

Slovenia: Finding the Site for the Low and Intermediate Level Radioactive Waste Repository

Synopsis

This ongoing case shows that openness, transparency and a well arranged mediation/participation process can help to find a non-confrontational resolution to such a complicated issue as site selection for the radioactive waste disposal. Valuable lessons were learned from the previous site selection process, which had ended in failure.

After a technical and environmental area survey the selection process is continuing towards the identification of potentially suitable sites. For this most difficult step, the local communities have been invited to participate in the selection process through an independent mediator who is representing the links between two parties and facilitating the communication and negotiations between the investor and the local communities. She has double task: helping with the site selection process and presenting mediation itself as a new tool for solving potential environmental conflicts.

Background of the conflict

Slovenia's nuclear power plant meets more than a third of the country's energy demand. The radioactive waste from the power plant is being stored at the site, and the radioactive waste from other applications of radioactive materials is being stored in the Central Interim Storage Facility.

The first siting procedure for the permanent repository for low and intermediate level radioactive waste (LILW) took place from 1990 to 1993. In that time a technical approach was selected and several potential sites were announced without public involvement in the procedure. The public objected virulently and the procedure was stopped. Local residents were particularly enraged; they believed the government wanted to put the hazardous waste in their community because the region was less developed and poorer than elsewhere in the country. Public opinion polls show that most Slovenians realise that the country needs an LILW repository, but at the same time most of them do not want to live near it. A slightly more positive attitude has been perceived in recent years due to better public information.

All the analyses showed that the conflict between the environmental and waste management interests and the interests of local communities to expel any kind of waste from their environment is profound. Almost no willingness to cooperate was present on the side of public, and the government reacted by completely withdrawing from the process for several years. Meanwhile, a new procedure and some legislative measures to support the public acceptability of the LILW repository were prepared. An intense public information and communication campaign was also organised.

After the failure of the first site selection for the LILW repository a detailed analysis of the experiences showed that the main reason for the failure was inadequate public participation. Information about the project was insufficient, public participation in the process was not

established and representatives of local communities were not regularly informed about the results.

The analyses also revealed that the site selection process had insufficient political support. A waste management policy that could have provided the needed link between the politicians and the investor did not exist. In fact, the period of the site selection process coincided with the time of tremendous changes that occurred in Slovenia in the late 1980s and early 1990s. The changes in the political, social and economic system, in combination with the growing opposition to the peaceful use of nuclear energy, would require a different approach to the problem.

The main characteristic of the new process is the mixed mode approach that combines technical criteria with volunteer siting. In order to avoid having the process rejected at the end, ARAO applied the strategy that no intermediate decision or advancement of the process could be made without public consent. This is achieved through public presentations and workshops for the general public and NGOs supported by local media and other informational activities.

The siting process is integrated with the administrative spatial planning procedure of adopting a detailed plan of national importance. It also includes the process of strategic impact assessment and environmental impact assessment where the public has a right to participate. There is a plan to include the mediator into these activities as well.

Parties and stakeholders to the process

One of the parties in the conflict is the **government**, which works in the public interest by providing the best solution for radioactive waste management. The other parties are the different **local communities** that are considered suitable to host the repository.

In some cases political conflicts were also present. In the local communities of Lenart, Trnovska vas, Velika Polana and Smartno pri Litiji, **civil initiatives** were launched because they opposed the decisions by the mayor and local decision makers. They tried to achieve either a withdrawal of the application or the resignation of the mayor. In two cases they achieved a withdrawal from the process. No mediation was planned or applied on the side of the repository investor in these cases because it was considered to be a local issue.

Conflicts also arose between the **general public** and the local decision makers who found that governmental incentives can be in the interests of their community.

Conflict resolution process

The conflict resolution process in this case can be classified as a mediation led by an independent mediator who received technical support from one party (ARAO). The process was initiated in 2002 and the main task of the mediator at this stage was foreseen as informing and laying the groundwork for future steps in the siting procedure to which the local communities would be invited to volunteer a specific site or area for site investigations. The mediator facilitates the process of finding a suitable location for the LILW repository that will be accepted by society. She also deals with potential conflict and presents basic information to local communities.

Why was this tool used?

It has been considered that one of the main tasks of the facilitator/mediator is to give informative presentations to local communities, especially to municipal councils and to mayoral staff. Objective information was chosen as being the most important because it was found that general knowledge of the problem is poor and there are considerable prejudices and misconceptions. In this stage of the process local communities are welcomed to volunteer if they take interest in the project. Later in the process the mediator will also be obliged to help to resolve conflicts, but at this stage it is more important that local communities know and accept her work.

Description of the process

The goal of the mediation is to improve the likelihood of local communities volunteering to the siting procedure. The mediator's work included the following:

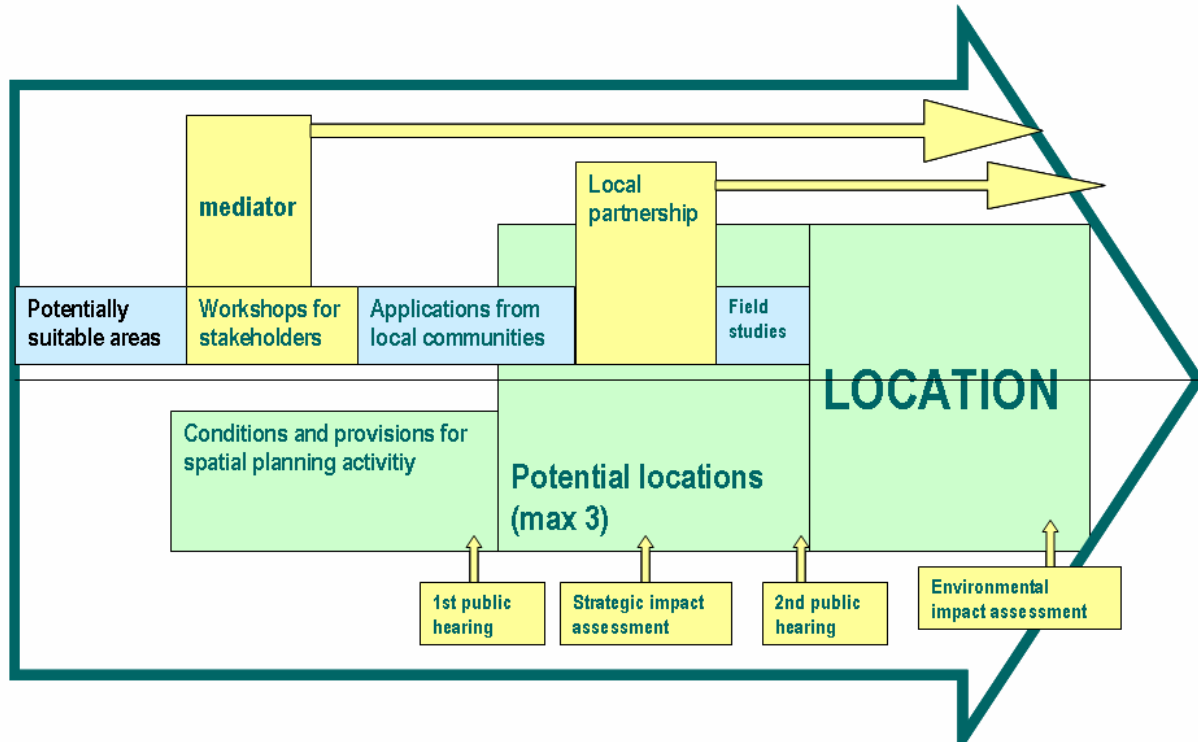
- personal communication with mayors or directors of the municipal administration;
- presentations of the siting project for the municipal councils;
- interviews for local media; and
- organisation of meetings with ARAO representatives upon request of the local communities.

Contacts with interested public also took place on the basis of expressed interest. No special methodology was set because the mediator could potentially work with all 193 local communities in Slovenia, which are very diverse and have different requirements and wishes. In this way, the mediation process was made flexible and accommodative to a wide variety of needs. Stakeholders were selected according to personal acquaintance or expression of interest.

No special programmes were in place for increasing the capacity for conflict resolution or negotiating with local communities. Only informational activities were carried out under the assumption that people can only make wise decisions if they are properly informed. All costs were covered by the Nuclear Power Plant Decommissioning Fund.

The public was invited to express their attitudes via e-mail, free phone line, or some radio broadcasts. Written opinions of the public were collected in special boxes in municipal buildings. Little response was received, though both positive and negative reactions were expressed.

Diagram 1 — Process of the site selection



Output of the process

No final agreement has been reached yet, but the results are obvious, as eight local communities volunteered for the siting process. In most cases the mayor proposed the application to the municipality council, and after the approval the mayor signed the application. In one case the mayor applied without consulting the council, and in two cases the municipality council agreed even though the mayor did not. Nevertheless, the mayor sent the application.

ARAO made a pre-feasibility study to evaluate the volunteering local communities. Based on the study, the three most promising local communities were chosen, and the government has confirmed the three sites where the process will continue. An actual area that will be influenced by the facility is in the radius of 500 metres, and the siting foresees no settlement in this area. As the prospective sites are situated in the river system of the Sava that flows to Croatia, this country will probably be involved in the environmental impact assessment due to the potential transboundary impacts.

ARAO will sign a local partnership with three of the local communities in the near future.

The mediator was successful in securing the public's interest in the process and in diminishing the chance that the public will reject the LILW repository. She succeeded in transforming the opposition of local decision makers into cooperation. By showing the decision makers that a LILW repository could be a development incentive for the local communities, local political conflicts arose in some cases. Some local communities rejected the possibility of mediation and they were left out of the procedure. This exclusion increased the feeling of security in local communities because they realised that their will is being respected.

The final outcome of the mediator's work will be the local partnership as an overall cover to provide public participation in decision making concerning the repository's siting.

Local partnership will be established to provide a healthy environment for continuous communication. The local communities have the right to withdraw at any time with no obligations, while the process continues in other communities. A local referendum is foreseen before the final decision on the site will be made in the procedure of the adoption of a detailed plan of national importance. It also includes the environmental impact assessment. The public is actively involved in the EIA and public hearings, and a possibility for comments and demands is provided by the procedure. A detailed plan of national importance is to be adopted by the government.

Related actions and campaigns

Already before the beginning of the mediator's work various information and communication activities were carried out by ARAO. A public opinion poll is made every year, informative leaflets, posters, CD-ROMs, and newspaper articles are produced, an information centre on nuclear technology is maintained, and workshops for NGOs and other interested public are organised. The objective of these activities is to improve understanding and decrease the irrational fear of nuclear technology among the general public. All these activities run in parallel with the mediator's work and supported each other.

In 2003, REC Slovenia cooperated with ARAO on the organisation of two workshops and a round table for environmental NGOs. About 20 NGO representatives participated in the preparation of recommendations for public involvement in the decision-making process. The second phase of activities took place in 2005 and was aimed at informing the public about their legal right to participate in environmental decision making, as well as to offer them the possibility to discuss with an independent legal expert and representatives of ARAO. By autumn 2005, two regional round tables were organised where participants raised several questions and expressed their appreciation for such events.

Civil initiative groups (*see above — main parties and stakeholders*) also organised activities. For example, a press conference was arranged to announce that their opposition to the siting of a LILW repository because of the risks involved. In another case they demanded the resignation of the mayor, and in the other they threatened to block the mayor's re-election. In this stage of the process the mediator did not have the opportunity to have more contact with them as no conflict arose.

Usually these groups have a small number of members and environmental issues are abused to reach some other political goals. Their activities are not supported heavily by the general public.

Final outcome of the case

Because the conflict in this case is an abstract one, no direct resolution can be expected. Nevertheless the mediator has helped a lot to decrease the social tensions. The experience was that people are more willing to listen to somebody that is not directly tied to the investor of the repository but has a neutral role. The mediator also received a completely negative response, either from some of the decision makers or from the public in some communities. This was not considered a failure but rather as information about the local communities that do not want to participate, and their will was respected. The mediation/facilitation procedure will continue to the end of siting procedure, presumably in 2007 or 2008.

Conclusions

It was found that it is much easier to mediate the decision makers than public opinion leaders or the general public. The public that is involved in the conflict often does not perceive the issue as its real interest. It is easier to mediate the conflict when each party really fights for its interests. The public does not always have direct interest in some environmental issues (e.g. waste management facilities) but only a wish to participate. People may also be easily misled by other interests that are only connected to environmental or health issues or concerns. A clear distinction between the right to participate and the possibility of being manipulated has to be borne in mind.

Comments of participants in the process

Discussions that were organised within the regional round tables provided local residents with an additional opportunity to express their opinions and suggestions. Their main comments were the following:

- They appreciate neutral forums where they can get additional information and express their opinions.
- They lack dialogue with local decision makers.
- They would appreciate an operational plan for public participation in the siting process.
- They lack broader national discussions on nuclear energy in Slovenia, not only limited discussion on the radioactive waste repository.
- They would appreciate having representatives of the public on monitoring bodies.
- They stressed that NGOs could play a stronger role in helping local people to express their opinions, as well as in raising awareness on environmental problems and solutions.

Contact information of person providing information

Dr. Metka Kralj

Agency for Radwaste Management

Parmova 53

SI-1000 Ljubljana

Slovenia

Phone: (386-1) 236-3234, Fax: (386-1) 236-3230

E-mail: metka.kralj@gov.si