

28 February 2008  
YM4/5521/2007

## Espoo Convention's Point of Contact for Notification in Austria

### **Notification in accordance with Article 3 of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) for the extension of the Olkiluoto nuclear power plant by a fourth unit**

As Party of Origin Finland is hereby sending notification, in accordance with Articles 3 and 7 of the Espoo Convention, of the proposed project by Teollisuuden Voima Oy (TVO) to extend the Olkiluoto nuclear power plant by a fourth unit in the Eurajoki municipality on the south-western coast of Finland. Austria contacted the Finnish Ministry of the Environment during the EIA procedure of the activity and asked for notification of the project, this being the reason for late notification. Finland notified its neighbouring countries and the Baltic Sea subregion about the EIA procedure in June 2007.

Teollisuuden Voima Oy already has two operating units at the same location and a third one is now under construction. The company is planning to construct a new nuclear power plant unit with net electrical output of 1000 MW to 1800 MW and thermal power of 2800 MW to 4600 MW. The nuclear power plant unit may be a boiling or pressurised water reactor plant. Two alternative sites for the power plant unit, located to the north of the existing two power plant units, will be considered in the environmental impact assessment (EIA). Furthermore, two alternative locations for cooling water intake and two alternative locations for cooling water discharge of the power plant unit will be examined in the EIA procedure, as will the waste management. In addition, a no-action alternative will be studied in the EIA.

The project can be found as item 2 (nuclear power stations) on the list of activities in Appendix I to the Espoo Convention that are likely to cause a significant adverse transboundary impact.

The Convention states that the concerned Parties shall ensure that the public in the areas likely to be affected are informed of the proposed activity and provided with possibilities for making comments on or objections to the proposed activity, and that these comments or objections are transmitted to the competent authority of the Party of Origin. The Finnish Ministry of the Environment is the Point of Contact of the Espoo Convention in Finland. The Ministry is prepared to make the necessary arrangements to ensure that your public is provided with similar opportunities as the Finnish public has to comment on the EIA documents. Please contact Ms Seija Rantakallio, if you require further information or assistance on this matter.

Two other energy companies, Fortum and Fennovoima, also have ongoing EIA procedures of a similar activity, in a bid to build the 6<sup>th</sup> power plant unit in Finland. Finland has already notified you of the activity by Fennovoima. The EIA documentation of the activity by Fortum is expected to be received this spring and will be sent for comments to Austria if no other indication is given.

### **The decision-making process for the construction of a nuclear facility**

The Nuclear Energy Act (990/1987) and the Nuclear Energy Decree (161/1988) define the licensing procedure and the conditions for the use of nuclear energy, including waste management and the responsibilities and powers of the authorities. The detailed Finnish licensing requirements for nuclear installations are outlined in the Radiation and Nuclear Safety Authority (STUK) regulatory guides.

The operator submits an application to the Government to obtain a decision-in-principle on a new nuclear facility. The Government requests a preliminary safety appraisal from the Radiation and Nuclear Safety Authority (STUK) and a statement from the municipality intended as the site of the planned nuclear facility. The municipality has a right of decisive veto against a new facility. In addition, the Government requests statements from other authorities and related bodies, and organises a public hearing in the municipality where the facility is planned to be located for the residents of the municipality and of neighbouring municipalities. The Ministry of Employment and the Economy (formerly the Ministry of Trade and Industry) is responsible for preparing the decision.

The Government shall make a decision-in-principle on whether the construction of the facility is, or is not, in line with the overall good of society. A favourable decision-in-principle is forwarded to Parliament for ratification. Parliament may either ratify or reject the decision-in-principle as such.

If the decision-in-principle is favourable, and Parliament ratifies it, the operator applies in due time for a construction licence from the Government. The Government requests all relevant statements and decides whether to issue a licence for the construction of the nuclear facility.

Towards the end of the construction phase, the operator applies for an operating licence for the facility. After it has received the necessary official statements, the Government decides whether to issue an operating licence for the facility.

### **EIA procedure in Finland**

The Finnish EIA procedure consists of two phases: the EIA programme (scoping document) phase and the EIA documentation phase. The assessment procedure began when the developer, Teollisuuden Voima Oy, submitted the EIA programme to the competent authority on EIA, the Ministry of Employment and the Economy. The EIA programme contains information on what are the potential environmental impacts of the project and on the alternatives to the project that are proposed to be studied and assessed. Authorities, the public and NGOs were entitled to comment on the EIA programme in June and August 2007. The competent authority has taken into account the comments received, domestically and from abroad, and has issued its own opinion on the EIA programme. In its statement, the competent authority has indicated which investigations the developer must concentrate on and how the proposal for the EIA programme should be amended. The Ministry of Employment and the Economy has given its own statement to the developer on the adequacy of the EIA programme in October 2007.

It is the duty of the developer to assess the environmental impacts of the project and its alternatives. The developer has drawn up the assessment documentation report on the basis of the investigations carried out. Authorities, the public and NGOs are entitled to comment on the EIA documentation until 21 April 2008. The competent authority collects all the opinions and comments submitted on the EIA documentation and, after taking these into account, issues its own opinion on the EIA documentation. The EIA procedure is concluded when the authority forwards its own statement to the developer on the adequacy of the EIA. According to the Finnish legislation the statement must be given within two months after the public hearing, i.e. by 23 June 2008. This statement will be sent to the Point of Contact of your country.

The EIA must be carried out before any decisions on licensing can be made. The developer attaches the EIA documentation to the decision-in-principle application and to the construction licence. The construction licence is considered to be the final decision according to Article 6 of the Convention, as it can be challenged.

### **Answer to the notification and comments on the documentation**

The EIA programme and the documentation are available in Finnish, Swedish and English. The document intended for notifying the Parties to the Espoo Convention with information on the proposed activity, including available information on its possible transboundary impact, is available also in German. The summary of the EIA documentation in German will be sent to you separately. These documents are intended especially for the public. All these documents can be obtained from the Internet pages of the Ministry of Employment and the Economy ([www.tem.fi](http://www.tem.fi) > In English > energy > nuclear energy > EIA procedures for new nuclear power projects > EIA of the Olkiluoto 4 option).

Referring to Articles 3.3, 4 and 5 of the Espoo Convention, Finland kindly asks your country to respond by **28 April 2008** at the latest, and to

- acknowledge the receipt of the notification,
- indicate whether your country intends to participate in the EIA procedure,
- provide comments concerning the assessment of the environmental impacts of the project affecting your country,
- submit any comments you might receive from the public in your country, and
- indicate if you feel there is a need for additional consultations between 29 April and 6 June 2008.


Kindly send the answer to this letter to:

Ministry of the Environment  
Ms Seija Rantakallio  
PO Box 35  
FIN-00023 Government  
Finland

Permanent Secretary

  
Sirkka Hautajärvi

Counsellor,  
Environmental impact assessment  
Point of Contact of the Espoo Convention

  
Seija Rantakallio

**Enclosures** (the documents have been prepared by the developer):

1. Environmental Impact Assessment Programme: Extension of the Olkiluoto nuclear power plant by a fourth unit
2. Environmental Impact Assessment Programme Summary — In German
3. Ministry of Employment and the Economy's statement on the EIA programme
4. Environmental Impact Assessment Report: Extension of the Olkiluoto nuclear power plant by a fourth unit

**For more information about the project and the EIA:**

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