

CASE LAW AND ADMINISTRATIVE DECISIONS

CASE LAW

Germany

Judgement of the Federal Administrative Court on the Konrad Repository Project (2007)

In a judgement handed down on 3 April 2007, the German Federal Administrative Court ruled that the former iron ore mine Konrad can become the country's first disposal facility for low and medium-level radioactive waste.

The plan to convert the Konrad site in Lower Saxony was first approved by the State Environment Ministry in 2002 after almost 20 years of proceedings. Local communities and farmers appealed the licensing decision. These lawsuits were dismissed in March 2006, without leave for further appeal (see *Nuclear Law Bulletin* No. 77), but subsequent appeals were made against the denial of leave to appeal. These were finally dismissed on 3 April 2007, exhausting the legal process and rendering the site licence to convert the Konrad mine into a final repository incontestable.

At the time of publication of this *Bulletin*, the text of this Court ruling was not yet available. More detailed comment will be provided in the next edition of the *Nuclear Law Bulletin* (No. 80; December 2007).

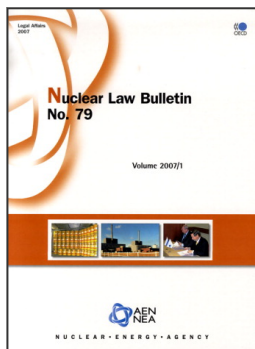
ADMINISTRATIVE DECISIONS

Sweden

*Environmental Court Decision on Initial Measures for the Dismantling of Barsebäck (2006)**

On 12 July 2006, the first instance environmental Court of Växjö decided on the initial measures for the dismantling of the two 600 MW boiling water reactors located at Barsebäck. The first reactor at Barsebäck was shut down in November 1999 through a political decision by the Government. The decision was made pursuant to the 1997 Act on the Phasing-out of Nuclear Power (see *Nuclear Law Bulletin* No. 61). Barsebäck-2 was shut down on 31 May 2005, again pursuant to the 1997 Act (see *Nuclear Law Bulletin* No. 75).

* This commentary is in the nature of a corrigendum to the short summary published in *Nuclear Law Bulletin* No. 78 and was kindly provided by Mr. Tomas Israelsson, Senior Legal Adviser at the Swedish Nuclear Power Inspectorate.



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