



Brussels, 19 May 2016
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Mr Jan Haverkamp
Expert member of the board
Mr Johan Swahn
Expert member of the board
Ms Linda Delory
Project assistant
Nuclear Transparency Watch
Rue d'Edimbourg 26
B-1050 Brussels

By registered mail

Subject: Your request for access to documents

Ref.: Gestdem 2016/1151

Dear Ms Delory, Mr Haverkamp and Mr Swahn,

We refer to your application dated 08/03/2016, in which you make a request for access to documents. This request was registered on the same day under the above mentioned reference number.

You requested an overview of, and access to, all national programmes and implementation reports notified to the Commission under Council Directive 2011/70/Euratom establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste, as well as a full break-down overview of all radioactive waste held by each Member State according to radioactive waste categories and totals for each category for the EU.

To date, all Member States but Latvia have notified to the Commission either national programmes approved by competent authorities or draft programmes. In case of non-notification of a national programme officially approved, the Commission has initiated appropriate action in accordance with EU law. Moreover, all national implementation reports have been notified to the Commission.

Concerning your request of access to an overview of Member States' national programmes and reports, and of the inventories of radioactive waste and spent fuel, I would like to inform you that these documents are currently being drafted on the basis of the information communicated by the Member States. They will be made public after submission to the European Parliament and the Council.

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As regards the disclosure of the national programmes and reports, pursuant to Article 4(4) of Regulation 1049/2001, the Commission had to consult the Member States. Referring to the exception of Article 4(2) of Regulation 1049/2001, a few Member States objected to the disclosure of their programme since it is only a draft and an infringement procedure has been launched by the Commission. Some others asked the Commission to redact sensitive parts of the documents before release as they contained sensitive information covered by the exception of Article 4(1) of Regulation 1049/2001. With the above-mentioned exceptions, all national reports and programmes received by the Commission are being communicated to you in electronic format, as requested, in the original language and in English when communicated as such by the Member State. You will find attached a table describing, country by country, what is being released and exceptions, if any.

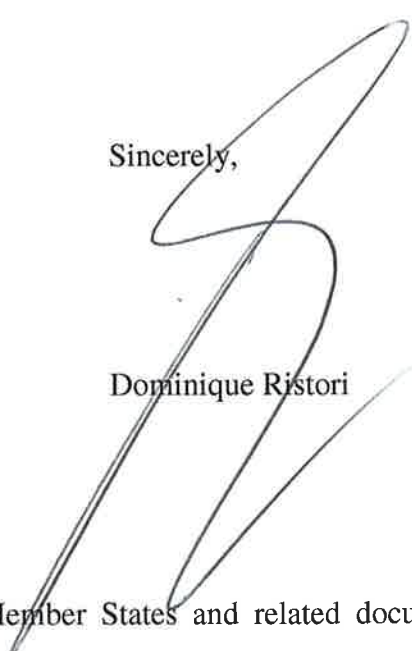
The Commission is consulting the Member States on the possible upload on the Commission's website of all national reports and programmes, in accordance with the approach followed for national reports on the implementation of the Nuclear Safety Directive of 2009.

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission
Secretary-General
Transparency unit SG-B-4
BERL 5/327
B-1049 Bruxelles
or by email to: sg-acc-doc@ec.europa.eu

Sincerely,


Dominique Ristori

Enclosure: Table with a list of Member States and related documents being disclosed in e-format.

1. Austria (AT)	Full programme and report
2. Belgium (BE)	Full report
3. Bulgaria (BG)	Full programme and report
4. Croatia (HR)	Full report. HR notified that the draft programme is available at http://cms.dzrns.hr/news/10676/prijedlog%20Nacionalnog%20programa%20RAO%20II%20ING.pdf
5. Cyprus (CY)	Full programme. Report redacted - Annex not disclosed for security reasons as it contains information on disuses sources (Exception of Article 4.1 of Reg 1049/2001)
6. Czech Republic (CZ)	Full programme and report. Please note that the programme entitled "Update of the concept of radioactive waste and spent nuclear fuel management" is currently undergoing the SEA process and thus the final version is still to be finalized.
7. Denmark (DK)	Full programme and report
8. Estonia (EE)	Full programme and report
9. Finland (FI)	Full programme and report
10. France (FR)	Full programme and report
11. Germany (DE)	Full programme and report
12. Greece (EL)	Full programme and report
13. Hungary (HU)	Full programme and report
14. Ireland (IE)	Full programme and report
15. Italy (IT)	Full report
16. Latvia (LV)	Full report

17. Lithuania (LT)	Full programme and report
18. Luxembourg (LU)	Full programme and report
19. Malta (MT)	Full programme and report
20. Netherlands (NL)	Full programme and report
21. Poland (PL)	Full programme and report
22. Portugal (PT)	Full report
23. Romania (RO)	Full report. Programme redacted (paragraph 2.6.2 including a table with the summary inventory of spent fuel and radioactive waste quantities in Romania was removed on the basis of Article 4 of Reg 1049/2001).
24. Slovakia (SK)	Full programme and report
25. Slovenia (SI)	Full programme and report
26. Spain (ES)	Full programme and report
27. Sweden (SE)	Full programme and report
28. United Kingdom (UK)	Full programme and report