

Forum on Stakeholder Confidence: Spain

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The sixth workshop of the OECD/NEA Forum on Stakeholder Confidence (FSC) was hosted by the Spanish Radioactive Waste Company (Enresa) and the Council of Nuclear Safety (CSN), with the support of AMAC, the Association of Spanish Nuclear Municipalities, in L'Hospitalet de l'Infant, Spain on 21-23 November 2005. The workshop included four half-day sessions and a tour of the municipality, including the decommissioned Vandellós-I nuclear power plant.

The workshop started with the introduction of two case studies: i) the earlier attempt in Spain to locate a potential site for a high-level waste (HLW) disposal facility, and ii) the dismantling of the Vandellós-I nuclear power plant. This was followed by two days of presentations and round-table discussions based on the recent “COWAM Spain” initiative (stemming from the EU-wide project on Community Waste Management), which aims at developing recommendations for institutional arrangements and decision-making processes concerning the siting of waste management facilities in Spain. The workshop attendees included 54 participants from 14 countries. About half of the participants were Spanish stakeholders, the other half came from FSC member organisations or other institutions in OECD countries. This article provides a brief summary of the case studies and the “COWAM Spain” initiative, followed by some of the lessons learnt from an international perspective.

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Case studies

Former site-selection process for a HLW disposal facility

The site selection process, which was planned by Enresa in the 1980s, was conceived to find the “technically best” site and was conducted by technical experts without public involvement. Forty potential siting areas were identified by the mid-1990s but, when

the information leaked, it created vigorous public opposition in the identified locations. In 1998, the siting process was halted and the government postponed until 2010 any decision on underground disposal. At end of 2004, a decision was made by Parliament to establish an interim, centralised storage facility while pursuing progress in the area of disposal.

Dismantling of the Vandellós-I nuclear power plant (NPP)

In 1989, a fire in the turbine hall of the Vandellós-I NPP led to the decision to close down the reactor. Decommissioning and dismantling (D&D) activities were undertaken by Enresa, with regulatory oversight by the CSN. In 2003, the dismantling activities were completed and a latency period of 25 years started. During the D&D period, the implementer focused on issues of safety, transparency, information and economic development. A Municipal Monitoring Commission was created, made up of representatives of affected municipalities, regional government, local



Vandellós-I before dismantling.

business associations, the local university, the NPP management and Enresa to monitor the dismantling process and regularly inform the local public. Affected municipalities also entered into negotiations with Enresa on socio-economic benefits, including local employment in dismantling activities and other types of financial and non-financial compensation.

The “COWAM Spain” initiative

The “COWAM Spain” initiative grew out of the COWAM-2 European Union 6th Framework Project. Initiated by AMAC, it was aimed at planning a site-selection process for a centralised waste management facility. Participants in the project included experts from universities, representatives of regional governments, nuclear communities, nuclear industry, the operator, the regulator and trade unions, amongst others. The project was structured

into four working groups: one dealing with overall management and integration, and the others with issues of democracy and local participatory systems, institutional framework and multi-level decision processes, and long-term governance.

Regarding the main conclusions of “COWAM Spain”, an agreement has been reached among key stakeholders that solving the HLW management problem and, more specifically, the selection of a site for a storage facility is the responsibility of the national government. Decision making at the national level should accommodate the requirements of political agreement, safety, public participation, information and transparency. In order to reach the necessary social and political consensus, affected municipalities and regional government(s) should be integrated into the decision-making process. From an ethical perspective, priority is given to the principle of responsibility, meaning that the problem should be handled by the current generation, and that each country should manage its own waste. Links between nuclear energy policy and radioactive waste management policy should be made explicit, and public participation in policy making in both fields should be fostered. At the local level, the participation of municipalities should be voluntary, and withdrawal from the process should be allowed. In addition to safety, sustainable socio-economic development of the affected region should also be promoted.

In order to conduct a transparent, efficient and legitimate site-selection process, the establishment of a National Commission, composed of local/regional stakeholders, politicians and experts is proposed. The Commission would i) define the technical, environmental, social and economic criteria for selecting candidate siting areas, ii) develop a procedure for inviting interested municipalities to participate in the site-selection process, and iii) identify a minimum of two and a maximum of five suitable sites. The national government – with the agreement of the affected regional government and municipalities – would select the final site. It is also recommended that the National Commission continue its oversight activities during the ensuing construction and operation phases.

Lessons learnt

Evolving concepts of fairness and striving for robustness

In Spain, the failed siting process of the HLW disposal facility is a typical case of the technical-hierarchical approach, characterised by strict government pre-emption of local authority, limited public access and strong reliance on technical criteria. For the Vandellós-I dismantling activities, the implementer applied an approach that encourages

negotiations with the local communities regarding economic development and oversight, showing that important lessons had been learnt from earlier experience. The current recommendations from the “COWAM Spain” initiative go a step further and combine additional elements involving not only the local but also all the intermediate levels of government up to the national authorities, as well as clearer protocols for the role of safety, information and transparency, public participation, sustainable socio-economic development and the principle of responsibility. Instead of seeking a technically optimal site, “COWAM Spain” recommends finding a licensable site that the local/regional actors consider both safe and acceptable. The FSC workshop in Spanish context provided further confirmation of the trend observed in other OECD countries in the field of decision making for radioactive waste management towards moving from a technical-hierarchical approach to a combined societal-technical approach.

Roles and responsibilities

Different countries use different models for assigning responsibility for the management of high-level radioactive waste. For example, in Canada, Sweden and Finland the responsibility lies with the waste generators, while in Belgium, France and the United States it is the responsibility of the national government. Interestingly, in Germany it has recently been proposed that responsibility for siting and operating an RWM facility should be transferred from the federal government to the nuclear industry, whereas in the Netherlands this responsibility was recently transferred from the industry to the government. Based on the presentations and discussions at the workshop, it appears that key Spanish stakeholders agree on what role the various actors should play, and that the responsibility for waste management should be assigned to the national government. Consensus also seems likely concerning the need for setting up an organisation by the government to co-ordinate state, regional and local decisions in the course of site selection, planning, construction and operation.

Another widely supported view among stakeholders is that strengthening the role of the regulator would be desirable. A strengthening of the role of the regulator as the “people’s expert” can be observed in a number of countries (for example in Sweden, Finland and Canada). There also seems to be general agreement that local information committees – the creation of which is prescribed by Spanish law – need to evolve towards more institutionalised and legitimised mechanisms for long-term involvement. Local information committees have also been functioning in a number of countries. Their functions vary greatly, from

transferring information between implementers and local citizens (Hungary), to advising decision makers (France), to planning facilities and socio-economic development concepts (Belgium).

An important element in the Spanish institutional framework is AMAC, which hitherto has played, and intends to continue to play, a very active part in the planning of the decision-making process, the development of local information committees and in representing community interests. The proactive role of AMAC confirms an earlier observation by the FSC: namely, that local communities that find themselves the *de facto* hosts of radioactive waste are likely to become active players in radioactive waste management decision-making processes, including proposing solutions.

Conclusions

The FSC workshop in Spain provided an important opportunity to carry out an in-depth examination of decision-making processes undertaken in an NEA member country, and to reflect on the evolution that has taken place over time. It offered a well-rounded perspective on the inclusion of stakeholders in decision making, and the atmosphere of the meetings was conducive to an honest and open exchange of ideas. The attendance of AMAC members and the continued presence of the mayor of Hospitalet contributed to rooting the workshop in local life and actual experience. ■