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and the Protocol between both countries in the enviromental impac assesment of projects and plans with transboundary effects, we kindly mail you all relevant documentation and a copy of the decisión of the ATI declaration of environmental impact.

Finally, we would like once again to reiterate the firm determination of Spanish Govenment to continue to inform promptly the Portugal Govenment about the authorisation procedure, and in this respect we have already given instructions to the technical services concerned.

Minister of Energy, Tourism, and Digital Agenda

Álvaro Nadal Belda

Minister of Agriculture, Fisheries, Food and Environment

Isabel García Tejerina