

**Answers from the communicant to the questions from the Committee concerning communication
ACCC/C/2013/92 (Germany) – 04 December 2014**

Questions for the communicant

1. When did you first learn of the proposed decision-making procedure regarding Hinkley Point C and how? To your knowledge, was the German public notified of the proposed decision-making procedure by either the Government of United Kingdom or Germany and if so, by which Government and when?

The German public was informed in February 2013 by coincidence from the side of the Austrian public of the existence of an Environmental Impact Assessment procedure for the nuclear power station Hinkley Point C in the United Kingdom. The German public was not notified by the Government of the United Kingdom nor by Germany.

2. Were you notified regarding the preparation of the United Kingdom's National Policy Statement for Nuclear Power Generation and if so, how? If you were not notified, were you aware of the preparation of the National Policy Statement through other sources, and if so, which sources?

Neither me nor other usual well informed members of the public were notified about the preparation of the United Kingdom's National Policy Statement for Nuclear Power Generation. No, neither me nor other usual well informed members of the public were aware of the preparation of the National Policy Statement.

3. When did you first inform the German government of your wish to participate in the decision-making procedure regarding Hinkley Point C? Please provide copies of the relevant correspondence.

On 25 February 2013, shortly after I had received the information from Austria, I informed the German Government of the wish to participate in the decision making procedure regarding Hinkley Point C. I did so with a list of other citizens in support of this request, which was sent to the British ministry, to BMU and to the European Commission. I am responsible for this submission list.

Furthermore I sent personally a letter on 28 February 2013 to the German BMU, in which I demanded to participate, but was refused (attached: a_2. Letter to BMU and a_3. Answer BMU, a_3a is translated excerpt).

4. With respect to the list to be provided by the German Government of transboundary EIA/SEA procedures for nuclear activities abroad in which the German public has participated (see question 5 above), please specify in which of these procedures you yourself participated.

The German BMUB and some ministries of some German Bundeslaender demanded after my request – and with this opened me a way to participation - in the following EIA/SEA procedures:

1. EIA Bohunice (scoping procedure)

After information from the Austrian public I requested participation from BMU and from the Bavarian Environmental Ministry. Later, the Bavarian Ministry informed me personally when the procedure was opened for the public. No other active way of information via media or

other ways of information or participation for the public. I informed other interested persons. I have no information whether this procedure is already in the next part of the procedure. This procedure includes the possibility of construction of an EPR reactor as in Hinkley Point C.

2. EIA Pyhaejoki

After information from the German public I requested participation from BMU and contacted the office of Ms. Kotting-Uhl. Later, I was informed from the office of Ms. Kotting-Uhl when the procedure was opened to the public. I am not aware of any other active way of information or participation for the public. We informed other interested persons. We have no information about what happened to this EIA.

3. SEA Nuclear Program Poland

After information from Jan Haverkamp I requested participation from BMU and asked the Environmental Ministry of Brandenburg whether they would participate. There was no other active way of information or participation for the public. After sending submissions to Poland, we have so far received no information about what happened with this SEA. This procedure includes the possibility of construction of EPR reactors as in Hinkley Point C.

I further participated in:

4. EIA Temelin

Information via local newspaper in the counties directly to the Czech border. No other active way of information and participation for the public. I actively follow this procedure as far as I'm able to get information. This procedure includes the possibility of construction of an EPR reactor as in Hinkley Point C.

5. EIA Paks II (scoping procedure)

I was personally informed by the Bavarian Environmental Ministry, that they opened a public participation procedure after receiving a notification letter from Hungary. No other active way of information and participation for the public. No knowledge whether this EIA already is in the next part of the procedure or not. This procedure included at the time the possibility of construction of an EPR reactor as in Hinkley Point C.

I tried to participate in the EIA on the lifetime extension of NPP Borssele in the Netherlands after information from a Dutch NGO that an EIA was opened in the Netherlands itself, but was ignored.

For information: Distance from German border to the nuclear power plants: Bohunice 423 km, Pyhäjoki 1340 km, Paks 470 km, Hinkley Point 646 km.

Also the first EIA for Pyhäjoki, Finland (2008), and Visaginas, Lithuania (2008-2010) included the possibility of construction of an EPR reactor as in Hinkley Point C.

EIA BOHUNICE, SLOWAKIA

Attachment 1_Beteiligung_an Bohunice_Seehofer - On 23 April 2014 I asked the Bavarian Ministerpresident Horst Seehofer for participation on EIA Bohunice. Slovakia sent no notification letter to Germany. Only Poland, Hungary, Belarus, Austria and Czech Republic got such a letter, the public was told later. I asked Mr. Seehofer when participation on EIA Bohunice (scoping procedure) under the UN Espoo Convention and under the UN Aarhus Convention would be possible for the German public via the Environmental Ministry of Bavaria.

Attachment 1a_UVP Bohunice in DE - On 05 April 2014 I asked BMUB and STMUV Bavaria whether there would be an EIA Bohunice in Germany. I asked the ministries whether anybody would be

interested in EIA Bohunice (scoping procedure) and could tell me where and when this EIA would be open for public participation in Germany.

On 06 May 2014 STMUV Bavaria apologized for the late answer and informed me that STMUV hoped to give me a positive answer but the procedure (with Slovakia) was still ongoing.

On 31 July 2014 the STMUV sent information that EIA Bohunice was open to public.

EIA PYHAEJOKI, FINLAND

Attachment 2_Pyhäjoki Finland- BMU - On 29 October 2013 I demanded participation from BMU on EIA Pyhaejoki. Pyhaejoki is further away from Germany and especially from Bavaria than Hinkley Point C. With letter from 27 September 2013, file number YM4/5521/2013, Finland informed the Espoo contact point of BMUB about the scoping procedure of EIA Pyhäjoki / Fennovoima Oy in Finland. But Germany did not participate by itself. The public found this letter by luck on a Swedish Ministry website and forwarded it to me. The deadline for registration was the 30 November 2013. After this I contacted the office of Ms Kotting-Uhl. They supported my wish to participate and contacted the responsible German ministries.

Attachement 2a_Pyhäjoki- Finnish Rosatom - On 21 November 2013 the office of Ms Kotting-Uhl informed me that after my request they have talked to the Ministry of the Environment (BMU). I was informed that the Federal State of Mecklenburg-Vorpommern and the Federal State of Schleswig-Holstein will participate in EIA Pyhäjoki and that the Federal State of Niedersachsen might follow.

Attachement 2b_MELUR_letter_to_Finland - This is the letter (in English) from the Energy Ministry of the Federal State of Schleswig-Holstein to Finland (from 15 November 2013). The ministry asked for participation in EIA Pyhäjoki.

EIA PAKS, HUNGARY

Attachement 3_Einwendung Paks II - Hungary sent a notification letter to a lot of European and neighboring countries. The StMUG participated on EIA Paks. The ministry told me that all citizens can send their submissions by e-mail to the ministry in Bavaria. Some persons asked me how to forward their submissions.

Text from the website of the ministry:

<http://www.stmug.bayern.de/umwelt/reaktorsicherheit/paks/index.htm>

Public participation in the transboundary procedure (scoping) for environmental impact assessment procedure for new building of Paks in the Hungarian Republic - Location Paks - planned construction of reactor blocks

In the Republic of Hungary there are currently four nuclear reactors under operation at Paks. The location Paks is approximately 470 km away from the Bavarian border. There the construction of additional reactor blocks should be started in the next few years. The Parties to the Espoo Convention (Convention on Environmental Impact Assessment in transboundary context), including Germany and the Republic of Hungary, have committed to participate in their neighboring states by transboundary environmental impact assessment procedure (RRP).

Attachement 3a_Paks Fristverlängerung - The StMUG informed me, that the submission period was extended until 15.04.2013. This happened because of a common initiative of the BMU and the StMUG.

**Information about the new generation reactors III+
from the Czech Government envoy**

After being informed about this statement, I attached it into my submission in EIA Bohunice and informed the BMUB.

Attachement 4_20140801_zaverecna_zprava_Bartusek_EN is the final statement (translated into English by Jan Haverkamp) of the Temelin envoy Vaclav Bartuska of the Government of the Czech Republic. The Czech envoy informed his Government that the new generation reactors are not good.