

FACT SHEET

AUSTRIAN POSITION ON PAKS LIFE EXTENSION

According to Hungarian Law, an Environmental Impact Assessment (EIA) must be performed prior to granting a lifetime extension of an additional 20 years for all four units at the Paks nuclear power plant. The Hungarian EIA is a two-stage process, with a preliminary and a detailed stage. As requested by the Austrian Government, Hungary has submitted documentation for the first stage of the EIA process.

The following summary of arguments is based on the evaluation of the preliminary environmental impact study a team of experts made for the Austrian government. [UBA 2005]

The review concerned legal questions, foremost to what extent the EIA documentation has to deal with accident scenarios, which could affect Austrian territory and technical questions, mainly the reduction of safety margins due to Life Extension and power upgrade. The arguments of the Austrian position are valid for all neighbouring countries and could support also NGOs who want to take a position to this EIA process.

Owing to the fact that

- (1) a number of international conventions and declarations define the obligation to cooperate in the way of consultations in the field of nuclear energy,
- (2) according to the recommendations of the UNECE-Secretary the threshold to determine the significance of negative transboundary effects has to be set at a very low level, i.e. whenever there is a possibility, no matter how uncertain, that an impact may be significant, notification should be transmitted,
- (3) according to ANNEX III of the Council Directive 97/11/EC amending Directive 85/337/EEC and the recommendations published by the ESPOO-Authorities, the possibility of the occurrence of a (severe) accident should only be one criterion amongst others when determining whether or not a transboundary EIA should be accomplished,
- (4) according to the decisions of the European Court, the wording of the EIA Directive indicates that it has a very wide scope and a broad purpose and therefore a transboundary EIA should be in all cases established unless it can be excluded, on the basis of objective facts, that the neighbouring state will be significantly affected by the project,
- (5) the likelihood of causing significant transboundary effects should only be tentatively analysed before the decision to accomplish a transboundary EIA is taken by asking whether the project may by its nature have significant effects on the environment of the neighbouring state; the detailed analysis, taking into consideration the sensitivity of the flora and fauna of the neighbouring state affected (this information should be transmitted from the affected country), should be carried out during the EIA-Process,

- (6) the precautionary principle should play a dominant role when interpreting the term of "likelihood of having significant transboundary effects",
- (7) the specific nature of the risk of operating a nuclear power plant which can be qualified as ultra-hazardous-activity (relatively low probability of occurrence on the one hand but probability of causing disastrous consequences on the other hand),
- (8) neither in the ESPOO-Convention nor in the EIA-Directive the distance to the border of the neighbouring state constitutes a relevant criterion,
- (9) the likelihood of having significant effects must be seen as a product of the probability of occurrence of the impact and its magnitude,
- (10) in the last years the practice has been established that a neighbouring state takes part in the decision-making process concerning nuclear activities by accomplishing a transboundary EIA and
- (11) severe accidents (beyond design basis accidents) have to be taken into consideration by determining the likelihood of having significant transboundary effects, the Republic of Austria takes the position that it is significantly affected by the extension of the operating time of the nuclear power plant Paks and therefore a transboundary EIA should be conducted.
- (12) The exclusion of severe accidents (beyond design basis accidents) in the preliminary study is neither in line with the ESPOO-Convention nor with the EIA-Directive. A detailed analysis of beyond design basis accidents and their potential effects should form an essential part in the EIA-Documentation.

As a general conclusion of the technical evaluation of the preliminary environmental study, it must be stated that relevant issues for neighbouring countries are not sufficiently elaborated. In order to permit the assessment whether, or to which extent, additional risk for the Austrian population will arise from the life extension of NPP Paks the detailed elaboration of the following issues in the environmental documentation is requested:

- (1) The overall treatment of ageing in an NPP is of importance for the risk of extended plant operation. Of particular importance and safety significance is the ageing of the reactor pressure vessel, the steam generators, and the confinement system.
- (2) Reliable data on the original state of the pressure vessel, the composition of the materials, the embrittlement surveillance program, the thermoshock analyses performed etc. should be presented in the documentation.
- (3) Also treated in some detail should be the corrosion of steam generators and the option of steam generator exchange; as well as the connection between steam generator corrosion and fuel element contamination.
- (4) The long-term behaviour of the confinement system (steel liner, barbotage system etc.) should be discussed in the documentation.
- (5) Furthermore, the ageing of many other systems, structures and components can also be of safety significance. A comprehensive ageing management program is required and should be presented in the documentation.

(6) The effects on the safety margins of the plant related to ageing in connection with power uprating should be presented in the documentation, including the specifications and effects of the new type of fuel to be used.

(7) The issue of seismic hazards (including both site seismicity and seismic design) will have to be presented and discussed in a comprehensive manner in order to permit the assessment to which extent appropriate, state-of-the art data and methods have been applied and which additional analyses might be required.

(8) The issue of terror attacks and sabotage can and should be discussed without disclosing sensitive information.

(9) A comprehensive discussion of DBA and BDBA scenarios and severe accident management measures, including the results of safety analyses concerning BDBA (initiating events, scenarios, source terms) is required to assess the potential risk for the Austrian population in greater detail.

[UBA 2005], Report to the Austrian Government - EIA procedure for the lifetime extension of Paks NPP, Statement on the Preliminary Impact Assessment Study – Umweltbundesamt, Vienna 2005.