



17.12.2009

## NOTICE TO MEMBERS

**Subject: Petition 1337/2008 by Nayden Chakarov (Bulgarian), with 12 signatures, on the Martiza-Iztock power plant and pollution of the area around the Bulgarian town of Stara Zagora**

### 1. Summary of petition

The petitioner refers to the severe pollution of the area around the Bulgarian town of Stara Zagora, which is caused by the Maritza-Iztok power plant. Only two of the power plant's eight units are equipped with sulphur cleaning units, which means that the power plant does not comply with applicable EU legislation, including Council Directive 96/61/EC concerning integrated pollution prevention and control and Directive 2001/80/EC of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from large combustion plants. The petitioner therefore calls on the European Parliament to ensure that the operation of the Maritza-Iztok power plant complies with the requirements of the abovementioned directives.

### 2. Admissibility

Declared admissible on 23 February 2009. Information requested from Commission under Rule 202(6).

### 3. Commission reply, received on 19 June 2009.

The petitioner raises concerns about the severe pollution of the area around the Bulgarian town of Stara Zagora caused by the Maritza-Iztok power plant. He complains about the operating conditions of the installation and about compliance with Directive 2008/1/EC concerning integrated pollution prevention and control (IPPC)<sup>1</sup> and Directive 2001/80/EC on

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<sup>1</sup> OJ L 24/8, 29.01.2008 (previously: Directive 96/61/EC, OJ L 257, 10.10.96, p. 26)

large combustion plants (LCP)<sup>1</sup>.

The Maritza-Iztok power plant in Bulgaria was to comply with the requirements of the IPPC Directive as of 30 October 2007 and with the LCP Directive as of 1 January 2008.

The Commission was previously in contact with the Bulgarian authorities asking for specific information on the implementation of the applicable community legislation related to the installations cited in this petition. The Bulgarian authorities provided the following information on the plant TPP 2 (part of the Maritza-Iztok power plant). The authorities recognised that the TPP 2 plant was to comply with the emission limit values of the LCP Directive as of 1 January 2008. It is currently operating in accordance with IPPC permits issued in 2005. Technical equipment for emission abatement has been installed and continuous measurement systems have been established.

On the basis of this information, the Commission has started a detailed assessment of the permit issued for this plant. This assessment aims at verifying compliance with the requirements of the IPPC and LCP Directives.

The Commission will assess the outcome of the case analysis and the way Directives 2008/1/EC and 2001/80/EC are being implemented as regards the plant concerned. Depending on the results of this analysis, the Commission will consider whether further steps need to be taken.

#### **4. Commission reply**, received on 17 December 2009.

As indicated in the first communication for this petition, the Commission has assessed the permit of this installation issued in application of Directive 2008/11/EC concerning integrated pollution prevention and control<sup>2</sup>. The result of this analysis is that the permit conditions are consistent with the provisions of that directive. Therefore, on these grounds, the Commission could not identify any breach of Community legislation.

The Commission will, however, constantly monitor the way Directives 2008/11/EC and 2001/80/EC on the limitation of emission of certain pollutants into the air from large combustion plants<sup>3</sup> are being implemented as regards the installation concerned and especially with regard to its compliance with the permit conditions.

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<sup>1</sup> OJ L 309, 27.11.01, p. 1

<sup>2</sup> OJ L 24, 29.1.2008, p.8-29

<sup>3</sup> OJ L 309, 27.11.2001, p. 1-21