



LIETUVOS RESPUBLIKOS APLINKOS MINISTERIJA

THE MINISTRY OF ENVIRONMENT OF THE REPUBLIC OF LITHUANIA

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Vitalij Kulik

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REGARDING NUCLEAR POWER PLANT PROJECTS IN BELARUS AND LITHUANIA

Dear Mr. Vitalij Kulik,

In response to your letters of 25 July 2011 No. 13-15/3613-BH and 23 September No. 13-15/424-B, we would like to present Lithuanian conclusions regarding the environmental impact assessment (EIA) process for the construction of the nuclear power plant in the Republic of Belarus and provide the following explanation and information regarding the construction of the nuclear power plant in Lithuania.

We express our regret that the Republic of Belarus adopted subsequent decisions regarding the implementation of the nuclear power plant project in the Republic of Belarus before the analysis of Lithuanian submission at the Implementation Committee of the Espoo Convention. We are certain that the Republic of Belarus has violated the requirements of the Espoo Convention because Astravec site was chosen before the fulfillment of the request of the affected party to submit answers to its comments, organise public hearing and bilateral consultations. Such actions once again indicate the lack of truthful cooperation from Belarus side. We are still convinced that the investigation of this case will be useful for both Parties as it will not only help to solve our disputes, but will also contribute to the proper application of the Espoo Convention in the future.

Having analysed the submitted information, we would like to note that the provided comments do not answer the questions raised by Lithuania and do not present new arguments regarding the selection of Astravec site for construction of the nuclear power plant and haven't proved that during normal operation of the nuclear power plant and in case of accidents there will be no negative effects on population of Lithuania and its environment. Therefore, we are not reconsidering our previously expressed position. We repeatedly request to submit answers to our questions, organise public hearings and bilateral consultations regarding the EIA for nuclear power plant in the Republic of Belarus and until these conditions are not fulfilled Lithuania considers this Espoo case open. As Lithuania is to be affected party due to the implementation of the nuclear power plant project in Belarus, our motivated objection and requests regarding the construction of nuclear power plant in Astravec site must be respected.

Referring to your request to apply Article 6.3 of the Espoo convention for the construction of the nuclear power plant in Lithuania we would like to note, that according to this article the consultations regarding the need to revise the decision shall be held if "additional information on

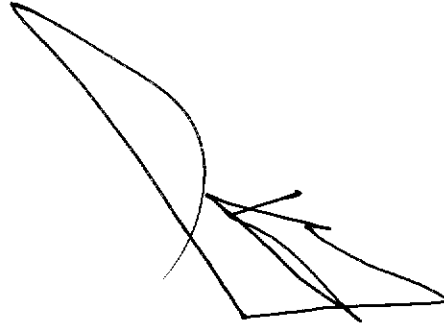
the significant transboundary impact of a proposed activity, which was not available at the time of a decision was made with respect to that activity and which could have materially affected the decision becomes available to a concerned Party before work on that activity commences”.

We would like to note that EIA report for the new nuclear power plant in Lithuania included evaluation of the tectonic faults in the area of the construction of the new nuclear power plant. The evaluation was based on the interpretation of the 1970-1988 data. The publications that were mentioned in your letter of 25 July 2011 were also based on this data. As geological and seismic conditions of the site are one the most important external factors influencing safety of the nuclear power plant, the decision of the Ministry of Environment of the Republic of Lithuania dated 21 April, 2009 No. (1-15)-D8-3504 on the Feasibility of the Construction of Visaginas Nuclear Power Plant sets out the condition “to carry a detailed evaluation of Sites according to the IAEA safety standard NS-R-3 Site Evaluation for Nuclear Installations. The evaluation of the sites’ seismic hazard must be made according to the International Atomic Energy Agency (IAEA) safety guidelines DS422 *Evaluation of Seismic Hazards for Nuclear Installations*”.

Such 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. According to the information available at the Lithuanian Geological Survey under the Ministry of Environment the geological and tectonic settings of the Visaginas Nuclear Power Plant 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 of the Visaginas Nuclear Power Plant. The assessment was verified by the IAEA mission (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. On the final day of the IAEA mission it was 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 Site Safety Review Report and submitted it on 25 March, 2011. The main conclusion is that both sites are suitable for the new Visaginas Nuclear Power Plant.

Yours sincerely,

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