

Note:

This is a translation of the ESK Statement entitled
“Stellungnahme zur Weiterentwicklung des Stands von Wissenschaft und Technik seit Erlass der EndlSiAnfV und der
EndlSiUntV”

In case of discrepancies between the English translation and the German original, the original shall prevail.



STATEMENT the Nuclear Waste Management Commission

Statement on the further development of the state of the art in science and technology since adoption of the EndlSiAnfV and the EndlSiUntV

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1 Advisory request

On 6 October 2020, the Repository Safety Requirements Ordinance (EndlSiAnfV) [1] and the Repository Safety Investigation Ordinance (EndlSiUntV) [2] were adopted in accordance with the state of the art in science and technology at the time [3]. The state of the art in science and technology is constantly evolving and it is important to ensure that new scientific and technical findings are taken into account in the site selection procedure, provided they have an impact on the best possible safety of the repository for high-level radioactive waste. In line with the learning nature of the site selection procedure, the ordinances should be regularly reviewed with regard to changes in the state of the art in science and technology.

The Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection (BMUV) therefore requested a statement from the Nuclear Waste Management Commission (ESK) on 29 August 2023 [4]. In its statement, the ESK outlines whether and to what extent the state of the art in science and technology has changed since the two ordinances were adopted in October 2020 in a way that is relevant to the ordinances.

2 Course of the discussion

The ESK discussed this at its 109th meeting on 7 September 2023 and asked the Committee on Final Disposal to prepare a draft statement. At its 97th meeting on 8 September 2023, the Committee on Final Disposal established the Ad-hoc Working Group on the State of the Art in Science and Technology (WG SWT) in response to the BMUV's above-mentioned advisory request. The ad-hoc working group discussed the matter in two meetings. The ad-hoc working group systematically examined whether there was a need to amend the regulations as a result of the further development of the state of the art in science and technology in recent years. The draft statement was then agreed by circulation and submitted to the Committee on Final Disposal at its 105th meeting on 12 December 2024. This statement was adopted at the 120th meeting of the ESK on 30 January 2025.

3 Recommendation of the ESK

Since the ordinances were adopted, there have been numerous developments in the state of the art in science and technology, which must be taken into account in the work of the project implementer and their official assessment. This does not result in any need for changes to the regulatory content of the ordinances. In its discussions, the ESK therefore comes to the conclusion that the further development of the state of the art in science and technology in recent years has not resulted in any changes relevant to the two ordinances (EndlSiAnfV and EndlSiUntV) with regard to the safety requirements and the necessary safety analyses for the final disposal of high-level radioactive waste.

4 References

- [1] Endlagersicherheitsanforderungsverordnung (BGBl. I S. 2094) vom 06.10.2020

- [2] Endlagersicherheitsuntersuchungsverordnung (BGBl. I S. 2094, 2103) vom 06.10.2020

- [3] Verordnung des Bundesministeriums für Umwelt, Naturschutz und nukleare Sicherheit (BMUV) mit Begründung an den Deutschen Bundestag vom 18.05.2020: Verordnung über Sicherheitsanforderungen und vorläufige Sicherheitsuntersuchungen für die Endlagerung hochradioaktiver Abfälle; Drucksache 19/19291

- [4] Schreiben des Bundesministeriums für Umwelt, Naturschutz, nukleare Sicherheit und Verbraucherschutz (BMUV) an die Vorsitzende der Entsorgungskommission (ESK) vom 29.08.2023: Beratungsauftrag an die Entsorgungskommission: Weiterentwicklung von Wissenschaft und Technik seit Erlass der EndlSiAnfV und der EndlSiUntV; 1230/000-2023.0001