

The Bulgarian coal industry has been under fire for years, for the vast government subsidies it receives, the unsafe working conditions and unjustifiable pollution, affecting people all over the country.

ClientEarth and "For Earth - Access to Justice", European and a Bulgarian non-governmental organisations are filing a complaint with the European Commission in an attempt to challenge Bulgaria's new obsession of burning waste in coal plants. Dominique Doyle, Janek Vähk and Meglena Antonova explain the move. Dominique Doyle is a lawyer with ClientEarth; Janek Vähk is the climate, energy and air pollution coordinator at Zero Waste Europe; Meglena Antonova is a campaigner for Greenpeace Bulgaria.

Under pressure to reduce certain toxic emissions, the coal industry has now turned to another, equally problematic practice: burning waste. The authorities have recently started investigating power plant Bobov Dol and its director but these investigations do not cover the full extent of the problem.

The practice is not only happening in Bobov Dol. Over the past year, the Bulgarian government has secretly allowed three old and polluting coal power plants - Bobov Dol, Brikel and Republika Pernik - to burn huge quantities of waste, alongside coal, without the required permits.

Bobov Dol and Brikel were allowed to burn 500,000 tonnes of waste over a six-month period, an astounding 10,000 times more than is allowed without a permit under the European Directive.

The content of the waste is unknown to the public and the impacts on health and environment unclear. These plants sit beside towns and villages, putting their residents in untold danger.

This is a severe violation of national and EU law. That's why environmental lawyers from ClientEarth and Za Zemiata Access to Justice* have brought a complaint to the European Commission regarding this illegal waste burning in Bulgarian coal plants.

Burning waste is dirty energy

Burning waste in coal power plants is often touted as a low-carbon source of energy but in reality, it is extremely polluting. Evidence suggests that energy from waste can result in greater CO₂ emissions than energy from gas or other fossil fuels. Burning waste in ageing coal plants can also cause dangerous air pollution, as the plants do not have the appropriate technology to capture the harmful emissions.

Pollution from burning waste is made up largely of sulfur dioxide (SO₂), nitrogen dioxide (NO₂) and fine particulates. These can seriously damage people's health by passing through

the lung lining, causing internal inflammation and a host of resulting health problems. Burning waste also releases toxic dioxins that can cause reproductive and developmental problems, damage the immune system, interfere with hormones and cause cancer. On top of that, evidence shows increased heavy metal emissions when fossil fuels are substituted with waste in co-incineration plants.

A way out for Bulgaria's troubled coal industry

In the case of Bulgaria, burning waste is, on the surface, the easy way out of economic trouble for a decaying industry. For decades, Bulgarian authorities have encouraged coal to flourish. Historically, coal plants played a significant role in the economic development of the entire country, with the Pernik and Bobov Dol regions at the heart of this system. By now, with the exhaustion of coal reserves and the unprofitability of coal-fired electricity generation, people and jobs are fleeing these regions. A group of large power plants, whose ownership has been connected to the energy oligarch Hristo Kovachki, are now trying to burn municipal waste - some of which is imported from overseas - alongside coal. Burning waste may be a creative way to avoid new strict pollution laws and avoid installing expensive pollution abatement equipment. Operators also claim that by burning waste, they can reduce the amount they have to pay for CO₂ allowances. In the end, burning waste is a dangerous way to artificially lengthen the life of a dying coal fleet.

The rise of local opposition in Bulgaria

People living in Pernik, Bobov Dol, Brikel and the surrounding areas have had enough. They have seen the power plant sites turn into dumping grounds and they smell burnt plastic throughout the night.

The waste burning saga was the last straw for the population around the Bobov Dol and Republika Pernik plants. One hundred people have joined a court case asking for Bobov Dol's controversial waste burning permit to be revoked.

The public outcry even forced the since-dismissed Minister of Environment to come to Pernik out of embarrassment and demand the start of an official investigation into the incineration of waste.

Authorities refuse to hand over the secret letters that purport to authorise Bobov Dol and Brikel to illegally burn waste for experimental purposes, despite repeated requests and court judgements requiring them to do so.

No procedure is open that allows people living in the affected areas to have a say in the matter. ClientEarth and Za Zemiata Access to Justice are now left with no option but to take

the issue to the European Commission.

Finding alternatives

Promoting waste burning in coal plants, in Bulgaria or elsewhere, would make it impossible to reach ambitious emissions reductions in the energy sector that align with the Paris Agreement. Instead of switching from burning coal to burning waste, countries should be looking at energy efficiency, genuinely low carbon ways of generating energy, such as wind and solar, and ways to store this energy for the winter season.

This is not only an energy issue, but also a waste management issue. We should be doing more to support the top tiers of the waste management hierarchy by reducing and reusing waste and by designing products to be reused.

Solutions such as redesign, composting, biogas, producer responsibility, consumption habits transformation, community empowerment, and recycling could be implemented today - using existing innovations - with immediate results. We cannot continue to simply put a match to our problems.

The legal pressure is mounting in Bulgaria over the authorities' handling of coal and pollution. Having exhausted all legal recourses at national level, ClientEarth and Za Zemiata Access to Justice are now turning to the European Commission to challenge Bulgaria's new obsession with burning waste and do right by its inhabitants.

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