



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

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Implementation Committee
Convention on Environmental Impact
Assessment in a Transboundary Context

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Dear Committee Members,

On behalf of the Lithuanian Ministry of Environment, I congratulate the newly elected Implementation Committee under the Espoo Convention and the Protocol and wish fruitful work in reviewing the Espoo Parties' compliance with their obligations under these multilateral environmental agreements.

Taking the opportunity, I would like to express my support to the Implementation Committee for the work done in analyzing the Ostrovets nuclear power plant (NPP) in Belarus case and its contribution to transparent and safe implementation of the NPP project in Belarus since 2011. I note with regret that despite the considerable efforts of the Implementation Committee to reach consensus on the compliance matters at the seventh Meeting of the Parties of the Espoo Convention held on 13-16 June 2017 in Minsk (MOP-7), the adoption of the decision on the review of compliance with the Convention (including the Ostrovets NPP case) was postponed until an Intermediary Meeting of the Parties of the Espoo Convention. Taking into account all the circumstances, especially Belarus' plans to start operation of the Ostrovets NPP in 2019, it is important that the Intermediary MOP is organized in autumn 2018 at the latest.

The MOP-7 mandated the Implementation Committee to prepare a revised draft decision on compliance for further consideration by the Parties, taking into account the work carried out during and in the margins of the MOP-7 sessions held in Minsk. Taking the opportunity, we would like to provide the main insights regarding the Ostrovets NPP case.

Lithuania fully supports the Committee's draft decision VII/2 No. ECE/MP.EIA/2017/8 regarding Belarus and stresses that the questions raised by the Committee regarding the site, assessment of aircraft crash, evaluation of population density in assessing radiological impacts of major accidents and in preparation of emergency measures, assessment of radiological impacts on rivers and ground waters in case of major accidents, radioactive waste and spent fuel management are of utmost importance in order to ensure that significant adverse transboundary impacts on the environment, including human health and safety, have been properly assessed and taken into account in the decision making procedure. Two bilateral Lithuanian-Belarus experts' meetings held in 2016 proved that the issues raised in the draft decision could not be solved bilaterally and that independent analysis of the transboundary environmental impact assessment (EIA) procedures and

substance of the Ostrovets NPP project is extremely important in assessing Belarus compliance with the Espoo Convention.

The International Atomic Energy Agency's (IAEA) SEED mission that was held in Belarus in January 2017 included only one module out of six and did not examine the modules related to site evaluation and selection, environmental impact assessment, seismic hazards. It is important to stress that since 2013 Lithuania has been requesting Belarus to invite the IAEA SEED mission for the assessment of site evaluation and selection. Moreover, the MOP-6 of the Espoo Convention, in 2014, adopted a decision VI/2 regarding Belarus and encouraged Belarus „to invite the International Atomic Energy Agency (IAEA) for a Site and External Events Design (SEED) mission with a view to evaluating the site selection criteria and studies for the nuclear power plant, as well as its development and operation, to fully ensure its safety.“ Considering the scope of the IAEA SEED mission chosen by Belarus, no conclusions can be drawn regarding site evaluation and selection criteria as these topics were not analysed by the IAEA experts.

For your convenience, we are sending the analysis of the report of the IAEA SEED mission in Belarus performed by State Nuclear Power Safety Inspectorate (VATESI), i.e. Lithuania's regulatory and supervisory authority in the nuclear energy area and the safety of activities involving sources of ionising radiation in this area. It is important to stress the conclusions VATESI made: the experts of the SEED mission had not considered the questions related to the site evaluation and selection, as well as environmental impact assessment, as they were not included in the mission scope. For detailed analysis please refer to the Annex of this letter. Should you have any questions on the matter, we are ready to share with you all the information available to us.

Taking into account all the circumstances, Lithuania supports the five questions formulated by the Committee and included in the draft decision VII/2 No. ECE/MP.EIA/2017/8. Also, we would like to share with you the question, commonly supported by the European Union, in order to address the site selection issue: *“According to current international recommendations, guidelines and other relevant guidance documents, what are the requirements for conducting environmental impact assessment that cover collection and analysis of data, analysis of impacts, mitigation of impacts and initiating of environmental monitoring programmes? Were these requirements used in the case of the Ostrovets nuclear power plant when assessing site-related factors, seeking to ensure elimination of unacceptable risks to people and the environment over the lifetime of the installation?”*

We sincerely hope that the information provided will be useful for further consideration of the Ostrovets NPP case. Lithuania confirms its readiness to continue the close cooperation with the bodies of the Espoo Convention.

ANNEX. Analysis by State Nuclear Power Safety Inspectorate (VATESI) of Lithuania, 2 pages.

Yours sincerely,



Vice-Minister
Martynas Norbutas

IAEA SEED REVIEW SERVICE FOR THE BELARUS NPP. REPORT ANALYSIS BY VATESI

Having analysed the publicly available report of the International Atomic Energy Agency's (IAEA) Site and External Events Design (SEED) review service that was carried out on 16-20 January 2017 in Minsk, for the Belarus nuclear power plant (Belarus NPP), State Nuclear Power Safety Inspectorate (VATESI), i.e. Lithuania's regulatory and supervisory authority in the areas of nuclear energy and safety of activities involving sources of ionising radiation, concluded the following:

1. IAEA proposes to its Member States SEED review service that consists of six modules:
 - Module 1: Site selection process review. The IAEA experts assess if national safety requirements related to site selection, assessment and design preparation are in line with the IAEA safety standards;
 - Module 2: Site environmental assessment review. The IAEA experts assess if all safety aspects were taken into account in the site selection process in order to ensure that the NPP in the selected site would not cause unacceptable risks to population and environment throughout the lifetime of the NPP;
 - Module 3: Integrated site evaluation review. The IAEA experts assess if the IAEA safety requirements were followed and how comprehensive were the site researches for the determination of site parameters necessary for the preparation of the NPP design;
 - Module 4: Site hazards evaluation review. The IAEA experts assess if the IAEA environmental impact assessment requirements, including data collection and analysis, analysis of impacts, mitigation of impacts and environmental monitoring programs, were followed;
 - Module 5: Safety review of SSCs against external and internal hazards. The IAEA experts assess safety important site characteristics monitoring methodologies and plans, including preparation for operation and operation stages;
 - Module 6: Design safety margin assessment. The IAEA experts assess if IAEA safety requirements were followed in order to ensure that the NPP design can resist the external hazards inherent to the selected site.

2. **Based on the SEED review service report on Belarus NPP, the mission carried out on 16-20 January 2017 in Belarus was not of full scope.** The review was conducted only in accordance with the sixth module of the SEED service, which is related to review of the relevant NPP design parameters against site-specific hazards. **The SEED review service report proves that the IAEA experts did not conduct a review of site selection and evaluation, including environmental impact assessment (2-4 modules of the SEED service) that are the key issues raising concerns to Lithuanian public and authorities.** It is important to mention that in line with the IAEA rules, the scope of the IAEA missions, including the SEED mission in Belarus, fully depends on the request of the party receiving the mission, in this case, Belarus.

3. The executive summary of the IAEA SEED mission report confirms the statements mentioned above: the IAEA and the Belarus representatives agreed on the objectives and scope of the SEED mission during preparatory meeting held in Belarus on 25-27 July 2016. The key objective of the SEED mission in Belarus was to review the relevant NPP design parameters against site-specific

hazards. The report states that the IAEA SEED mission reviewed the chapters of Preliminary safety analysis report of the Belarus NPP, which describes a screening of site hazards, site characterization and NPP design parameters, site hazards monitoring and specific challenges related to external events in light of the lessons learned from the Fukushima Daiichi accident.

4. **The IAEA SEED mission did not assess whether the Ostrovets site is suitable for NPP construction, taking into account possible NPP impact on population and environment.** The IAEA SEED mission did not assess what data and assumptions were used in evaluating the Ostrovets site and its conditions, and whether site characteristics were properly evaluated against all the requirements set out in IAEA Safety Requirements No. NS-R-3 (Rev. 1) "Site Evaluation for Nuclear Installations" and its supplementing IAEA Safety Standards.

It is important to emphasize that in the environmental impact assessment documentation or any other documentation provided to Lithuania on the Belarus NPP project, Belarus did not provide evidence that Lithuania's population density, population distribution and other characteristics important to the implementation of emergency preparedness measures were properly considered in the selection of the Ostrovets site. The radiological impact under normal operational and accident conditions of Belarusian NPP was not properly considered either. Due to short distance from Belarus NPP to Lithuania, especially to the capital Vilnius, in case of a severe accident at Belarus NPP 1/3 of Lithuanian population (at 100 km distance from Belarusian NPP) might be affected. The emergency situation would be extremely difficult to manage because central governmental institutions would be forced to work under the same hazardous conditions.

Prepared by the Lithuanian State Nuclear
Power Safety Inspectorate (VATESI)
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