



**LIETUVOS RESPUBLIKOS APLINKOS MINISTERIJA
THE MINISTRY OF ENVIRONMENT OF THE REPUBLIC OF LITHUANIA**

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Ms. Vesna Kolar-Planinšič
Chair of Implementation Committee
Convention on Environmental Impact
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Office: 4291-1, Palais des Nations
CH-1211 Geneva 10
Switzerland

20 November, 2013 No. (10-3)-D8-9851

Ms. Tea Aulavuo
Secretariat, Convention on Environmental
Impact Assessment in a Transboundary Context
Office: 429-1, Palais des Nations
CH-1211 Geneva 10
Switzerland

RE: INFORMATION CONCERNING VISAGINAS NUCLEAR POWER PLANT

Dear Ms. Kolar-Planinšič and Ms. Aulavuo,

In response to your letter of 12 September 2013, please find the requested information related to the Visaginas nuclear power plant environmental impact assessment process.

- 1. How did Lithuania provide to the public of Belarus an opportunity to participate in the EIA procedure, in compliance with article 2, paragraph 6 of the Convention?**
- 2. How did Lithuania ensure that the opportunity to participate provided to the public of Belarus was equivalent to that provided to the public of Lithuania?**

We consider these two questions as interrelated and inseparable in contents; therefore, we prepared a consolidated answer to both of them.

The opportunity to the public of Lithuania and to the public of Belarus to participate in the environmental impact assessment (hereinafter – EIA) procedures regarding the Visaginas Nuclear Power plant (hereinafter – Visaginas NPP) was based on the principle of equality (in terms of time and scope of the EIA procedure). Therefore, public consultations on the project in both Lithuania and Belarus were held simultaneously and substantially before the decision on the feasibility to

develop Visaginas NPP project was taken and with due respect to its environmental impact assessment.

In compliance with the Lithuanian legislation and the Espoo Convention, construction of a NPP is considered as an economic activity for which carrying out EIA process in a transboundary context is mandatory. Based on the Espoo Convention (article 3, paragraph 1) Ministry of Environment of the Republic of Lithuania notified the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus as well as Espoo convention's points of contact in Estonia, Finland, Latvia, Poland, Russian Federation and Sweden by letter No. (1-15)-D8-6437 of 27 July 2007 about the initiation of the EIA procedure for the construction of the NPP in the vicinity of the existing Ignalina NPP (Eastern part of Lithuania).

Aiming to ensure that Belarusian public is informed about the availability of the EIA report without delay, on 27 August 2008 the Ministry of Environment of the Republic of Lithuania informed the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus by the letter No (1-15)-D8-7448 that the EIA report for the construction of the NPP in Lithuania has been prepared and requested to inform Belarusian public and appropriate institutions in Belarus about that.

The public in Belarus was provided with possibilities for making comments on the project during the public hearings which were organised by an agreement of Lithuania and Belarus on 14 October 2008 in Breslaw in Belarus. Representatives from various science, medicine, municipal and public agencies as well as people living in the vicinity of the planned nuclear power plant participated in the event. During the hearings the proposed activity was presented, the public was introduced to the content of the EIA report along with the objectives and procedures of the environmental impact assessment. Potential impact on the environment during the construction and operation of the nuclear power plant was discussed and the conclusions of the EIA report were presented. Questions raised by the public were answered by the representatives of Lithuania. The protocol of the meeting is attached.

In regard to Lithuanian public, information about the beginning of the EIA process for the construction of the Visaginas NPP was announced in the Lithuanian media on 30-31 July 2007. When the EIA report was prepared, the Lithuanian public was informed about the possibility to get acquainted with the EIA report and to participate at public hearings by announcements in Lithuanian media on 27-29 August 2008. Public hearings for Lithuanian public were conducted on 23 September 2008 at the Administration of Visaginas Municipality and on 24 September 2008 in Vilnius. During the public hearings the proposed economic activity was presented by the developer, answers were given to the questions from the participants. Protocols of both meetings are attached.

3. Did Lithuania participate at the public hearing in Breslaw, Belarus, on 14 October 2008? Please provide details regarding the Lithuanian participation.

Yes, representatives of Lithuania took part at the public hearing in Breslaw, Belarus, on 14 October 2008. Representatives of State Company "Visaginas atominė elektrinė" (project developer), Company "Poyry Energy Oy" and the state scientific research body "Lithuanian Energy Institute" (both responsible for preparation of the EIA documentation) were present at this event. Representatives of Lithuania provided all available information regarding the project in response to questions from the public.

4. Did the public from Belarus participate in the public hearing held in Lithuania, on 22 December 2008? When did Lithuania send the report of that public hearing to Belarus?

It should be noted that on 22 December 2008 bilateral consultations in accordance with the article 5 of the Espoo Convention between experts of Lithuania and Belarus were arranged. Information about public hearings for the public of Belarus is provided in the answers to the questions No. 1-3.

5. Lithuania informed the Committee that the final decision for Visaginas nuclear power plant of 21 April 2009 was decision on the feasibility of the construction. According to which legislative provisions is the Ministry of Environment the competent authority to decide on the proposed activity? Has the Government or the Parliament taken another decision after the decision on the feasibility of the construction? Can you explain why seismic evaluation was performed after the final decision?

On 21 April 2009, the Ministry of Environment of the Republic of Lithuania (as a Competent authority) made the decision No (1-15)-D8-3504 on the feasibility to construct Visaginas NPP with due respect to its environmental impact assessment. The decision was based on the Law on Environmental Impact Assessment of the proposed economic activity (Official Newspaper "Valstybės žinios", 1996, No. 82-1965; 2005, No. 84-3105). Neither the Government, nor the Parliament took another decision on the feasibility to construct Visaginas NPP with due respect to its environmental impact.

It should be noted that the decision No. (1-15)-D8-3504 of 21 April 2009, adopted by the Ministry of Environment of the Republic of Lithuania, specified certain conditions for further development of Visaginas NPP with due respect to its environmental impact assessment. One of the conditions (paragraph No 10) was: *"It is necessary to undertake the detailed assessment of the sites No 1 and No 2 in line with the IAEA safety standard NS-R-3 "Site Evaluation for Nuclear Installations". The assessment of seismic hazard at the sites has to be carried out in line with the IAEA Safety Standard DS422 "Evaluation of Seismic Hazards for Nuclear Installations". A seismic monitoring system will have to be installed for the surveillance of the seismic impacts."*

Such seismic assessment was carried out in 2010 during which thorough new 3D and 2D high resolution seismic reflection exploration, engineering geological and geotechnical investigations were performed. The activities were designed and carried out in line with IAEA (International Atomic Energy Agency) and Lithuanian State Nuclear Power Safety Inspectorate (VATESI) requirements and guides. Complying with Construction Technical Regulations of the Republic of Lithuania the acquired engineering geological results were reviewed and approved by the Lithuanian Geological Survey under Ministry of Environment. According to the information available at the Lithuanian Geological Survey the geological and tectonic settings of the sites were described on basis of new 3D and 2D high resolution seismic reflection exploration, engineering geological and geotechnical investigations results. The data definitely showed the absence of any capable faults and any traces of faulting in sedimentary cover of the site. The assessment was also verified by the IAEA Site Safety Review Mission – SSRM (took place on the 8-12 November, 2010), which reviewed the process and results of the evaluation of the sites (Site Evaluation Report) with respect to the IAEA safety requirements. IAEA mission stated that sites' evaluation was conducted in line with the IAEA requirements and guides, the volume of investigation was sufficient and the chosen sites are suitable for the construction of Visaginas Nuclear Power Plant. Acting according to the IAEA official procedures, IAEA officially formalized this SSRM Report and submitted it on 25 March 2011. The main conclusion is that both sites are suitable for the new

NPP. This SSRM Report was also submitted to the Lithuanian authorities involved, including Lithuanian State Nuclear Energy Safety Inspectorate (VATESI), Lithuanian Hydrometeorological Service, Lithuanian Geological Survey, Lithuanian Radiation Protection Center, Fire and Rescue Department under Ministry of Interior, Civil Aviation Administration.

The information regarding the results of the IAEA SSR Mission was also provided to Belarus on 2 December 2011 by the letter of Ministry of Environment of the Republic of Lithuania No. (10-3)-D8-10771.

6. Could you provide updated information regarding the activities of the special working group established by the Lithuanian Government and the political decision on the new NPP project in Lithuania?

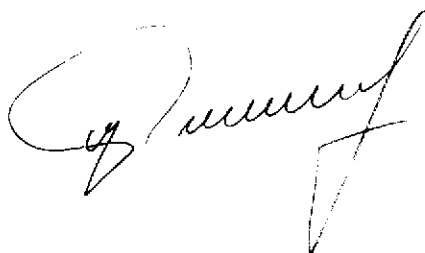
On 30 April 2013 the Government of the Republic of Lithuania approved the conclusions submitted by the special working group (mentioned in the letter of the Ministry of Environment of the Republic of Lithuania of 13 May 2013 No (10-3)-D8-4007 to the Implementation Committee) established to review the National Energy Independence Strategy and perform a comprehensive analysis of the new NPP project in Lithuania. Safe nuclear energy development was identified as one of the elements of Lithuanian energy-mix. Lithuanian Government especially emphasises continuous and comprehensive information of public – it is regarded as one of the key milestones while developing Visaginas NPP project.

ENCLOSURE:

1. Protocol of public hearings of 14 October 2008 in Breslaw in Belarus, 3 pages (in Russian language);
2. Protocols of public hearings of 23 September 2008 at the Administration of Visaginas Municipality and of 24 September 2008 in Vilnius, 11 pages (in Lithuanian language).

Sincerely yours,

Almantas Petkus
Vice-Minister



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