

IAIA position re LTE Nuclear Power Plants

2020.08.24-26

Thank you for the opportunity of taking the floor.

IAIA comment/position is:

1. independent (not led by national interests) and based solely on technical-scientific grounds/arguments
2. in line with the conclusions of the related workshop held on the 5th of June 2019 in Lisbon, and participation at the stakeholders meeting in Vienna in December 2019

IAIA recognizes that:

1. Parties when joining the Convention affirm their commitment to ensure environmentally sound and sustainable development and to cooperate internationally in assessing transboundary environmental impacts and to take appropriate and effective policies and measures to proactively prevent, reduce and control significant transboundary environmental impacts
2. Decisions are to be taken by decision-makers, EIA or SEA is not to replace but only to assist decision-making in taking more sustainable, environmental and health integrated decisions
3. Nuclear power is promoted as climate neutral and the likelihood of a major accident may be very low; however, the likelihood of significant adverse impacts is very high if the accident occurs.

IAIA is concerned that

1. the state of the environment changes over time (particularly with the uncertainty under climate change) even if the project does not change. Consequently, environmental impacts should be regularly re-evaluated; and no decision can be unlimited as far as the assessment of environmental and health transboundary impacts are concerned
2. decisions must be taken in a way that negative environmental and health impacts are avoided or mitigated and that the decision process is clear and transparent to all, especially to those that may be affected by the decision

All of the above justifies the applicability of the Espoo Convention to nuclear power related activities, including the extension of its lifetime.

Also for these reasons IAIA fully supports the **Implementation Committee** whereas guidance

- is urgent
- must provide assistance both to parties and to the implementation committee
- needs to be concrete, and to
 - o address both procedural and technical issues
 - o provide criteria and principles to easily respond to specific cases
 - o provide examples
 - o provide good practice recommendations

In relation to the questions raised in the **Letter of the Co-Chairs of the ad hoc working group** it is clear to IAIA that:

1. the guidance should be on the applicability of the Espoo Convention to the lifetime extension of nuclear power plants
2. specific procedures for the assessment of transboundary impacts, and the application of the Espoo Convention, should be in place in national frameworks

IAIA recommends that:

1. The guidance should conciliate legal, procedural as well as technical aspects; it should be clear in relation to core terms and concepts, including the meaning of “lifetime extension” and “major change”, technical aspects of the activity (detailing factors determining lifetime extension as a major change), screening criteria and conditions; the guidance should be less wordy, more practical, addressing the needs of its direct users (both the Parties as well as the Implementation Committee), and with simplified structure as recommended by the Canadian Nuclear Safety Commission
2. The guidance should be more dedicated to the how to do the impact assessment proactively and in a participated way, including how to engage stakeholders and promote public participation along the EIA or SEA, how to do the screening, the scoping, the definition of criteria for impact significance, the identification of alternatives, the assessment and mitigation of its impacts, the monitoring and follow-up control of implementation
3. The guidance recognizes public participation as a right and not only as a proforma, public participation is also a way of ensuring the precautionary, transparency and participatory principles of impact assessment
4. Technical aspects need to be considered explicitly in the guidance regarding:
 - a. the need to ensure a precautionary approach and to use knowledge in the best way to clarify possible consequences and take the required measures, including both technical/scientific knowledge as well as lay/traditional knowledge from local communities
 - b. the need to identify and assess alternative options for national and regional energy mix through SEA
 - c. the need to identify and assess a broad range of project alternatives through EIA
 - d. the need to assess induced climate change impacts, health impacts, biodiversity impacts, land use and socio-economic impacts at large.
5. The fact that “life-time extension of NPP” is not explicit in the Appendix 1 is a good reason to issue the guidance; but it should not be used in the guidance as a reason to question the applicability of the Convention to LTE of NPP.

A final point for delegates to reflect and consider: what if the Convention does not apply? Or its application continues being postponed? In the absence of formal transboundary assessment procedures, without information and consultation of public and authorities, what alternatives can governments offer to properly and convincingly reassure them that concerns with real cases will be addressed, and not simply ignored?