

NRC FOREIGN TRIP REPORT

Subject

HLWRS staff participation in the OECD/NEA Forum on Stakeholder Confidence (FSC) Workshop, "COORDINATION OF DECISION MAKING IN SPAIN: The COWAM Spain Initiative and the Current Project Under Consideration for a National Interim Storage Facility for Spent Fuel and High Level Waste".

Dates of Travel and Countries/Organizations Visited

FSC Country Workshop in Hospitalet de L'Infant, Spain, November 18 - 24, 2005. The workshop was organized in cooperation with an association of municipalities near Spain's Nuclear Power Plants, and with the Spanish Agency for Radioactive Waste Management. The Spanish Nuclear Safety Regulator also supported the workshop.

Author, Title, and Agency Affiliation

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Sensitivity

Not Applicable

Background/Purpose

Spanish authorities invited FSC to hold its annual workshop in Spain, to bring an international perspective to the debate surrounding the selection of a centralized storage site for spent nuclear fuel and high-level radioactive waste. The FSC was chartered in 2000 by the RWMC. It comprises members from thirteen countries with active waste management programs as well as representatives from the International Atomic Energy Agency and the European Commission. Delegates to the FSC from the U.S. Department of Energy (DOE) or the U.S. Environmental Protection Agency (EPA) did not attend this workshop. Besides its annual meeting in Paris, the Forum also sponsors an annual workshop with wider participation to examine, in detail, issues of stakeholder confidence that have arisen in a particular member country's waste program. Prior to this workshop, in Spain, the FSC held five other international workshops. The first workshop assessed experience and issues in stakeholder involvement across the world. The second examined the stepwise decision-making process in Finland that led to the identification of a national site for the disposal of spent fuel. The third workshop examined social concerns and ways to mitigate them. Participants focused their discussions on two Canadian programs: the long-term management of uranium processing waste still present in the Port Hope area and the promulgation and implementation of Canada's *Nuclear Fuel Waste Act*. The fourth workshop studied the implementation of a local partnership concept as applied in Belgium to the selection of a site for a national Low-level waste (LLW) disposal facility. In 2004, German safety authorities invited the FSC to Germany to bring the FSC's international perspective to the local and national debate on a new nationwide site-selection process as part of a new national disposal policy.

Abstract:

Spanish authorities invited FSC to hold its annual workshop in Spain, to bring an international perspective to the debate surrounding the selection of a centralized storage site for spent nuclear fuel and high-level radioactive waste. FSC members met with local, regional and national stakeholders, received overview presentations on the institutional and legal framework in Spain, and learned about the history of stakeholder involvement in Spanish nuclear projects. To craft a process for deciding how and where to site a centralized storage facility, Spain is embarking on a project, modeled after a European Union initiative, COWAM (Community Waste Management). Workshop attendees learned how Spain intends to use this approach to study the lessons of past case studies in Spain and, then, tailor a siting process adapted to the cultural context in Spain. Workshop attendees visited a decommissioned reactor and toured a municipal development project, in the adjacent village. The project was funded by rate payers to assist new entrepreneurs and provide new jobs after the nuclear power plant was dismantled. FSC delegates and Spanish stakeholders held roundtable discussions on issues affecting public confidence and acceptance of radioactive waste management in Spain. As FSC Vice-Chair, I presided at the FSC business meeting, opened the workshop, facilitated roundtable discussions and closed the workshop on behalf of FSC and the FSC chairman, who was unable to attend. I cannot overstate the value to NRC's public outreach program of such opportunities for exchanging experience firsthand and learning from other countries' successes and failures at building trust and stakeholders' confidence. Participation in FSC meetings and workshops enhances NRC's credibility in this arena and contributes to NRC's performance goals for maintaining safety and enhancing openness.

Discussion

In the small village of L'Hospitalet de l'Infant, near the two Vandellós nuclear power stations, FSC members met with local, regional and national stakeholders, received overview presentations on the institutional and legal framework in Spain, and learned about the history of stakeholder involvement in Spanish nuclear projects.

Opening

On behalf of the OECD and the NEA, Mr. Takanori Tanaka, newly appointed NEA Deputy Director for Safety and Regulation, provided opening remarks and welcomed participants to the workshop. He thanked the Spanish hosts, and acknowledged the FSC's "world reference status" with regard to its studies and recommendations on how waste management organizations and governments may be more effective in their dialogue with civil society. As FSC Vice-Chair, I officially opened the workshop, echoing Mr. Tanaka's appreciation for FSC's Spanish delegates, and to the Workshop's hosts and sponsors, and for the hospitality of the municipality that allowed FSC to hold this workshop in L'Hospitalet. The highlight of the welcoming ceremonies was the warm welcome offered by Mr. Josef Castellnou, mayor of Vandellós (the municipality that includes L'Hospitalet de l'Infant).

COWAM-Spain: Way forward to a more inclusive siting process

To prepare a methodology for deciding how and where to site a centralized storage facility,

Spain is embarking on a project, “COWAM-Spain,” that is modeled after a European Union initiative, COWAM (Community Waste Management). The objective of COWAM was to develop practical recommendations in order to improve decision-making processes at the local and regional community level used in the siting of nuclear facilities. Using case studies from different European countries, COWAM compared existing experiences of decision-making processes in the siting of waste management facilities (nuclear and non-nuclear) including analyses of historical, cultural and political considerations. COWAM recognized that siting decisions and outcomes are not determined solely by scientific or technical options, but reflect genuine political considerations of the relevant communities (local, regional and national). For this reason, any assessment of the workability of a decision-making process necessitates involvement of a broad array of actors (public authorities, local community representatives, waste management operators, regulators, industry, NGOs, etc.). It also necessitates consideration of the perspectives of experts from a variety of disciplines beyond the expected engineering and physical sciences, that include the social sciences, ethics, and economics. The COWAM project was well supported by Spanish stakeholders. Representatives from municipalities near Spain’s eight nuclear installations (seven power plants and one disposal site for low and intermediate level waste) participated, as did representatives from Spain’s nuclear waste management agency (ENRESA), as well as from the Asociación de Municipios en Areas de Centrales Nucleares (AMAC), an association of all 70 municipalities near Spain’s nuclear facilities.

Workshop attendees learned how Spain is applying the COWAM approach to study they lessons of past case studies in Spain (a failed attempt to locate a site for a geologic repository and a successful process for involving the public in the dismantling and decommissioning of Vandellós-I); and to tailor a siting process adapted to the cultural context in Spain. In addition to a presentation on the COWAM-Spain project, attendees received overview briefings on nuclear generation in Spain, the legislative and institutional framework for management and regulation of nuclear waste, the current national waste management strategy, and the roles of the various institutional actors. After these briefings, the mayor accompanied workshop attendees on a visit of the decommissioned plant at Vandellós-I. The mayor then led the attendees on a tour of a municipal project, in the village of Hospitalet. This project was funded by rate payers, to foster community development and assist new entrepreneurs, after the nuclear power plant was dismantled.

Facilitated Roundtable Discussions

Later, roundtable discussions were held between FSC delegates and Spanish stakeholders, on issues affecting public confidence and acceptance of radioactive waste management in Spain. These discussions were organized around the same structure used at each of the five earlier FSC country workshop. Each round table consists of delegates from different countries and the national stakeholders from the host country. Discussion topics included: The appropriate roles for scientific experts in a dialogue with local stakeholders; Ways to create multiple opportunities for people to be engaged in the siting process; How best to balance national imperatives and local views; Is it possible for hosts communities to see themselves as providing “a service to the nation,” and if so, who should define this vision?; and Is there a need for a new social institution to manage discussion of transportation safety issues and to minimize corridor community opposition? A brief summary of key points emerging from these discussions is presented below:

What is the appropriate role for scientific experts in a dialogue with the local population?

- As consultants for local people
- To listen, understand local concerns and express technical issues in plain language
- To make waste management issues and decision-making processes more transparent
- To establish long-term relationships and two-way communication with local stakeholders
- (Especially for regulators) To serve as independent sources of credible information, in effect, the “peoples experts”

What can the leading governmental agencies do to demonstrate and follow through with commitment to a genuine stakeholder involvement process?

- Set a broad framework for stakeholder involvement and support with adequate resources of time, materials, and staff
- Provide a significant, visible local presence who sees his or her role as including sustained interaction with the local community
- Ensure a continuity of trained, knowledgeable and sensitive staff
- Allow sufficient time for interested stakeholders to educate themselves
- Allow local input to structuring the interaction and provide independent funding
- Continue to search for and provide a variety of channels for interaction

Would you agree that safety is everyone’s concern and it will come naturally from a healthy democratic discussion?

- No, because stakeholders differ among themselves, and with government authorities, over what constitutes “safety”
- Agree only that “safety,” however one understands or perceives it, is a non-negotiable prerequisite for assent, but it is not the only key issue
- Patient, two-way interaction with stakeholders is critical to ascertain and understand what is meant by “safety”
- Government authorities need to show that they can and do act on stakeholder’s safety concerns

Are there clear definitions of roles for the national and local level in Spain [with regard to waste management decision making]?

- Not yet. There still is opportunity to shape the roles in the context of defining a process.
- Lead rests with federal government, but need remains for wider national consensus
- ENRESA must draft a Radioactive Waste Management Plan; what is not clear is how stakeholder input will be taken into account in accord with the Aarhus Convention

How to balance national imperatives with local views? Who should lead, local or national?

- Lead for structuring any site-specific stakeholder involvement process should be at the local level, with the federal government retaining the final decision making authority
- Many participants spoke to the value of retaining a municipal veto as is the case in

Sweden and Finland

- In many countries, the “regional level” (which I interpret as akin to the State level in the level) is also important; lack of assent/support there can derail agreements reached between municipalities and federal governments

Is there any national framework for supporting the local level (host communities and/or neighboring communities) from economical viewpoints and others?

- Participants agreed on the importance of providing generous resources, legal tools, allowing for some measure of local oversight (in addition to, or to complement that of regulatory authorities), as well as a long-term role for host community
- Many participants noted the value of empowering a local commission for providing and receiving information to and from the local community
- Local communities should have the ability to decide what role they want to play and under what conditions

What measures can be taken to lower the probability of public disruption of transportation activities involving radioactive waste?

- Widespread acceptance of the need and urgency for transporting waste
- Some participants saw a clear link between public acceptance of transportation and the phase-out of nuclear activities
- Development of guarantees to address the infrastructure needs of host and corridor communities, recognizing that host and corridor stakeholders have different concerns
- Countries where waste could be transported by sea (e.g., Sweden and Japan) appear to enjoy far less opposition to waste transport

The host community for the central storage facility can be seen as providing a “service to the nation.” Should the national government provide compensation for this service? How will such an idea be received by stakeholders?

- This was, by far, the most controversial of the predefined discussion questions.
- The premise that a community could be viewed as providing a “national service” was hotly debated and acceptance
- participants felt it was simply not credible if there was no common vision about a country’s energy mix.
- Most delegates saw storage solely as a burden, or “necessary evil,” while concepts of patriotism and “service to country” proved to be culturally dependent; with most being highly skeptical
- If this concept has traction at all, the general view was it should emerge from a local decision and vision of how the host municipality sees itself; there was very strong negative reaction to the federal government originating the view of a host community providing a “national service”

Business Meeting

As FSC Vice-Chair , I presided at the FSC business meeting, opened the workshop, facilitated roundtable discussions on each of the topics, and closed the workshop on behalf of FSC and

the FSC chairman, who was unable to attend. At the FSC business meeting, immediately preceding the workshop, on Sunday, November 20, FSC members reviewed achievements of the past year and discussed upcoming activities. Highlights included a briefing on recent FSC cooperation with the RWMC Working Party on Decommissioning and Dismantling (WPDD) and a summary of a jointly-organized topical session held at the WPDD meeting in Brussels on November 14. Also of interest was a report of progress in analyzing the results of a questionnaire circulated among FSC members following the 2004 topical session on changes made by radioactive waste management institutions in response to stakeholder concerns and involvement.

Conclusion

The workshop, the FSC business meeting that preceded it, and separate, ancillary discussions resulted in enhancing networks for sharing experiences, especially with respect to engaging stakeholders. A greater understanding of Spanish experience and plans for developing a methodology for deciding how to site a centralized storage facility in Spain, was acquired. HLWRS staff achieved greater international visibility of, and feedback about NRC's role on the FSC by serving as acting chairman and moderator at the workshop. Participation in FSC activities, generally, and country-specific workshops, such as this, enhances the credibility of NRC's commitment to stakeholder confidence and contributes to NRC's performance goal of openness.

Pending Actions/Next Steps

FSC expects to publish findings and observations of the Spanish workshop in Spring 2006. NMSS staff will continue to represent the U.S. and the NRC as a member of the FSC core group. Staff will attend the next annual meeting, to be held in June 2006, in Paris, and the next FSC country workshop in Hungary in Fall 2006.

Points for Commission Consideration/Items of Interest

No Commission action is required.

Attachments

1. Agenda
2. List of Participants

"On the Margins"

During the workshop, the FSC delegate from Hungary announced that his Parliament approved a resolution to establish a repository for low and intermediate-level waste, and that Hungary would host FSC's next country workshop in Budapest.