



To the Point of Contact of the Espoo Convention in Finland
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Date
2. September 2019

J no. 2019 - 86445

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Consultation in accordance with the Espoo Convention on Environmental Impact Assessment in a Transboundary context for the Nord Stream 2 gas pipeline project – South-Eastern route on the continental shelf in Denmark

Your letter of July 5, 2019 (VN/1188/2018)

Thank you very much for your comments regarding the consultation May 8, 2019 according to the Espoo convention art. 4 and 5 on the Nord Stream 2 gas pipeline project – South-Eastern route on the continental shelf in Denmark.

We have carefully reviewed your comments and the comments in the letter dated the 30 June 2017, which in addition the Ministry of the Environment requests Denmark to take into consideration, have also – according to our understanding of the procedures – given Nord Stream 2 AG (as developer) an opportunity to comment on your statements.

The Danish Energy Agency has identified one comment that not has been covered by the response of February 9, 2018, Denmark forwarded to Finland concerning a route south of Bornholm and the response of February 22, 2019, Denmark forwarded to Finland concerning a route north-west of Bornholm and in the opinion of the Danish Energy Agency is of relevance to a transboundary environmental impact into Finland caused by an activity taking place in relation to the Danish section of the pipeline project. The Danish Energy Agency has prepared a summary of the identified comment followed by a summary of the answer from Nord Stream 2 AG (as developer) and a comment from the Danish Energy Agency. The summary, containing both comment and answer, can be found in the appendix 1. The other comments have been responded to in the letters from 2018 and 2019 from Denmark to Finland and in the view of the Danish Energy Agency there are no additional specific comments concerning the South-Eastern route on the Danish continental shelf which needs an additional response. The letters from 2018 and 2019 are attached to this letter.

The Danish Energy Agency is at present finalising the environmental and safety evaluation of the Nord Stream 2 pipeline project – South-Eastern route on the continental shelf in Denmark. Comments received in the Espoo-procedure will be

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taken into consideration in the evaluation. Should you have further comments/questions concerning the South-Eastern route on the continental shelf in Denmark, then please do not hesitate to contact us as soon as possible and not later than the **25 of September 2019**.

Any further comments should be sent by e-mail to the Danish Ministry of Environment (mst@ens.dk) and Karin Annette Pedersen (kaape@mst.dk).

Further information about the project can be found on the Danish Energy Agency's website:

<https://ens.dk/ansvarsomraader/olie-gas/offentliggoerelser-om-olie-gas>

Best regards

Katja Scharmann

Appendix 1

1. Concerns raised by the Finnish Association of Professional Fishermen

Statement

The issuer of the statement wishes to draw attention to the fact that route V1 of NSP2 runs through a dumping area for explosives and for chemicals and substances used in warfare. This will weaken the ability to rehabilitate the area at a later date. Furthermore, the route in question is not favourable from the perspective of transboundary impacts. Assessments of the project must take into account the Baltic Sea Strategy and possibility of repairing the state of the Baltic Sea.

If route V1 is the alternative selected, however, the pipeline area must be cleared of explosives and of chemical material used for warfare. In addition, the pair of pipes must be surrounded by a cleaned area that is of sufficient width, approximately 500 meters on each side of the pipeline. A review should be conducted to determine the width needed. The precise location of the explosives and other material is not known, as no precise map impact was prepared during the hurried dumping phase, and the material, which was packed primarily in wooden boxes, was able to spread to a wider area than intended. These factors must be taken into account in the route selection and in the plans for cleaning and clearing the area. It is also important to become familiarized with all of the existing data on the matter.

As a further observation, the issuer of the statement draws attention to the fact that once the lifespan of the pipeline has ended, it should be removed. It must also be considered whether there is a polluter-pays principle in the environmental legislation that can be used or applied at the national level and that would bring new aspects to the disposal of these explosives and chemical materials.

The issuer of the statement requests the opportunity to elaborate on its statement at a later date. The issuer of the statement does not request compensation from Nord Stream 2 AG for the actions in question; instead, it wishes with its comments to draw attention to the well-being of the marine environment.

Summary of the answer of Nord Stream 2 AG

Neither of the NSP2 route variants cross the area designated as chemical munitions dumping site. Route variant V1 runs approximately 2 km from the dumping site while it crosses the area where bottom trawling, anchoring and seabed intervention works are discouraged due to the risk of encountering chemical munitions. Dedicated munitions screening surveys along NSP2 route including route variants V1 and V2 have been completed to ensure that no

munitions are present in the pipe-lay corridor. Safety distances to the identified munitions are being established in consultation with the relevant Danish authorities. Recommendation from the Danish authorities is to leave chemical munitions untouched and avoid munitions by local re-routing.

Impacts from chemical warfare agents (CWA) have been assessed in the EIA based on the survey results from surface sediment sampling along the route. Assessment of the impacts on the marine environment from route variant V1 showed that construction of NSP2 represents negligible environmental risk associated with CWA. Transboundary impact assessment covering potential impacts on neighbouring jurisdictions as well as on regional and global receptors shows that NSP2 project activities in Danish waters, including construction of route variant V1, will not lead to any significant transboundary impacts.

Assessment of compliance with the EU directives and international regulations aimed at improving the quality of the European waters such as the Marine Strategy Framework Directive, Water Framework Directive and Baltic Sea Action Plan indicates that NSP2 will not prevent or delay the achievement of the long-term goal for GES under the Marine Strategy Framework Directive, nor will it be contrary to the objectives and initiatives set out in the Water Framework Directive or Baltic Sea Action Plan.

The decommissioning programme will be developed in consultation with the relevant authorities at a later stage, when the pipelines near the end of their operational life to ensure that it takes into account the relevant legislation and guidance, good international industry practice as well as technical advancements and knowledge. Ultimately, the same criteria that guided planning and construction of Nord Stream 2, including environmental, socio-economic, technical and safety considerations will guide the development of the preferred decommissioning method. Regardless of the method chosen, Nord Stream 2 will comply with all applicable legal requirements for decommissioning at that time.

Answer from the Danish Energy Agency

Concerning the issue of a polluter-pays principle the Danish Energy Agency draws attention to that it will be a condition in the permit that Nord Stream 2 AG shall take out insurance for compensation of damage caused by the activities exercised in accordance with the permit, even if the damage is incidental.

Concerning the request from the Finnish Association of Professional Fishermen to elaborate on its statement at a later date the Danish Energy Agency does not foresee further public consultation concerning the environmental impacts from the project. The public consultation phase for the environmental impact

assessment for a route south-east of Bornholm ended July 2019. The Danish Energy Agency will take the received comments from the public consultation into consideration in the evaluation.