Poland and Germany: Issues of transboundary consultation

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Nuclear power in Germany

- 2013: 🏢 = in operation
- Gradually phase out by 31 December 2022
Nuclear power in Europe

- 14 member states using nuclear power
- Construction of new NPP’s are in progress e.g. France, Finland
- Further plans for new constructions to replace old plants, to enlarge or to introduce nuclear power
EU - Environmental assessment (1)

- Ensures that environmental implications of projects are being taken into account before decisions are made

- Applies for individual projects, such as NPP’s on the basis of Directive 2011/92/EU (known as 'Environmental Impact Assessment' – EIA Directive) or for public plans or programmes on the basis of Directive 2001/42/EC (known as 'Strategic Environmental Assessment' – SEA Directive)
EU - Environmental assessment (2)

- Common principle of both Directives is to ensure that plans, programmes and projects likely to have significant effects on the environment are made subject to an environmental assessment, prior to their approval or authorisation.

- Consultation with the public is a key feature of environmental assessment procedures.
International – Environmental assessment

- Convention on Environmental Impact Assessment in a Transboundary Context (Espoo-Convention)

- Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context (SEA protocol)
Potential Sites of NPP’s in Poland

source: Polish study on environmental impact assessment
Polish Nuclear Energy Draft Programme

- Programme notified to Germany in accordance with Article 10 of the SEA Protocol and pursuant to Article 7 SEA Directive

- Need for participation of Germany affirmed

- Consultation of German public took place in the timeframe based on provisions of Polish law
Consultation with Poland

- Presentation/discussion of the objections made by the German public and authorities

- Objective of SEA i. a. to consider alternatives

- Germany offered to share experience in the area of renewable energies with Poland
Outlook

- Final revision of Polish nuclear energy programme by summer 2013

- Notification to Germany containing a summarised declaration of SEA results

- Concluding statement to duly take into consideration German objections
Future Steps from the German point of view

If Poland decide to use nuclear power in the future:

- Notification of a transboundary EIA to Germany
- Determination of reactor type in the EIA, if not readiness for a monitoring procedure
- Provision of a maximum of information in German language
Thank you.