

## IPPA Toolbox

### Local Partnerships in Slovenia

#### Case Study: Siting a LILW repository in Slovenia

Country: Slovenia

Due date: October, 2013

#### Background Information:

In 1997, ARAO, the national waste management agency in Slovenia, restarted the site selection process for a low and intermediate level radioactive waste (LILW) repository after earlier attempts between 1990 and 1993 had failed, mainly due to strong opposition at the local level but also because there was no political support. The aim of the new siting procedure was to include the public within a so-called mixed-mode approach, which combined both technical screening and a search for public acceptance.

In a first step, potentially suitable areas were identified in 2001 by means of desk studies using different criteria, mostly related to the integrity and safety of the repository. The result was a map of suitable areas of Slovenia for development of a repository, with identification of those areas which were more and less suitable from a technical point of view.

In order to find suitable sites within the identified areas, negotiations began with potential host communities, facilitated by an independent mediator. In 2004, all potentially suitable municipalities (there were over 190) were invited to volunteer either as a site or as an area for further investigation after the adoption of the Programme of the Spatial Plan for development of the LILW repository. In April 2005, eight mayors of local communities signed an application to be considered. Their signature was the only criterion for the application although later in the process the feasibility study assessed also the "public acceptability" criteria which included, among other things, the results of public opinion polls in the local municipality and the support of the municipality council.

Three municipalities withdrew their application soon after due to public opposition. In the remaining five communities 12 potential sites were identified and confirmed by the local councils. These twelve potential sites were then ranked based on public acceptability, passive safety, technical functionality, and economic, environmental and spatial aspects. At the end of 2005 the Government agreed to continuation of the site selection process at three potential locations in the three municipalities with the highest scores in the pre-feasibility study.

During the site selection process Local Partnerships (LPs) were established at the three preselected sites. One withdrew during the first months of 2006, but in the remaining two municipalities, parallel local partnerships were established. The LPs were formed to provide possibilities for public participation, involvement and communication and information dissemination, with the aim of finding a locally acceptable site for the repository. The title and idea for the LPs were taken from the Belgium approach, but the structures, status, organization and mode of operation were adapted to fit the characteristics and expectations of the individual local community. Two very different LPs were established in the two neighbouring local municipalities of Krško and Brežice, providing the basis for citizen information and participation, as well as a way of enabling consultation and verification, additional independent studies and other activities. The LPs worked according to formal agreements between ARAO and each of the municipalities, but these included a clear assurance that allowed all interested parties to be involved. They were functioning from 2006 until March 2010 when all activities were terminated after the selection of the site for the repository at Vrbina, in Krško municipality.

The functions of the LPs were formalised in various administrative procedures such as the preparation of the National Spatial Plan for a LILW repository and the EIA process, etc., where Slovene legislation prescribes public participation. With regard to other issues related to site selection, the LPs had an informal role, as participants discussed field investigations, design solutions for the repository, safety aspects of a

nuclear facility, environmental impacts, development possibilities due to compensation for the limited land use, societal and health issues and all other aspects which were relevant or interesting to the particular individual local community. The LPs also had an obligation to organize broader discussion and form working groups, inform the public, hold round tables in communities and involve independent expert knowledge on particular issues. The work of the LPs was made public, with minutes, invitations and documents published on a web page, or via established local channels.

After the selection of the repository site both LPs were terminated. This was in line with the Agreements signed at the beginning of the LPs, but many stakeholders did not agree with this decision and demanded further involvement. This approach, with such broad public involvement and possibilities for dissemination of information as well as communication activities, was one of the first attempts to open “technical” decisions to affected citizens.

### **Phase of decision making process**

The site selection process for the LILW repository in Slovenia was carried out from 2005 until December 2009, culminating with the adoption of a Governmental Decree.

### **Formal framework of decision making process**

Within the site selection process for the LILW repository, preparation of the National Spatial Plan for a LILW repository and the EIA process took place in parallel. According to the national legislation (the Environmental Protection Law) public hearings and participation are also foreseen for the EIA process. After the public hearing in which the responsible Ministry (Environment and Agriculture) needs to present the Environmental report and technical solutions, there is a 30 day period when all citizens, institutions and municipalities can provide comments, remarks and proposals for improvement of the National Spatial Plan and EIA.

In the case of the LILW repository site selection these possibilities were even enlarged. The competent ministry included the LP’s representatives in the documentation preparations and the time period for comments was increased to 2 months.

However, broad and intensive opportunities for public involvement did not alter the normal approach taken by all the relevant involved authorities. The competent ministry received more than 80 pages of remarks but only addressed those from Krško municipality positively. The majority of comments from the civil society and from the LPs were refused as not being relevant. There was also lack of involvement of neighbouring countries, and Croatia was not involved in the process although they had sent a written request to be involved. Only after the adoption of the Governmental decree was there a special meeting between representatives from both ministries of Croatia and Slovenia. In the minutes of the meeting the Slovene side gave the assurance that neighbouring countries will have the possibility of participating in the preparation process of Environmental Impact Report (EIR). But although the screening process for the EIR has already started, there has been no involvement of Croatia to date.

### **Objectives of the process**

The aim was to support public involvement in the site selection process for the LILW repository.

### **Which tool was used?**

Local Partnership

**Status:** Finished

### **Objectives and outcomes of stakeholder engagement**

The main objectives of the local partnerships were:

- To assure public involvement in the site selection process for the LILW repository
- To provide information and possibilities for communication to all interested citizens
- To monitor public acceptance of the repository siting process in the local communities
- To enable citizens to participate in decision making

- To enhance capacity building
- To understand the development of the public participation process and its consequences
- To suggest possible improvements to the process, and
- To especially improve trust and understanding between different stakeholders.

## Involved Stakeholders

Stakeholders from all groups from local authorities, to local communities were involved in the LPs where potential were proposed, including interested citizens, local media, NGOs, local institutions and industry as well as organized associations and clubs. Also, the repository implementer was of course present, but mainly to present the project status plans and.

## Implementer of the participation process details

ARAO (Agency for Radwaste Management), the local municipalities of Krško and Brežice and members of the relevant steering committees.

**Financing** Both LPs received approximately 90.000 € each year to support their management activities, plus an additional 45.000 € for independent expert opinion.

## Points to consider

Pitfalls (taken from SWOT analyses, performed by LPs in 2009):

- A defective culture of dialogue and the resulting decrease of interest in cooperation ; Dialogue is often limited to a small circle of people; No direct dialogue between the inhabitants and the Agency for Radwaste Management, the municipality is the mediator
- Unrealized expectations and decreased interest in local partnership cooperation; Unrealistic expectations, difficult to implement
- Motivation for participation – increased role of opinion leaders
- Disregarding the local partnership importance, principles and rules
- Politicization
- National institutions not included in communication with the local partnership
- Insufficient, biased information; national institutions to be included in the information flow
- Irrational use of funds
- Partial interests problem; many understand the local partnership as a platform for marketing their interests
- Insufficient knowledge, skills and rules of local partnership operation
- Lack of cooperation with other local partnerships
- Insufficient representation i.e. structure of local partnership participants: not all layers of population are equally represented (i.e. civil initiatives, NGO...), which results in the affected local population not being represented
- Lack of trust in institutions
- Undetermined relation between the local partnership and the municipality; prevalent role of the Mayor; Municipal councillors do not participate in the local partnership; Agreements are made outside the local partnership.

Other points to consider are

- Termination of LPs after the successful site selection,
- Unresolved and not agreed distribution of compensation funds,
- No activities of ARAO on the selected site for obtaining of licenses for construction and present self-organisation of locals.

## Further tools used in this case study

Within the LPs there have been many different tools used: meetings involving presentations from invited experts, workshops, round tables, presentations for the public, visits to different nuclear facilities, participation in EU coordinated projects, meetings with other local communities in other countries, press conferences, press releases and contributions to the media, public opinion polls, preparation of

educational and information materials and distribution to local citizens, operation of info points, cooperation with associations and clubs in the local environs etc.

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