

Authority services

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**Reference:** NV-03278-24, LKAB Kiruna

## Finland's response to the notification regarding the plans for continued and expanded operations at LKAB Kiruna

The Finnish Environment Institute hereby acknowledges that Finland has received the notification, dated 12 April 2024, from Sweden in accordance with Article 3 of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) regarding an environmental impact assessment (EIA) procedure of the plans for continued and expanded operations at Kiirunavaara in Kiruna, Sweden. Luossavaara-Kiirunavaara AB (LKAB) is planning to apply for a new environmental permit for the operations. The application primarily aims to replace older permits and other decisions according to previous legislation with a new one that simultaneously enables continued and expanded operations with associated operations. The activities that the application will cover consists of two main core businesses, mining and refining of iron ore, and sub-businesses/support functions with a direct connection to the main operations. LKAB has currently the opportunity to mine around 30 million tonnes (Mt) of iron ore and produce 14.8 Mt of pellets and other iron ore products per year. The planned application will cover a maximum of mining 37 Mt of iron ore per year and production of 23 Mt of iron ore products of which 18 Mt pellets per year. The developer has assessed that the potential transboundary environmental impacts only concern emissions to water and air.

### Consultation in Finland

According to the Act on the Environmental Impact Assessment Procedure (252/2017), the Finnish Environment Institute is the competent authority and responsible for consultation tasks related to the Espoo Convention. The Swedish Environmental Protection Agency requested an indication whether Finland intends to participate in the EIA procedure, to provide comments concerning the scope for the assessment of the environmental impacts of the project on Finland and to submit any comments received from the public or others concerned in Finland. The public and the authorities were given the opportunity to comment on the consultation documents from 18 April to 20 May 2024. The consultation documents were available and statements were asked on the website of Finland's environmental administration and on the website of electronic public consultation. The Finnish Environment Institute received 12 statements. In addition, the experts at the Finnish Environment Institute gave their comments.



## Participation in the EIA procedure and remarks during the consultation

Based on the received statements and reflecting its own views, the Finnish Environment Institute states in accordance with Article 3(3) of the Espoo Convention that Finland intends to participate in the EIA procedure of the project.

The Finnish Environment Institute has prepared a summary of the original statements, which were sent on 23 May 2024 to the Swedish Environmental Protection Agency. To take into account the detailed remarks in the original statements, it is important that the original statements are fully noted in the further procedure. According to the received statements, the main concerns are related to water condition and discharges to the water bodies and combined impacts with other similar projects in the area. In addition, exceptional situations and measures to prevent and mitigate the adverse impacts must be taken into account. All contributing factors should be known and their impacts assessed in the EIA to ensure that the decision on the implementation of the project is based on firm knowledge of its impacts and on the best possible solution. The EIA documentation is expected to include transboundary impacts from Finland's perspective and the received remarks to the extent as possible.

The experts at the Finnish Environment Institute considers that it is important to monitor not only water quality and flow but also aquatic organisms and sensitive organism groups in a sufficiently representative (spatially and temporally) manner. Monitoring and modelling of future impacts is described in the consultation document only at a general level, making it challenging to assess the representativeness of the planned monitoring. It is important that the locations of the comparison and impact monitoring points are representative. In addition, water management should be prepared for both process and weather exceptional situations. It might be relevant to include in the assessment the impact of the activities also up to the Gulf of Bothnia (the Baltic Sea).

In its statement the **Reindeer Herders' Association** considers that Finland should participate in the EIA procedure. The project may have significant impacts on, for example, the water quality of the Torne River or its Natura 2000 protection. These may also have indirect impacts on Finland and the Finnish reindeer husbandry. The affected area of the project includes the reindeer herding cooperatives of Kolari, Orajärvi and Lohijärvi in Finland. In its statement the Reindeer Herders' Association points out that changes to the environment always have an impact on the conditions for reindeer husbandry and the EIA procedure has a central role in determining the impacts on reindeer husbandry. The assessment must determine the state of the areas and their meaning for the activities of the affected reindeer herding cooperatives. The impacts on reindeer pastures and their use, reindeer husbandry operations and structures, and the social, cultural and economic impacts on reindeer husbandry in the reindeer herding cooperatives must be examined. These studies require consultation and dialogue with the reindeer herding cooperatives. These studies should also identify measures to prevent and mitigate the adverse impacts of the project. The assessment should include an assessment of combined impacts with other similar projects and cumulative impacts of other land uses. The consultation document does not mention the impacts on reindeer husbandry in the Swedish reindeer herding cooperatives and the impacts on reindeer husbandry on the Finnish side has not been assessed. Reindeer movement to Finland is considered unlikely, but not impossible, as there is no fence at the border.



The **Centre for Economic Development, Transport and the Environment of Lapland** (ELY Centre) considers that it is not necessary for Finland to participate in the EIA procedure. The operation has only had a minor impact on the water quality. The increase in production at the pellet plant is expected to result in a minor increase in exhaust and dust emissions. No assessment has been made of the volume of seepage water discharges from the landfill sites and the resulting impact on the water bodies during continued operations. The water bodies of the Water Framework Directive and the river basins of the Habitats Directive are located in Sweden in the area directly affected by the project. The potential impacts for Finland could affect the ecological or chemical status of the Torne River and the conservation criteria of the Natura area (FI 1301912, SAC). The ELY Centre of Lapland considers that the activity will not have significant transboundary impacts on the water bodies. For the purposes of the Water Framework Directive and the Habitats Directive, the ELY Centre of Lapland considers that it is sufficient for the authorities to guide the EIA in Sweden. However, it is important that the EIA takes into account the potential impacts on the border river and the combined impacts of different projects. If transboundary impacts cannot be excluded, the provisions on transboundary impacts in the Border River Agreement should be applied to the permit.

In its statement the **Natural Resources Institute Finland** (Luke) does not consider it necessary for Finland to participate in the EIA procedure, if no substantial changes are expected, especially in the circulation, treatment and discharge of mine water into the water bodies, which could increase the load of mine water in the Torne River compared to the current assessment. The participation should also be reconsidered in the situation where the current or planned expansion of mining activities produces acid-generating wall rock or tailings. Luke considers that transboundary impacts can only arise through discharges into the Torne River. The impacts can only become significant in cases where the discharge of mine water changes from what was planned. Exceptional situations in water management may also cause transboundary impacts. Luke points out that the consultation document does not indicate, inter alia, whether acid mine waste has been or is being generated by mining activities. Similarly, it lacks other relevant details relating to the treatment, storage and water treatment of mining waste, which should be included, for example as additional information to be found via a web link.

In its statement the **Finnish Association for Nature Conservation** (FANC) considers it important that Finland participates in the EIA procedure. For mining projects, a central element of the EIA is the assessment of combined impacts of several projects in the same area that have the potential to cause different discharges or other harm to the ecology of the water bodies. In EIA procedures, an assessment of combined impacts is often challenging and therefore incomplete. The potentially significant transboundary environmental impacts of the project for Finland are on the water bodies of the Torne River and the Muonio River. FANC notes that Finland and Sweden are committed by the Border River Agreement to protect the Torne River and the Muonio River. Most of the water bodies is covered by the Natura 2000 conservation programme. It is one of the few remaining free-flowing watercourses in the Finnish territory, the other of the two-remaining free-flowing watercourses into the Bothnian Bay, where the original migratory fish population lives. The Torne River is considered one of the most important salmon breeding areas. The salmon stock in the Torne River is currently in a very poor state. FANC also points out that mining companies from Finland and Sweden have applied for environmental permits on both sides of the border river (the Kaunisvaara mine and the Hannukainen mining project). FANC points out that although water analyses show that the current mining activities at Kiirunavaara have no noticeable impact on the Torne River the



assessment of combined impacts of several mining operations and other loadings cannot be ignored as the volume of mining activities increases. In this context, the potential increase in transboundary water pollution of the Torne River and its long-term effects on the ecological status of the water bodies must be taken into account. FANC also points out that the consultation document does not take into account combined impacts on the water bodies.

In its statement the **Government of Åland** states that there is no need for Åland to participate in the EIA procedure since no direct impacts are expected to occur for Åland.

In its statement the **Municipality of Kolari** states that it is necessary for Finland to participate in the EIA procedure. The assessment should identify and investigate the potential transboundary impacts on Finland and their significance. The assessment should focus on the state of the water bodies so that the impacts do not cause unreasonable harm to the current state of the Torne River and to local residents and economic activities related to the Torne River which is a part of the local life, culture and livelihood. The Municipality of Kolari also points out that there is significant residential and leisure housing along the Torne River.

In its statement the **Geological Survey of Finland** (GTK) does not consider it necessary for Finland to participate in the EIA procedure. However, Finland should reserve the possibility to participate in the procedure if the EIA reveals an increase in discharges into the Torne River compared to the estimations and thus posing a risk of increasing concentrations of substances in the border river.

The **Ministry of Transport and Communications**, the **Finnish Safety and Chemicals Agency** (Tukes), **Metsähallitus**, the **Finnish Institute for Health and Welfare** (THL), and the **Finnish Transport Infrastructure Agency**, responded to the comment request stating that they had no comments to make on the matter.

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*This document has been electronically signed. The electronic signatures can be verified from the register office of the Finnish Environment Institute.*



**Appendices**      Received statements

**For information**      Ministry for the Foreign Affairs of Finland  
Ministry of the Environment  
Reindeer Herders' Association  
Centre for Economic Development, Transport and the Environment of Lapland  
Natural Resources Institute Finland  
Finnish Association for Nature Conservation  
Government of Åland  
Municipality of Kolari  
Geological Survey of Finland  
Ministry of Transport and Communications  
Finnish Safety and Chemicals Agency  
Metsähallitus  
Finnish Institute for Health and Welfare  
Finnish Transport Infrastructure Agency

