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Good practice examples of the application of the Espoo Convention to the nuclear energy-related activities - Hungary

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- **Paks II NPP environmental licensing – trb EIA**

- **National Programme of Hungary on spent fuel and radioactive waste management – trb SEA**

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EIA legal transposition in Hungary

- **Convention** on Environmental Impact Assessment in a Transboundary Context

- **Directive** 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment

- **Governmental Decree** No. 314/2005 (XII.25.) regarding the procedures of environmental impact assessment and the single procedure of authorization of utilization of the environment

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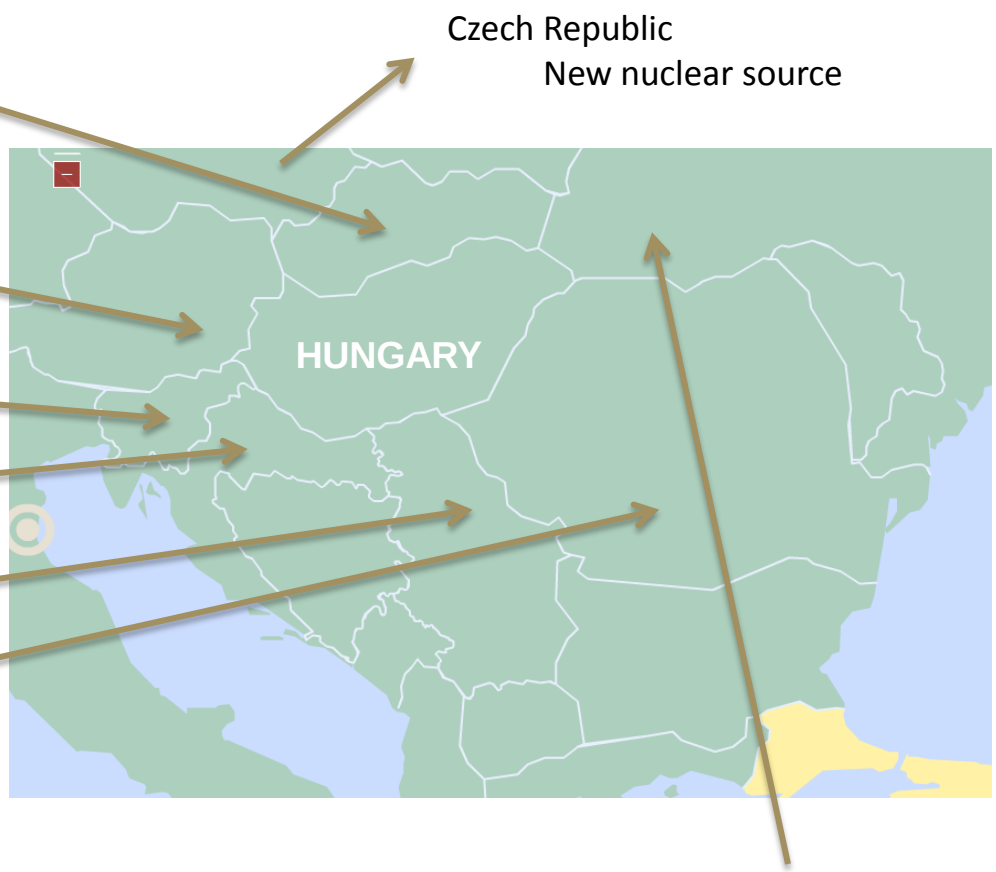
Selected transboundary EIA experiences of HU

- Slovak Republic
  - Bohunice NPP construction
  - Road contruction
- Austria
  - Road construction, development
  - Waste incinerator
- Slovenia
  - Oil pipeline
- Croatia
  - Road, railway construction
- Serbia
  - Thermal power plant
  - Railway development
- Romania
  - Waste incinerator
  - Gold mine



- Ukraine
  - Lifetime extension of NPP

+ NL, UK, PL,

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Paks II NPP environmental licensing

- Screening/scoping
  - 2013 spring
    - All neighbours and all EU MS + CH were invited to participate
    - 30 notifications sent – only 11 replies

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Documentation

- **Full version of Environmental Impact Study**
  - HU, EN, DE
- **Non -echnical summary**
  - HU, EN, SK, UA, RO, SRB, HR, SI, CZ, GR
- **Transboundary chapter**
  - HU, EN, SK, UA, RO, SRB, HR, SI, CZ, GR
- **Supplementary documentation** required by the environmental authority during the procedure
  - HU, EN, SK, UA, RO, SRB, HR, SI, CZ, GR

- 1 set of documentation 2000 < pages

- All translations arranged by the proponent

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Paks II NPP environmental licensing (cont)

- EIA
  - Domestic 2015 late spring
  - Transboundary phase summer 2015
    - With only those countries who indicated their interest to participate
      - All neighbours (AT, SK, UA, RO, SRB, HR, SI) + DE, CZ, MT, GR

        ➔ 11 countries
  - Public hearings/expert consultations Sept-Nov 2015

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Public hearings/expert consultations

- 21 Sept 2015, Osijek, HR
- 23 Sept, 2015, Vienna, AT
  - 10< hrs, 100 participants
- 28 Sept, 2015, Oradea, RO
- 29 Sept, 2015, Timsoara, RO
- 7 oct, 2015, Kiev, UA
  - 8 hrs
- 12 Oct, 2015, Ljubljana, SI
  - Morning, 25 participants, 1 question, 1.5 hrs
- 14 Oct, 2015, Bucharest, RO
- 20-21 Oct, 2015, Munich, DE
  - 12 hrs + cont. the day after 5 hrs, 100< questions
- 5 Nov, 2015, Beograd, SRB

- 3 Sep 2015, Budapest (cons. with HR)
- 24 Sept 2015, Vienna, AT
  - 8< hrs
- –
- –
- 8 Oct, 2015, Kiev, UA
  - 4 hrs
- 12 Oct, 2015, Ljubljana, SI
  - Afernoon, 4 hrs
- 15 Oct, 2015, Bucharest, RO
- 21 Oct, 2015, Munich, DE
  - 8 hrs
- 5 Nov, 2015, Beograd, SRB

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Commenting period

- Legislation 30 days
  - HU did not want to be exclude anybody, therefore
  - **since publishing the EIA documentation until end of the public hearing in a certain Party**
- Way of commenting
  - Oral questions
  - Written questions
    - Email (dedicated to only Paks II public participation)
      - 6.000 < comments, questions
      - Abuse 28.000< identical letters from different sources, spam to block the procedure
    - Post to AP contact point → forwarded to PoO

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Closing the procedure

- Official standpoints of the AP
  - After each Party's public hearing and expert consultations
  - Finalised by spring 2016
- Decision issued Dec 2016
  - Challenged in court
- Final decision April 2017

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- **Paks II NPP environmental licensing – trb EIA**

- **National Programme of Hungary on spent fuel and radioactive waste management – trb SEA**

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SEA legal transposition in Hungary

- **Protocol** on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context

- **Directive** Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment

- **Governmental Decree** No. 2/2005 (XII.25.) on the environmental assessment of certain plans and programmes

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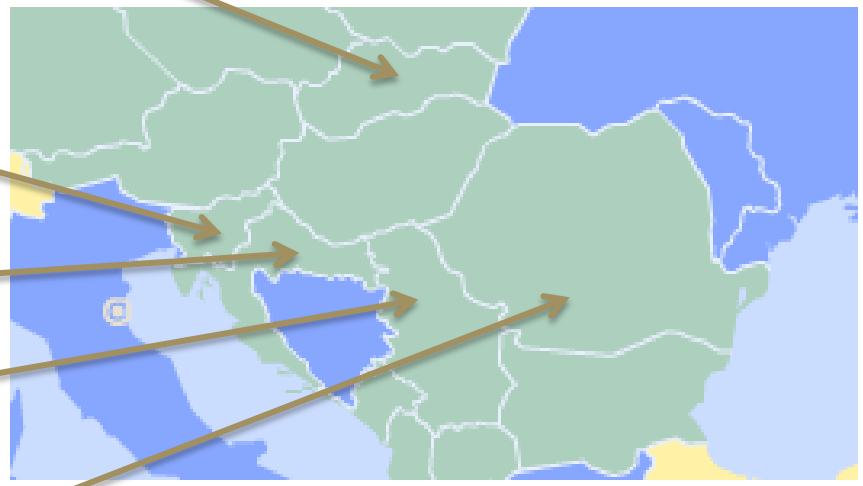
Selective transboundary SEA experiences of HU

- Slovak Republic
  - Transport development strategy of Bratislava
  - SK energy strategy
  - SK infrastructure development strategy
  - Transport Operational Programme
- Slovenia
  - Transport strategy
- Croatia
  - Transport development strategy
  - Water management plan
  - River control strategy
- Serbia
  - Water management plan
  - Water transport strategy
- Romania
  - Transport development strategy



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National Programme of Hungary on spent fuel and radioactive waste management

- 1st ever trb SEA case of HU as PoO
- Developer decided to carry out an SEA procedure
  - AT proactively asked its participation in the procedure months before the procedure even started
    - ➔eventually trb SEA procedure

➔Notification sent to all 7 neighbouring countries in April 2016

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Necessary documentation for effective PP in SEA

- Full version of the Environmetal Report
  - DE, SK, UA, RO, SRB, HR, SI, EN, HU
- Draft of the national programme
  - EN, DE, HU
- Detailed non-technical summary of the programme
  - DE, SK, UA, RO, SRB, HR, SI, EN, HU

- Developer arranged all translations
  - 1500< page translation

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Consultations, commenting

- 3 Parties asked their participation
  - AT, SK, RO
- Only written consultations, no request for face-to-face consultation
  - between April-Aug 2016
- Via email/letter
  - directly to AP's contact point, who summarised and sent to PoO (~HU)

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Lessons learned

- Instruments which facilitate the PP are welcome
  - dedicated email address, translated documents, transparency etc.
- documentation AP's national language
  - facilitates the procedure
  - more expensive for the developer
- documentation is available only in English
  - slower procedure, translation is needed in order to involve the public as legally requested
  - less expensive to the developer, however enormous burden to the AP

➔ Common practice between our neighbouring countries

If HU PoO → always arranges the translation to the national languages of APs

If HU AP → expects the national translation in order to start an effective PP

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Effective public participation

- Early notification
- Full documentation
- Free access to the information
- Reasonable time for commenting
- Easy way to send comments
- Inclusive rather than exclusive approach
- Public hearings with proper interpretation at the territory of the AP
- Expert consultations

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Thank you for your attention!