

**13th Baltic Sea Subregional Meeting under the Convention on Environmental Impact
Assessment in a Transboundary Context (Espoo Convention)**

8 May 2024 (Vilnius/remote mode)

The 13th Baltic Sea Subregional Meeting was held in accordance with Subregional cooperation to strengthen contacts between the Parties and other bodies concerned as an important element of the Work plan for the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on Strategic Environmental Assessment (SEA).

The meeting was organized by Lithuania (The Ministry of Environment of Lithuania), it took place on the 8th of May 2024 in Vilnius, in remote mode. During this meeting, the experts from 8 States around the Baltic Sea (Denmark, Estonia, Finland, Lithuania, Latvia, Poland, Germany, Norway and Sweden) were present, together with participants from the European Commission and Secretariat to the Espoo Convention.

The meeting was dedicated mainly to the subject of the national intentions and plans in the field of nuclear energy and exchange of experience on Environmental Impact Assessment (EIA) for offshore wind planning in the Baltic Sea. The participating States also exchanged information on the upcoming transboundary EIA and SEA procedures and discussed the scope of information to be exchanged during transboundary SEAs.

Report prepared by Lithuania

1. Opening of the meeting

The meeting was chaired by Ms. Beata Vilimaitė Šilobritienė, the Senior Adviser of Pollution Prevention Policy Group of the Ministry of Environment of Lithuania. The chairman presented the meeting's agenda, which was agreed upon by the participants.

The meeting was opened by Ms. Raminta Radavičienė, Viceminister of the Ministry of Environment of Lithuania. She pointed out that due to tensions of geopolitical situation, increasing rates of climate change and threats to energy security, energy is increasingly becoming the main topic on the agenda of EIA/SEA experts, and large projects are becoming objects of transboundary EIAs. The viceminister expressed importance of transboundary cooperation and gratitude for constructive and efficient collaboration between the Parties.

Vitalijus Auglys, the Head of Pollution Prevention Policy Group of the Ministry of Environment of Lithuania, Lithuanian Focal Point welcomed colleagues. He noted that the situation in nuclear energy sector and renewable energy sector has changed during the last years and mentioned big transformation in renewable energy sector as the wind energy and solar developments are expanding in the Baltic countries, including Lithuania. A large part of wind energy parks is located in the Baltic Sea and there is a need and opportunity to discuss about these projects and transboundary cooperation.

An overview of ongoing activities regarding cooperation in marine regions, including the finalization of the Report on synergies and possible cooperation activities in marine regions. An overview of future activities foreseen in the 2024-2026 workplan.¹

This first presentation was made by Ms. Valentina Paderi (Espoo secretariat, junior professional officer sponsored by Italy and France).

Ms. Valentina Paderi presented information on the focus area for future cooperation:

- broad ideas for cooperation and information sharing between the parties as for instance, organization of joint meetings between the Espoo convention of regional sea conventions, also activities that aim at developing a robust network between the focal points of different parties so that this improves the formal and informal exchange of information,
- recommended collection and dissemination of good environmental assessment practice,
- legislative assistance, awareness raising, building trust between the countries.

Ms. Valentina noted that in December 2023 at the Espoo MOP there was a specific decision on cooperation in marine regions, which welcomed the past activities including the finalization of the report and the collection of case studies of good practices.

There is an encouragement for financial institutions and bilateral aid agencies to ensure that their environmental assessment procedures are consistent with the Convention and the protocol in relation to strategic planning and investment projects affecting the marine environment.

Presentation on the overview of the initial site selection phase of the deep geological repository (DGR) project

Mr. Andrius Vyšniauskas, the Project manager of the State Enterprise Ignalina Nuclear Power Plant (hereinafter – INPP) (Lithuania), provided basic information about the ongoing project on the deep geological repository for spent nuclear fuel and long-lived radioactive waste. The project includes site selection, design, construction, operation, close and post close control. At the present INPP is in site selection phase, the objective of this phase is to select reasonable site alternatives within the territory of Lithuania where long-lived radioactive waste (RW) and spent nuclear fuel (SNF) could be safely disposed. It is expected that the site selection will be finished by 2047, when only one, final site, agreed with stakeholders and public will be chosen for construction. Deep geological repository could be constructed only in stable geological formation as this is the only sustainable solution to ensure that long-lived RW and SNF will be safely disposed for 1000 years. After preliminary screening of all territory of Lithuania, 4 potential geological formation types suitable for construction of DGR were found. In total, 110 potential sites were identified. All sites were evaluated using 3 different criteria sets: social economic, geological suitability and general safety. After this preliminary evaluation, some sites were eliminated. At present, 77 potential sites in 29 Lithuanian municipalities are under consideration.

¹ (https://outlook.office.com/mail/safelink.html?url=https://unece.org/sites/default/files/2023-11/ece_mp.eia_2023_3-ece_mp.eia_sea_3_e.pdf&corid=47aceaa5-5912-ba1e-2e47-ffb1e09562e4)

Currently Lithuania is carrying out public consultations regarding the upcoming assessment of the potential sites. There are discussions with national institutions, experts, municipal institutions and stakeholders. The task is to choose the most suitable geological formation till 2030 and to reduce the number of potential sites.

It is very important to share the experience in implementing such projects, especially sharing such knowledge can be useful for countries that are planning nuclear power plants, as consideration of the whole life cycle including the decommissioning and final disposal of radioactive waste should be done at the very beginning of the planning.

The only country, which has already constructed a DGR is Finland. All other countries planning DGRs are following Finland's experience.

It might be added that the research regarding different technics for nuclear waste repository and special the type of deep geological repository that Sweden and Finland choose was followed and evaluated by a Swedish Council from 1992 – 2022 (The Swedish National Council for Nuclear Waste) and lot of their reports are available in English [About us | Kärnavfallsrådet \(mkg.se\)](#)

Ongoing planned nuclear power projects in Poland

Ms. Marta Truszczyńska (Poland) shared information about ongoing planned NPP projects in Poland including small modular reactors.

Information on general procedures for planning of NPP and decision making in nuclear energy was presented. Currently the only active nuclear reactor in Poland is the research reactor MARIA, but in accordance with the Polish nuclear energy program, Poland is going to implement NPP projects. For the moment there are plans (active or finished application on the EIA decision) on construction of 4 NPPs (NPP and 3 SMR projects).

EIA procedures, including transboundary EIA, were recently finished for the first NPP (with an electric capacity of up to 3,750 MWe), in the area of the communes of: Choczewo or Gniewino and Krokowa).

Several locations were chosen for possible construction of small modular nuclear power plants in Poland, however, at this stage of planning only three locations were chosen to be submitted to appropriate authorities (General Director for Environmental Protection) and the EIAs were initiated for 3 projects:

- 1) Construction and operation of a small modular nuclear power plant with a total electrical power of up to 1,300 MWe using BWRX-300 technology in the location of Stawy Monowskie, Oświęcim Municipality;
- 2) Construction and operation of a small modular nuclear power plant with a total capacity of up to 1300 MWe using BWRX-300 technology in Ostrołęka, Ostrołęka Municipality;
- 3) Construction and operation of a small modular nuclear power plant with a total capacity of up to 2000 MWe using BWRX-300 technology in Włocławek, city municipality of Włocławek.

Poland is facing challenges as procedures for all three projects are ongoing at the same time, also there is a lack of knowledge because of the novelty of the technology and lack of specific

guidance. However, Poland sees the potential of small modular reactors in seeking a solution for the problems, related to climate change and is planning to develop more such projects in the future.

Tour de table

National intentions and plans in the field of nuclear energy

Representatives of every state shared information about the plans and ongoing projects in the nuclear energy sector. The states also shared information about their approaches on notifying and identifying the Parties as possibly affected by implementation of the projects. Some of the countries (Estonia, Latvia and Lithuania) are considering possibilities to implement the projects of small modular nuclear power plants, however they are far behind the progress of Poland. Finland has an ongoing project on lifetime extension of the Olkiluoto 1 and Olkiluoto 2 NPP units as well as an increase to their thermal output; Germany has decommissioned its last NPP and has no plans for nuclear power projects in the future; Denmark has only research reactors; Lithuania is implementing the project of decommissioning the Ignalina NPP. The states jointly agreed on the need to enhance and strengthen cooperation between the Baltic States in the exchanging of information on planned nuclear energy projects.

Presentation: Balancing nature and energy: JSC Ignitis Renewables Environmental Impact Assessment (EIA) for Lithuanian offshore wind farms. Experiences on EIA for offshore wind planning in the Baltic Sea.

Ms. Agnė Lukoševičienė, Lithuanian JSC Ignitis Renewables, presented information on the project of a offshore wind farm in the Baltic Sea and its EIA procedures.

The project meets environmental social and governance standards, taking social responsibility and environmental leadership in the offshore wind farm industry. It is planned to install up to 55 windmills in the area and it is estimated that 700 MW offshore wind farm could generate around 3 terawatt hours of green electricity per year. That would meet a quarter of Lithuania's current electricity demand.

For this project developer has a team of highly skilled national and international experts and consultants on board. The timeline of the EIA of the project was presented – the transboundary consultations were foreseen for the 1st or 2nd quarter of 2024, however due to a delay in national procedures it will be postponed. By the end of 2025 it is expected to finish the EIA process and obtain the EIA decision. Construction is planned to commence in 2026. The offshore wind farm is expected to be operational by 2030. At the beginning of this year, bird spotting and ship-based observations were initiated. Other crucial studies such as background noise assessment, seabed sampling, assessment of geology, soil conditions, etc. have been started. This project follows the best international practice to minimize the impact on the ecosystem of the Baltic Sea.

Concerning decommissioning, it was ensured that an end of life phase assessment also will be included in the EIA.

During the discussion participants indicated the importance of assessing cumulative impacts of all wind farm development projects in the Baltic Sea. Since many projects are in different phases and taking place in many countries, it is a challenging task.

It was proposed to initiate a separate workshop to discuss cumulative impact assessment in HELCOM or another format.

Discussion

Broad notification about planned projects under the EIA and draft documents under the SEA within Baltic Sea

Participating States shared information about the state of ongoing transboundary EIA and SEA procedures, as well as new notifications planned in the near future. The states also shared their experiences about their approaches to notifying and identifying the Parties as possibly affected by a project's implementation, explained how broad they perform notification.

Sweden has a lot of Espoo related cases - they are counting around 150 cases during the last 3 years. The majority of the projects is related to wind energy. Sweden foresees more notifications and has an intention to notify more broadly to see which countries show interest in the projects.

Poland seeks to notify as many countries as possible in order to share the information about the projects with the Baltic Sea countries, including the results of environmental studies conducted for the projects. However, a broad notification is quite complicated as the authority is limited by legislation: Poland does not have a legal basis to notify other countries if negative impacts are not foreseen. In such a case Poland sends information letters, informing the neighboring countries about the planned activity and asking if they view themselves as an affected party.

Lithuania noted that the last few years are very intense in terms of transboundary projects. During last 5 years Lithuania, being as a party of origin, has sent 12 notifications for the projects, 7 of them are related to wind energy, 4 NPP.

As an affected party Lithuania has received 28 notifications, 8 of them were received during this year, 20 of them were related to proposed wind farms in the Baltic Sea. The largest number of notifications were from Sweden (13), 5 from Estonia and a few from other countries.

Ministry of Environment, considering site location, distance to other countries, economic activity type, scope of activity and other criteria of the project, decides whether to notify neighboring country or just to send information about the project.

Latvia made an overview of ongoing projects for which transboundary environmental impact assessment or strategic environmental impact assessment is performed, and presented information regarding the first offshore wind park project. Regarding notifications, the period of last 2 years was also quite intense for Latvia. They have received 8 notifications and expressed an intention to participate as an affected country in 2 SEAs and have received 18 notifications and expressed an intention to participate as an affected country in 7 EIAs.

Germany is receiving a lot of notifications regarding offshore wind farms. Maritime special plan of the exclusive economic zone of Germany of 2021 has defined the priority areas for wind energy. During the following years Germany has decreased the target number for wind farms. There is one project proposed in the northern EEZ, which has applied for an approval and the Espoo member states have already been notified. Poland, Sweden, and Denmark have asked for participation in a transboundary EIA. Another project – “O-2.2” is currently in the scoping phase and the neighboring states have been already notified. In Germany's view, it's important to leave sufficient space for nature conservation and other interests, therefore there won't be many more new wind farms proposed.

Most of transboundary EIA cases in **Finland** are related to offshore wind farms in the Baltic Sea area and onshore wind farms in border areas in the northern parts of Finland. Finland has

applied the approach on broad notification for nuclear energy related projects - notifications were submitted to the countries that were identified as affected parties. In addition, Finland has informed all parties of the Espoo Convention regarding nuclear energy projects and offered an opportunity to take part in in EIA procedure. If any other party has considered itself to be affected, the party has been invited to the EIA procedure.

Regarding other types of projects such as offshore and onshore wind parks, Finland is sending notifications on a case-by-case basis, based on the potential significant adverse transboundary environmental impacts of each project.

Estonia has observed that offshore wind park projects are the category of projects where the Espoo convention is applied in most cases.

In the recent years, Estonia as the party of origin has sent several notifications of offshore wind farm projects. The usual practice is that Estonia sends a notification to Latvia, Finland, Sweden and Lithuania – here the general notification practice in the region is taken into account as well as the experiences that have been gathered in similar cases. As a potential affected party, the number of offshore wind farm project notifications that Estonia receives has increased to a large extent in the recent years.

In order to notify properly **Denmark** advise the authorities responsible for EIA to notify as broadly as possible.

In conclusion, the discussion revealed that the states have slightly different approaches to notification. A suggestion to continue unofficial information exchange between Espoo contact points about upcoming notifications.

Experience and approach of the Baltic States regarding Article 2.4 of the EIA Directive in the context of investments planned to be carried out in the Baltic Sea

Each participating country presented the situation of transposition of Article 2.4 of the EIA Directive and shared some experience. According to the discussion:

Latvia has not transposed the article (considering that all projects would undergo the initial screening or the environmental impact assessment). There is an exemption for national defense projects.

Lithuania has not transposed the provisions of this article and is not planning to. There is an exemption for national defense projects.

Poland has not applied this exemption but is making efforts to transpose the Article into national legislation.

Sweden has not transposed the Article, however, is preparing to do so.

Denmark has transposed the Article into national legislation.

Estonia has not transposed the Article. There is an exemption for national defense projects.

Finland and **Sweden** have not transposed the Article, but currently are making proposals to change the national legislation.

Germany is the only state of the Baltic subregion which has transposed the Article. The exemption is applied for the projects of LNG terminals and pipelines, and a nationally established procedure of assessment is used as an alternative to EIA.

The misuse of SEA Protocol as a tool for coordination of planning in the Baltic Sea

Participants of the meeting discussed about the ongoing transboundary SEAs processes, the scope of information presented in SEA documentation and raised a concern that there are cases when during transboundary SEAs issues not relevant to SEA are being discussed. It was suggested that another format should be found for solving issues unrelated to the scope of SEA. It was suggested that a separate meeting could be held to discuss the scope of information that should be exchanged during transboundary SEAs and how to limit requests for information by the institutions involved in such procedures. For example, maritime spatial planning is a very complex issue, as there are many different interests and limiting factors. Only some of them are related to environmental protection. During the transboundary SEAs for various Baltic documents (but also during EIAs) the institutions involved sometimes formulate comments regarding, for example, transport or military requirements. The comments are important and should be discussed between the countries to reach a compromise, but it may be difficult to do so within a procedure that is dedicated to the protection of environment. On the other hand, environmental issues should be considered when discussing transport or military use of marine areas.

Some participants see a good synergy between the strategic environmental assessment tool and the planning process. The process of SEA can supplement the planning procedure and enhance transparency of the planning processes, raise the awareness and facilitate public involvement.

Closing of the meeting

Beata Vilimaitė Šilobritienė summarized the results of discussions. The Chair expressed gratitude for fruitful and interesting discussions and active involvement of the participants. She informed that the report from the meeting will be prepared by Lithuania.

Annexes:

1. Agenda of the 13th Baltic Sea Subregional Meeting under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention);
2. Presentation of Ms. Valentina Paderi, Espoo Secretariat;
3. Presentation on Ongoing planned nuclear power projects in Poland;
4. Presentation on the Overview of the initial site selection phase of the deep geological repository (DGR) project in Lithuania;
5. Presentation on Balancing nature and energy: JSC Ignitis Renewables Environmental Impact Assessment (EIA) journey for Lithuanian offshore wind farms. Experiences on EIA for offshore wind planning in the Baltic Sea;
6. Presentation on the Site Selection Procedure for High-level Radioactive Waste in Germany;
7. Presentation of the Federal Maritime and Hydrographic Agency of Germany;
8. Latvian presentation on Environmental impact assessment and Strategic Environmental Assessments notifications.

Agenda of the 13th Baltic Sea Subregional Meeting under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention)

8 May 2024 (Wednesday)

Chair: Ms. Beata Vilimaitė Šilobritienė the Senior Adviser of Pollution Prevention Policy Group of the Ministry of Environment of Lithuania

10:00 – 10:15	<p>Welcome and opening word Ms. Raminta Radavičienė, Viceminister of of the Ministry of Environment of Lithuania Mr. Vitalijus Auglys, the Head of Pollution Prevention Policy Group of the Ministry of Environment of Lithuania</p>
10:15 – 10:35	<p>An overview of ongoing activities regarding cooperation in marine regions, including the finalization of the Report on synergies and possible cooperation activities in marine regions. An overview of future activities foreseen in the 2024-2026 workplan.² Ms. Valentina Paderi, Espoo secretariat</p>
10:35 – 11:00	<p>Presentation of the Overview of the initial site selection phase of the deep geological repository (DGR) project Mr. Andrius Vyšniauskas, the Project manager of the State Enterprise Ignalina Nuclear Power Plant (Lithuania)</p>
11:00 – 11:15	<p>Ongoing planned nuclear power projects in Poland (Construction and operation of a small modular nuclear power plant, etc.) (Poland)</p>
11:15 – 12:00	<p><i>Tour de table</i> National intentions and plans in the field of nuclear energy. Short information of each participating country is expected (<i>for example, current situation, planned activities, preliminary time frame, plans for transboundary EIA and (or) SEA</i>)</p>
12:00 – 13:00	<p><i>Lunch break</i></p>
13:00 – 13:20	<p>Presentation: Balancing nature and energy: JSC Ignitis Renewables Environmental Impact Assessment (EIA) journey for Lithuanian offshore wind farms. Experiences on EIA for offshore wind planning in the Baltic Sea. Ms. Agnė Lukoševičienė, Lithuanian JSC Ignitis Renewables</p>
13:20 – 14:20	<p><i>Tour de table</i> Broad notification about planned projects under the EIA and draft documents under the SEA within Baltic Sea. Short information of each participating country is expected (<i>for example, experience, lessons learned and good practices, plans and expectations</i>)</p>
14:20 – 15:20	<p><i>Tour de table</i> Experience and approach of the Baltic States regarding Article 2.4 of the EIA Directive in the context of investments planned to be carried out in the Baltic Sea Short information of each participating country is expected (<i>for example, transposition of exemption to national legislation, experiences for the national implementation and practical examples</i>)</p>

² (https://outlook.office.com/mail/safelink.html?url=https://unece.org/sites/default/files/2023-11/ece_mp.eia_2023_3-ece_mp.eia_sea_3_e.pdf&corid=47aceaa5-5912-ba1e-2e47-ffb1e09562e4)