

## Joint Project – Nuclear Risk & Public Control

### Webinar

## Environmental Impact Assessments on Lifetime Extension of Nuclear Power Plants:

### How to make use of the new rules for your campaigning

2:00 – 4:30 p.m. CEST on April 21, 2022

### Report

In this webinar, about 20 **participants** from 13 countries took part.

The **presentations** can be downloaded from our website: <http://www.joint-project.org/>

#### Programme

- Chair: Patricia Lorenz, FoEE/GLOBAL 2000: Introduction on strategic value of EIA LTE, ongoing EIA Krsko LTE
- Priska Lueger, Environmental legal expert with ÖKOBÜRO and Justice & Environment: Legal Tools for Public Participation in LTE Processes
- Martin Giersch, Federal Ministry for Climate Action: Lifetime Extension of Nuclear Power Plants: Technical Background for the Applicability of the Espoo Convention
- Jan Haverkamp, Senior Expert with Greenpeace und WISE: Two cases how to use EIA procedures in practice – Borssele (Netherlands) and Tricastin (France)
- Gabriele Mraz, Austrian Institute of Ecology: NPP Lifetime Extension: Examples for transboundary Environmental Impact Assessments (Ukrainian NPP and Loviisa 1&2/Finland)
- Discussion

#### Discussion notes

A complaint at the Espoo or Aarhus Convention takes years, you have to collect material and have a good documentation; it helps to have more people work on it

In the Espoo Guidance, there is no common understanding how to define the design life time.

Remark on NPP Rivne-1,2: Is it covered under the Espoo Guidance situation of a time-limited license or not? The legally relevant document is Decision VI/2 by the Espoo Meeting of the Parties, which refers to an expired license. This is the decision all parties to the Espoo Convention adopted together (including Ukraine). Jan Haverkamp remarked that Ukraine contests the conclusion of in the Guidance on Nuclear Lifetime Extension that the permit for Rivne 1,2 was time limited and confirmed several times that the operation license was unlimited, as it is in other European countries. The Implementation Committee of Espoo agreed with that and its argumentation is also not based on a limited license.

Question: Who issues safety certificate for technical equipment? Do we have European criteria nuclear operators have to comply with? F.e. is Krsko having certificates for all critical equipment?

Answer: Some of the certificates are done by the vendors themselves. There are institutions like TUEV having the certificate to certification. And there are institutions proving the certificates are correct. There is a national competence to provide institutions to do their job. Not clear for foreign countries.

Question: What effect have Environmental Impact Assessments at all?

Answer: The Procedure of EIA was not taken seriously for some time, this is now slowly getting better; but we had not the opportunity to increase the quality, we should think about going to Court also on quality issues.

Answer: If we discuss non-LTE consultations as well, one of my comments / proposals to a draft strategy (re radiologic safety), previous year, was responded positively (by the regulator & energy ministry) and, subsequently, they modified an important wording. (Poland)

Question: It seems that the IAEA has no mandate to control nuclear power plants in the sense of a nuclear police force.

Answer: IAEA has no mandate, but Joint Convention; and especially the national regulator is responsible – a good regulator like in France or in Finland enables changes.

Question: Example Krsko: NGOs asked that new seismic data are used for the EIA. Has not been done, now what could NGOs do? Can they complain on the content?

Answer: The Espoo Convention is more about procedural shortcomings; if remarks are not taken into account, NGOs could tell this to Espoo Implementation Committee

Question: What can NGOs do if Croatia does not conduct the EIA for LTE Krško?

Answer: If witnessed non-compliance of the Espoo Convention has been witnessed, write a letter to the Espoo Implementation Committee. And bring it to Court. And after that to the Aarhus Convention Compliance Committee (ACCC).

Complain against which state – Croatia or Slovenia?

Question: Who decides on the necessity of a safety upgrade? Who can be sued?

Answer: First, the Ministry for not taking up your comments in the EIA statement. Another option for sueing would be the regulator.

Central and Eastern European countries decide mostly not to make an EIA. See Kozloduy. The control from EU is very weak. Moreover, a Romanian organisation has complained to Espoo IC, but this organisation does not exist any more.

Information: Public hearing on Krsko in Austria/Graz will be on 19 May 2022, starting at 5 p.m. (Vienna time). There might also be livestreaming. Not clear yet in which languages translation will be offered.

Question: Are there any generic security issues and / or upgrades usually necessary for achieving a new LTE licence that the operator has to make and / or to cover in the respective reports? Are they dealt within the issues pertaining to obsolescence?

Question: Cost of law suits? If court costs are deemed as too high, this can also be brought to the ACCC.

This event was organized by the Joint Project – Nuclear Risk & Public Control (<http://www.joint-project.org/>)

