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Miles Goldstick, 2011-12-19

The Review Process in Sweden for Management of Spent Nuclear Fuel ***Comments from anyone anywhere in the world may be submitted to the*** ***Swedish Radiation Safety Authority (SSM) and the Environmental Court.***

The KBS-3 Applications

On 16 March 2011 the Swedish Nuclear Fuel and Waste Management Company (SKB) (www.skb.se) submitted applications to build a final storage facility for spent nuclear fuel, called KBS-3, at Forsmark. This is the only public review process in the world for dealing with a spent fuel management proposal submitted for legal review by the nuclear industry.

Two applications were made: one to SSM according to the Nuclear Activities Act and one to the Environmental Court according to the Environmental Code. The applications are together about 9,000 pages of which about 2,000 pages are the same. Some of all this material is in English and some in Swedish. The volume has been growing steadily as translations have been made between the two languages, errata submitted and numerous associated documents added.

Further, in April 2010 the Swedish Government requested a review by the Organisation for Economic Cooperation and Development Nuclear Energy Agency (OECD NEA). The review is administered by SSM. The OECD NEA appointed a 10 member international review team that began working in May 2011, with Michael Sailer from the Öko-Institut in Germany as Chairman.

The Environmental Court and SSM have only published the respective application submitted to them on their respective websites. Both applications are published on SKB's website. However, it is only the Swedish NGO Office for Nuclear Waste Review (MKG) that has published both applications as well as all associated documents for both applications on their website. The Environmental Court and SSM, with one exception, only publish an index of documents associated with the respective application that they received – not the full documents as MKG does. The exception is the documents for the OECD NEA review, which SSM is publishing. However, both the Environmental Court and SSM will provide printed documents on request for a fee and some documents by e-mail at no charge.

Schedules

The first stage in the review processes of both the Environmental Court (see the opposite page) and SSM is examination of completeness of the respective application

submitted. The Environmental Court has requested "comments regarding the need for any supplementary information." SSM requests comments on "the quality of the application, e.g. whether or not there are deficiencies in the documentation."

The current deadlines for comments regarding needs for additional information are 1 June 2012 for public comments to SSM and 16 April 2012 to the Environmental Court for everyone except the Municipalities of Oskarshamn and Östhammar, which have until 1 June 2012 (the same deadline given to everyone by SSM). SSM is a main consultation body for the Environmental Court and has been given until 1 November 2012 to submit its comments. The Swedish National Council for Nuclear Waste, a committee under the Ministry of the Environment, has also until 1 November 2012.

After any required additional information is incorporated, the Environmental Court currently expects to release the revised application for public comment at the end of 2013, and hold a "main hearing" in the early fall of 2014. The "main hearing" is for oral presentations and is open for the public to make pre-registered submissions and to attend.

This schedule assumes the unlikely occurrence that SKB will be able to comply with requests for additional information within only a few months.

The OECD NEA review is scheduled to be completed by June 2012. The review team has not solicited comments from the public though SSM forwards comments from interested parties to the review team. The OECD NEA International Review Team held hearings of SKB in Stockholm 12, 13 and 15 December 2011 and commented on preliminary findings on 16 December 2011, when a 15 minute question session with the team Chairman was allowed. SSM invited a limited number of observers to participate in these sessions, including representatives from the three environmental groups (Milkas, MKG and SERO) that receive funding from the Nuclear Waste Fund to participate in the overall review process. All the sessions were webcast (see below).

The Swedish Environmental Protection Agency has responsibility regarding the Espoo Convention to circulate SKB's revised application according to the Environmental Code (i.e. earliest at the end of 2013).

Contact Information

Milkas info. on the review process: www.nonuclear.se/kbs3

Swedish NGO Office for Nuclear Waste Review (MKG),
www.mkg.se

Swedish Radiation Safety Authority (SSM), www.ssm.se:
comments should be sent to registrator@ssm.se in order to be entered into SSM's index system.

Information on the OECD NEA review is at:
www.stralsakerhetsmyndigheten.se/Allmanhet/slutforvar/Internationell-expertgranskning/ The page is in Swedish but all the attached files are in English, which are at www.mkg.se/ssm-20104132-internationell-expertgranskning

The webcast archive of the sessions 12, 13, 15 and 16 December 2011 can be found via:
www.stralsakerhetsmyndigheten.se/In-English/

The OECD NEA International Review Team Chairman
Michael Sailer: m.sailer@oeko.de, www.oeko.de

The Swedish Environmental Protection Agency,
www.naturvardsverket.se/english

Nacka District Court, Land and Environmental Court,
www.nackatingsratt.domstol.se/Funktioner/English/The-Swedish-courts/District-court/Land-and-Environment-Courts/.
Comments should be sent to mmd.nacka@dom.se in order to be entered into the Environmental Court's index system.



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Schedule for Case M 1333-11

All dates are estimates and will change throughout the process.

2012

16 April Last day for submission of comments from consultation bodies to the Environmental Court regarding the need for any supplementary information.

1 November Last day for submission of comments by the Swedish Radiation Safety Authority (SSM) to the Environmental Court regarding the need for any supplementary information.

2013

March SKB's reply on the remittance comments or supplementing the application.

March - Aug. The Environmental Court tries the issue of the need for any supplementary information. Sessions may be held in the supplementation phase.

Aug. - Oct. Order to SKB to submit any supplementary information.

Oct. - Dec. The application is released for public comment according to the Environmental Code.

2014

January Statements on the case received from government authorities, organizations and parties to the case sent to SKB for response.

Jan. - Aug. Continued written exchange.

Aug. - Sept. Main hearing.

2015

Jan. - March Continued processing and statement to the government.