Nuclear safety: financial assistance to decommissioning of Units 1 to 4 of the Kozloduy Nuclear Power Plant in Bulgaria, 'Kozloduy Programme'

2009/0172(NLE) - 13/07/2010 - Final act

PURPOSE: to lay down detailed rules for the implementation of Community's financial contribution of EUR 300 to address the decommissioning of Units 1 to 4 of the Kozloduy Nuclear Power Plant in Bulgaria.

LEGISLATIVE ACT: Regulation (Euratom) No 647/2010 of the Council on financial assistance of the Union with respect to the decommissioning of Units 1 to 4 of the Kozloduy Nuclear Power Plant in Bulgaria (Kozloduy Programme).

BACKGROUND: during the accession negotiations in 2005, Bulgaria agreed to the closure of Units 1 and 2 and Units 3 and 4 of the Kozloduy Nuclear Power Plant by 31 December 2002 and 31 December 2006, respectively and to the subsequent decommissioning of those units. The EU expressed its willingness to continue to provide financial assistance up to 2009 as an extension of the pre-accession aid planned under the Phare programme in support of Bulgaria’s decommissioning efforts. The Union recognises the effort made and the good progress achieved by Bulgaria in the decommissioning preparation stage of the Kozloduy Programme utilising the Union funds put in place until 2009, and the need for further financial support beyond 2009 in order to continue the progress with the actual dismantling operations.

CONTENT: this Regulation establishes a programme (the ‘Kozloduy Programme’) laying down detailed rules for the implementation of the Union’s financial contribution to address the further process of the decommissioning of Units 1 to 4 of the Kozloduy Nuclear Power Plant in Bulgaria and the consequences of their early closure, with regard to the environment, the economy and the security of supply in the region.

Purpose of Community contribution : the Union contribution to the Kozloduy programme shall be granted for the purpose of providing financial support for:

- measures connected with the decommissioning of the Kozloduy Nuclear Power Plant,
- measures for environmental upgrading in line with the acquis and for modernising conventional production capacity to replace the production capacity of the four reactors at the Plant, and
- other measures which stem from the decision to close and decommission the Plant and which contribute to the necessary restructuring, upgrading of the environment and modernisation of the energy production, transmission and distribution sectors in Bulgaria as well as to enhancing security of supply and energy efficiency in Bulgaria.

Financial contribution: the financial reference amount for the implementation of the Kozloduy Programme for the period from 1 January 2010 to 31 December 2013 shall be EUR 300 million. The amount of the appropriations allocated to the Kozloduy Programme may be reviewed in the course of the period from 1 January 2010 to 31 December 2013 to take account of the progress made with the implementation of the Programme and to ensure that the programming and allocation of the resources are

based on actual payment needs and absorption capacity. Financial assistance for measures under the Kozloduy Programme shall be made available as a Union contribution to the Kozloduy International Decommissioning Support Fund, managed by the EBRD, in line with the Financial Regulation.

The contribution for certain measures may amount to up to 100 % of the total expenditure. However, every effort shall be made to continue the co-financing practice established under the pre- accession assistance and the assistance given over the period 2007-2009 for Bulgaria's decommissioning effort as well as to attract co-financing from other sources, as appropriate.

Commission audit: the Commission may cause an audit of the use made of the assistance to be carried out, either directly by its own staff or by any other qualified outside body of its choice. Such audits may be carried out throughout the duration of the agreement between the Union and the EBRD on making Union funds available to the Kozloduy International Decommissioning Support Fund and for a period of 5 years from the date of payment of the balance. Where appropriate, the audit findings may lead to recovery decisions by the Commission. Commission staff and outside personnel authorised by the Commission shall have appropriate right of access needed in order to conduct such audits.

Evaluation: the Commission shall ensure the implementation of the Regulation and shall report at regular intervals to the European Parliament and the Council.

ENTRY INTO FORCE : 11 August 2010.