

12th June 2007

Mr. Julio Garcia Burguès
Head of Unit
European Commission
Directorate-General
Environment
ENV.A.2 – Infringements

SPÓLDZIELNIA MIESZKANIOWA "ZABIANKA"	
date	2007 -06- 21
L. dz.	3217
order	W

Your Ref. number: ENV.A.2. /AK/mc/ D (2007) 1091

Dear Mr. Burguès,

First of all I would like to say thank you very much to both Mr. Stavros Dimas for his very kind interest on that matter, and you for your letter dated 25th of January 2007, which I received on 27th February 2007.

Secondly, I have to apologise for keeping you waiting such a long time without any response. It was due to many reasons. The most important ones were related to the permission, which should be obtained from the authorities to allow us to have a look in the existing documentation of planned huge indoor and road infrastructure changes.

Finally, we, as the Protesting Committee, were able to access the said documentation in the middle of May, but still unofficially. Therefore, I would like to emphasise the point that, representing more than 22000 habitants leaving close to the area of projects in consideration, we are entitled to be a part of the decision making body, yet we are being refused access to the documentation.

What is really not understandable and much surprising to us is, that these projects are being supported by big amount of money taken form EC sources. I want once again to strongly point out that the officials from both towns, that is Sopot and Gdansk, did not provide either detailed or general information to the habitants about all consequences and hazard assessments resulting form that investment area when it will be finished and under exploitation.

Moreover, as it was written in our letter send to you, dated 19th December 2006, none of real data assessment was presented in the projects documentation with respect to the significance of the environmental effects due to size and location of the construction site.

Furthermore, we know that adequate screening procedure must be done to determine precisely even every single dangerous substance that can affect the environment, and make it unsuitable for life of people, animals, and nature as a whole. It is necessary to add that none of that were done.

Regarding your question, I would like to inform you that the decision for construction and localisation permits were supplied to the Polish authorities, to start with and build up the indoor sport competitions and for other events, No.

UA – IV/7535/398/04 and have been accepted by the Sopot Authority President on the 30th August 2004. Of course it is obvious that before this time certain required procedures were undertaken due to relevant project and construction data. These processes started at the beginning of year 2001 and were continued till the year 2004, without respect to a lot of documents written by habitants again that idea. There was no one single response from the Sopot and Gdansk Authorities both responsible for every step of development, which would seriously address those concerns of that unaccepted and badly placed investment idea. Since that time, the officially formed Protesting Committee, together with the Local Board Habitants Community, are struggling against unimaginable environment changes related to fauna and flora and strongly affecting habitants lives and health of those leaving in this area. A lot of examples were given and presented in the letter sent to you previously.

In accordance with the time and decision taken for that investment idea, I would like to add that before Poland became the member of the European Union, Polish Government signed on 25th May 1998 the International Treaty known as Aarhus Convention, and ratified it on 31st December 2001. It is pertinent to point out that based on that Convention, local community has its rights to have free access to information as well as to obligatory participation in the decision making process when any risk regarding environment is taken into account. In the IPPC Directives i.e., the basic one 96/61/EC and relevant amendments, it is also clearly stated that public has right to participate in the process investment. The local community should also be informed by having access to: permit applications in order to give opinions, permits and results of monitoring possible contamination about that processes consequences.

We also know that for the Member State the 30th October 2007 deadline was given to inform the European Commission about the way of approaches and implementation of the IPPC Directives. To the best of our knowledge, we would like rather to inform you about the consequences before, rather than waiting on the report sent to you as indicated by the time given.

As you know from data given in our protest most of them were related to the very bad technical characteristics of the planned installation, for example the noise from the AC installed on the roof of that building will be 120 dB, and other waste strongly changing local environmental conditions.

With respect to the widely seen control of nature conditions we want once again to stress the geographical location of that building. To make it more understandable, please find attached few maps related to the construction site. In Fig.1 you may have notice the construction site location against two Gdansk and Puck Bays. Regarding that fact it is important to stress that Puck Bay is under special integrated pollution prevention and control area known as the Nature 2000. In case of Gdansk Bay as well as similar to Puck Bay, there is a lot of seaside resorts. In Fig.2 you may observe the construction site location between Sopot and Oliwa towns. In Fig.3 it is indicated how closely the construction site

is located to the housing area. In Fig. 4 the distance between the indoor building and shoreline is presented. And in Fig.5 the place of water waste dump from the construction site into Baltic Sea is pointed out.

Having that general information it is also valuable to present a little bit more details. In the project this water waste collector is design as the two pipes with the flowing capacity of the 1600 liters over second. It means that waste taken from all installation in the indoor building and collected from the road and area around of that site will pollute the Gdansk Bay.

Moreover, that amount of water waste dumped into the Sea will increase the water level in the Gdansk Bay about 0.60 meters (estimated roughly). Based on the science of navigation applied to the Baltic Sea it can be proved that the biggest water level fluctuation are observed during the autumn and winter period of time and is reaching the level of 3.40 meter. It is known that the basic cost stream and waves strongly influence on the Puck Bay shape and also creating narrow sand bar separating a long shallow lagoon from the open sea. And it is very important for keeping life of the unique species existing now in that Puck Bay that are seen at this time as a general argument to take for that region special care reserve for the Nature 2000 area. It also is necessary to state that the amount of highly polluted waste damped directly into the Gdansk Bay and Baltic Sea, together with their dislocation according to the disturbances regarding water level changes and waves will strongly affect that environmental conditions for ever.

Therefore, we would like again to ask you to take our protest into serious consideration. It is because of many hazard and risk creating existing data taken out from the indoor building construction site, and planned huge road changes around that area.

In both cases there are easy to observe the lack of obligatory care that should be clearly shown in the project and accepted by local community before it starts to be build up. And above all any way of pollution ought to be considered as the utmost priority as far as environment as a whole and people living in there are concerned.

Thank you very much for your time and attention.

On behalf of the Protest Committee

Yours sincerely,

Mrs. Maria Cholewinska
9-B/5 Szyprów St.,
80-335 Gdansk, Poland

Attachment: 5 Figures

do wiadomości:

1. GREENPEACE POLSKA
2. SM "ZABIANKA"
3. a/a