



**ONDRAF/NIRAS**

Public participation in waste  
management  
and LTO  
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# 1. Formal legal consultation procedures

- **Formal SEA procedures in 2010 and 2020 for policy proposal geological disposal for HLW and ILW**
  - National procedure (& transboundary impacts)
  - On the basis of formal documents (policy proposal & SEA)
  - Both public consultation (more than 20000 reactions in 2020) and formal advices from institutional actors (e.g. Regional Governments & Nuclear Safety Authority)
  - Transboundary consultation: possible to assess transboundary effects for a policy proposal? (no disposal area or site selected)
  - Formal “declaration” only to be published when policy proposal is adopted (more than a year after consultation!)
  - **Individual** responses and responses from **organizations**; no responses from a dialogue with stakeholders → a lot of “fixed” positions and opinions

## 2. Processes of stakeholder involvement

- “Extra legal” involvement of stakeholders and the public
- More active participation and more intense interactions
- Evolving from a one shot consultation period to a longer engagement → **regular** consultations, debate, dialogue
- Can take various forms :
  - **Temporary but recurrent at key milestones**: public participation conferences, citizen forums, dialogue workshops, ...
  - **More permanent** : consultation & collaboration structured organizations with (local) stakeholders (e.g. partnerships with municipalities - no end date)

## 2. Process of stakeholder involvement

- In Belgium the partnerships with municipalities were created **after** a policy decision on disposal of LLW (1998)
- Creates the framework to have a common understanding of the question at hand, of the options available and of the (local/regional) concerns & opinions
  - Participation becomes more than reacting on a document/question
- Time and intensive interactions are needed to grasp the complexity of (1) disposal and (2) all (local) concerns and opinions on the issue
- Group discussions are often a way for coming to a middle ground (avoiding extreme / fixed positions)
- Challenge to keep the focus on the project (e.g. disposal), while allowing a broad view of the question (societal, economical, political, ...)



# Some observations and findings

- Legal and “extra legal” are **complementary approaches**
- **Legal procedures** : no or little opportunities to directly interact with the public over a longer time period
  - Participation is limited
  - Some elements can be frustrating – e.g. long time after consultation to communicate on how reactions have been taken into account in decisions
- **“Extra legal” participation processes**: for policy decisions and/or for implementation decisions
  - At the national or local level
  - Investment of time and energy to come to real involvement & collaboration
    - Culture of openness and of safety & quality
- Key challenge : how to integrate legal procedures and extra-legal processes in one consultation & participation approach ?

