

**4th Meeting of the Adhoc Group on the applicability of the Espoo Convention to the
lifetime extension of nuclear power plants
London, 2 – 3 October 2018**

**Meeting of Co-Chairs of the ad hoc Espoo/LTE Working Group with NGOs on progress of work, held
on 8 August 2018, 1pm to 3pm, at the premises of the Permanent Representation of the United
Kingdom in Brussels: Summary of Discussion**

Participants

Lucy Tanner (Co-Chair, UK)
Christof Sangensted (Co-Chair, DE)
Keith Vincent (UK)
Martina Palm (DE)
Monika Luxem-Fritsch (DE)

Jan Haverkamp, Greenpeace, representing the Nuclear Transparency Watch
Patricia Lorenz, Friends of the Earth Europe (FOE)

Summary

The Co-Chairs gave an overview on the third meeting of the ad hoc Group on Espoo/LTE on 20 and 21 June 2018 in Berlin. In that meeting, the ad hoc group discussed the mandated approach and the steps ahead for drafting guidance on the applicability of the Espoo Convention to the lifetime extension (LTE) of nuclear power plants (NPPs) based on the agreed Terms of Reference (ToR) and the conclusions of the workshop on the LTE of NPPs in May 2018 in Geneva.

The group focused its deliberations on a first set of priority topics identified in the Terms of Reference, notably “proposed activity” and “major change” in LTE decision-making process. The group underlined the need for a case-by-case consideration and felt that LTE would be a “major change” rather than a new activity. However, if LTE would take place after the expiry of a time-limited license, it might be a “new activity”. The group discussed that in order for notification to be required under the Convention, then the other requirements of Article 3(1) would also need to be fulfilled.

With regard to the aspect of “major change” the group concluded that further clarification on the legal and practical handling of the Contracting Parties would be needed. A list of questions for response (“homework”) was set up. Furthermore, the preparation of the progress report to be finalized by the beginning of November 2018 for submission to the intermediary session of the Meeting of the Parties to the Convention (IMOP, Geneva, 5-7 February 2019) was considered.

It was also agreed that the fourth meeting of the ad hoc group will be held in London (2 and 3 October 2018). The Co-Chairs plan to circulate in advance a paper on the homework responses received and to provide further input with a view to broaden the scope of discussion. A preliminary outline of the progress report will also be reflected in that meeting.

The NGO representatives thanked for the opportunity to meet before the London meeting. Views were exchanged on the current state of discussion in the ad hoc group and on the issues reflected in the Berlin meeting. For the NGOs, civil society has a natural, legal, moral and logical right to be consulted in LTE decision making as early as possible. NGOs regretted that only a little of their input during the workshop in Geneva and from the suggestions of the Aarhus Compliance Committee (ACCC) had been included in the final Terms of Reference. From the point of view of citizens, in principle any LTE decision would be a major change especially in cases in which the design lifetime of an NPP was about to expire. Excluding LTE from an Espoo EIA would only be possible in exceptional cases and require solid justification.

NGOs were especially concerned that putting the focus on “major change” would path the way to “salami tactics”. Several “small” changes executed one after another could have the same impact on the environment as a major change and should therefore require an EIA. The Co-Chairs agreed that this was an aspect to be reflected on by the group. Other points of discussion raised by the NGOs were lifetime extensions by a specific domestic law and whether and how an EIA could contribute to Periodic Safety Reviews.

The Co-Chairs explained that the topics addressed in the Terms of Reference touched on complicated and sensible issues which had to be explored by the ad hoc group step by step. The Berlin meeting had shown that discussions were difficult and that it would take time to consider the various arguments. For the Co-Chairs it would be important to have an open debate which would also include input provided by civil society and NGOs.

NGOs welcomed being involved and asked to receive the results of the “homework exercise” for reflection as well as the draft progress report to be prepared for the IMOP for written comments. The Co-Chairs expressed their view that this question should be discussed in the upcoming London meeting.