

Authority services

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Swedish Environmental Protection Agency  
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## **Finland's response to the consultation letter in accordance with Articles 4 and 5 of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) regarding the plans for reopening the operations at the Viscaria mine in Kiruna, Sweden**

The Finnish Environment Institute hereby acknowledges that Finland has received the consultation letter, dated 7 June 2023, based on Articles 4 and 5 of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention). The consultation letter concerned the plans for reopening the operations at the Viscaria mine in Kiruna, Norrbotten County, Sweden (hereinafter **"the Project"**). Sweden notified Finland on 11 October 2021 in accordance with Article 3 of the Espoo Convention, and the public consultation regarding the EIA programme was organised in Finland from 18 October to 12 November 2021. The Ministry of the Environment informed on 24 November 2021 that Finland will participate in the EIA procedure.

Copperstone Viscaria AB applied for a permit under the Environmental Code to the Land and Environment Court to continue mining at the Viscaria mine for the production of copper and iron ore on 30 March 2022. The planned mining operations include mining of ore in opencast mines and underground mines, processing in concentrators with a capacity to process up to 3 Mton, enrichment of copper and iron ore as well as waste rock and enrichment sand from previous mining. The planned operation area is adjacent to the Natura 2000 area Torne and Kalix River system, about 3 kilometres west of Kiruna community.

### **Consultation in Finland**

According to the amended Act on Environmental Impact Assessment (252/2017), the Finnish Environment Institute is the competent authority and responsible for consultation tasks under the Espoo Convention in Finland from 1 January 2023. The Swedish Environmental Protection Agency requested comments concerning the assessment of the Project's environmental impacts on Finland's territory, and any other comments from the public and the authorities.

The public and the authorities were given an opportunity to comment on the EIA documentation from 12 June to 16 August 2023. 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 total eight statements from the following authorities and expert institutions: the Geological Survey of Finland (GTK), the Finnish Institute for Health and Welfare (THL), the Reindeer Herders' Association, the Centre for Economic Development, Transport and the Environment (ELY Centre) for Lapland, the Sámi Parliament of Finland, the Regional Council of Lapland, the Natural Resources Institute Finland (Luke), and Metsähallitus.

## Remarks received during the consultation

The Finnish Environment Institute has made a summary of the received statements in Finland. The original statements, which are enclosed to this letter, include important and detailed remarks which need to be examined and taken into consideration in their entirety.

**The Geological Survey of Finland (GTK)** does not comment on the matter.

**The Finnish Institute for Health and Welfare (THL)** provides a detailed statement and states that the planned activities are not expected to have any impact on human health on the Finnish side, even if the emissions from normal or accidental activities are clearly higher than those estimated in the EIA documentation. THL states that the significant environmental and health impacts of the Project can only reach the Finnish side through the Torne River. The main document gives an extensive background of the Project and its expected environmental impacts but limits the examination to the relatively close vicinity of the mining area and almost exclusively to the Swedish side of the border.

**The Reindeer Herders' Association** states that changes to the environment affect the conditions for reindeer husbandry. The social, cultural and economic effects on reindeer husbandry in the communities must be examined, which requires consultation and dialogue with the communities. The adverse impacts on reindeer husbandry should be prevented, mitigated and compensated, and be planned in cooperation and agreed with the Sámi village in the area before granting the permit or specified in the permit conditions. The permit procedure must ensure that the Project individually or in combination with other mining projects in the area do not have a significant impact on water quality of the Torne River.

**The ELY Centre for Lapland** states that the EIA documentation describes in more detail e.g., the quality and quantity of water generated during the Project's life cycle, its discharge into water body and various mitigation measures. It also includes an assessment of the water quality impacts on nearby water bodies based on a hydrological model. The Project is unlikely to have significant environmental impacts that would extend into Finland. However, it is important that the implementation pays attention to mitigation measures, and regular and comprehensive monitoring, which should extend beyond the expected impact area. It should be ensured that there is sufficient water storage capacity to cope with exceptional rainfall and run-off events, and that the planned discharge treatment methods are effective and adequate.

**The Sámi Parliament of Finland** states that mines can cause obstacles and impacts on the practice of Sámi culture and as a result impacts on Sámi communities. The assessment should take into consideration e.g., the current status of reindeer husbandry, the significance of the areas for the activities of affected communities, cumulative impacts of other land uses, and effects of dust. The Project may have impacts on the Sámi living in Finland through social



networks. Combined impacts of planned and ongoing mining projects in the Torne-Muonio River basin (aquatic ecosystem) are causing concerns. The operator and the Swedish authorities should apply the precautionary principle with regard to both dust and water effects, and that they take proactive measures to avoid risks to water. The importance of dialogue, and regular and comprehensive monitoring also beyond the expected impact area is emphasised.

**The Regional Council of Lapland** assesses that the Project is unlikely to have significant transboundary environmental impacts that would have an impact on Finland. However, the importance of monitoring of the Project's impacts on water bodies which could include a specific examination of impacts of the discharge on migratory fish stocks in the Torne River basin is stressed.

**The Natural Resources Institute Finland (Luke)** estimates based on the quality of discharged water that there will be no transboundary impacts on water, except possibly in the event of a dam failure and then transboundary impacts would be short-term. The EIA documentation has focused on assessing metal concentrations in wastewater, and the permit application sets values for different concentrations, which are proposed as temporary and the final permit conditions are proposed after the technical, environmental and economic conditions for limiting discharges have been clarified, which is considered problematic. Various process chemicals are used in ore beneficiation, and detailed information of these chemicals is not specified in the EIA documentation, nor are any limit values set out in the permit application. This is considered as a lack both in the EIA documentation and the permit application.

**Metsähallitus** provides a detailed statement regarding protection and values of the Torne-Muonio River basin, water chemistry and hydrology, and fishing and fishery industry. It is considered important to pay attention to the factors which may affect the ecological status of surface waters and the conservation requirements and objectives of habitats in Natura 2000 sites. The discharge limits should be set before starting operations to support the conservation objectives of Natura 2000 rivers, and the limits should take into account impacts of other activities. Combined impacts of mining projects in the Torne-Muonio River basin should be assessed in accordance with the Habitats Directive (1992/43/EEC). The precautionary principle should be applied by the authorities when issuing permits.

## Conclusion

Based on the received statements and reflecting its own views, the Finnish Environment Institute considers that it is not necessary for Finland to continue further the consultations. However, the Finnish Environment Institute expects that the statements are taken into consideration in the further procedure. It is a high priority to pay attention to mitigation measures and monitoring of the planned activities. Finland expects the status of water quality is carefully monitored and highlights that the Project must not endanger the ecological status of water body. Cumulative and combined impacts of the Project and other projects in the area must be taken into consideration to the extend as possible. Exceptional situations should be assessed, even if normal operations do not seem cause significant environmental impacts on Finland. If additional information on the significant transboundary impact of the activities becomes available, Finland expects to be informed.



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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.*

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| <b>Appendices</b>      | Received statements in Finland                                                                                                                                                                                                                                                                                                                        |
| <b>Distribution</b>    | Swedish Environmental Protection Agency, Richard Kristoffersson                                                                                                                                                                                                                                                                                       |
| <b>For information</b> | Ministry for Foreign Affairs of Finland<br>Ministry of the Environment<br>Geological Survey of Finland (GTK)<br>Finnish Institute for Health and Welfare (THL)<br>Reindeer Herders' Association<br>ELY Centre for Lapland<br>Sámi Parliament of Finland<br>Regional Council of Lapland<br>Natural Resources Institute Finland (Luke)<br>Metsähallitus |

