

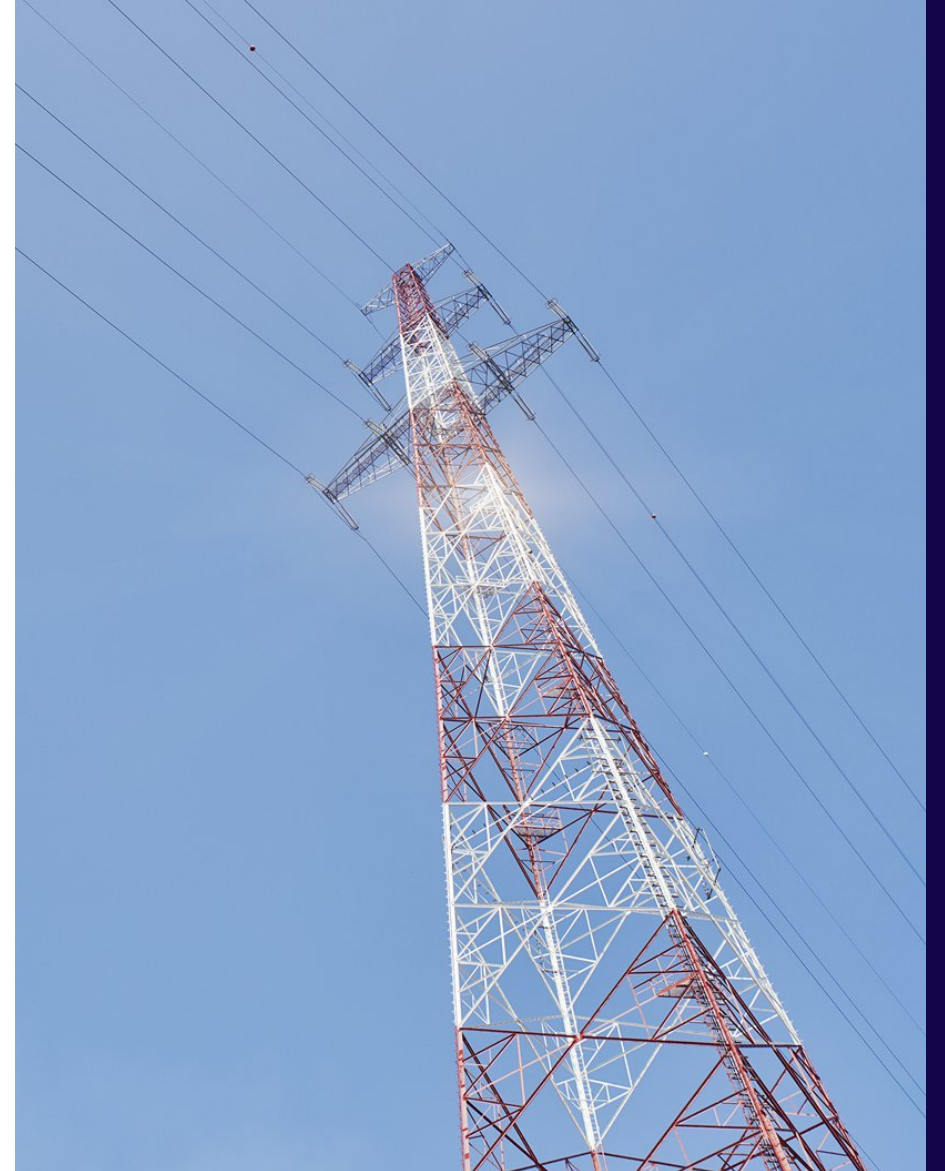
The Netherlands: Licensing Approaches and Regulatory Authority

EFELA Nuclear Congress

Section II – A European Perspective on Licensing, Authority,
Supply Chain

Jan van Oosten | Nuclear Law Partner | Stibbe Amsterdam

Stibbe

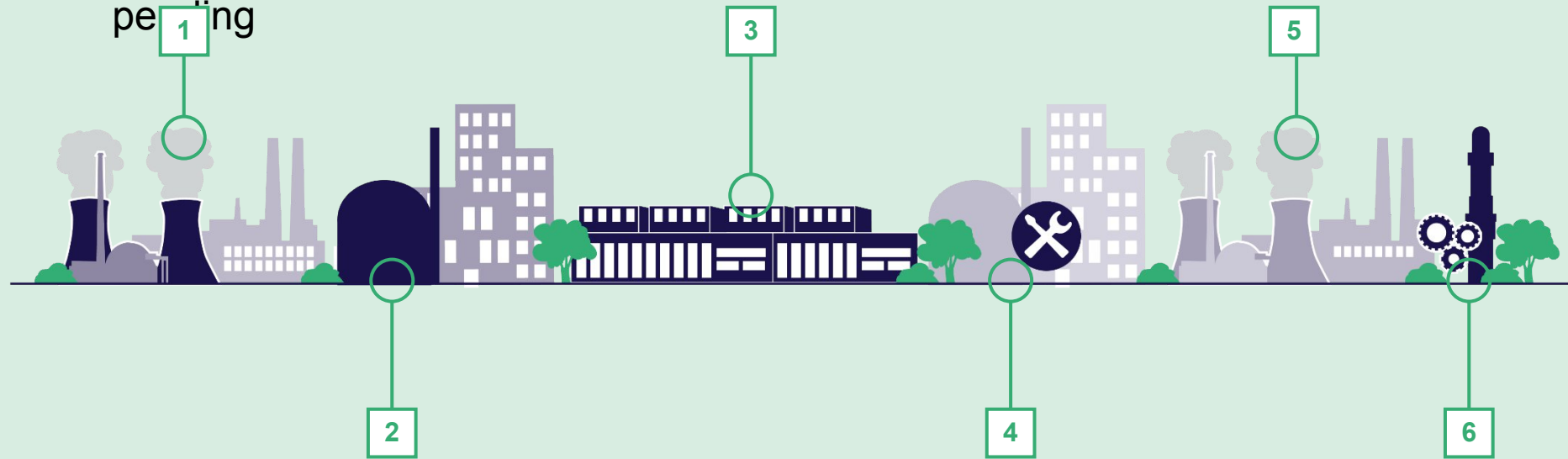


The Dutch Nuclear Landscape

Borssele NPP (485 MWe,
1973) – 2nd oldest in EU;
LTO beyond 2033

URENCO enrichment
(Almelo); COVRA
waste storage

2–4 new NPPs planned
via NEO NL B.V. (state-
owned, est. Feb 2026)



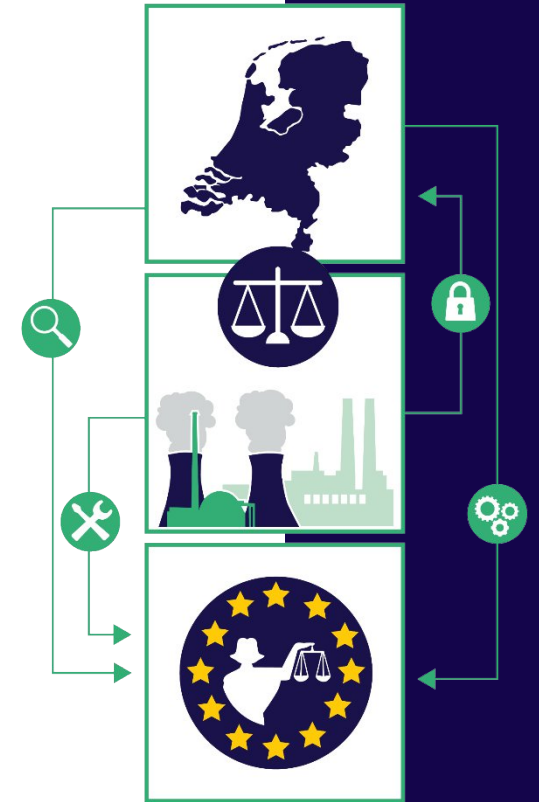
Research reactors:
HFR Petten (medical
isotopes), HOR Delft

PALLAS reactor under
construction – first
newbuild in 50 years

SMR programme
under development

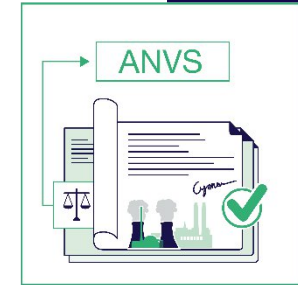
Legal Framework – The Nuclear Energy Act

- 🔦 Nuclear Energy Act (NEA) (*Kernenergiewet*) (1963): compact framework act
- 🔦 Implements Euratom Treaty and BSS Directive 2013/59/Euratom
- 🔦 Goal-oriented: achieving result obligatory, means left to operator
- 🔦 Detailed norms in secondary legislation (Bkse, Bbs, Bvser, Biudras)
- 🔦 IAEA Safety Standards and WENRA Reference Levels given binding effect via licence conditions
- 🔦 NEA remains separate from the Environment and Planning Act (*Omgevingswet*)



The Licensing Regime

- 🔦 Article 15 NEA: prohibition to operate without ANVS licence
- 🔦 "Integral" licence: covers nuclear AND conventional environmental aspects
- 🔦 Personal – does not transfer automatically if NPP is transferred
- 🔦 Granted for indefinite period; full lifecycle coverage
- 🔦 Same process for research reactors, SMRs, and large NPPs
- 🔦 Key safety targets: individual risk $<10^{-6}/\text{yr}$; practical elimination of large releases



The ANVS – Legal Foundation and Powers



- 🔦 Independent administrative body since 1 August 2017
- 🔦 Created per IAEA Convention on Nuclear Safety, Art. 8(2)
- 🔦 ~240 employees; board of 2 members
- 🔦 8 statutory tasks: licensing, supervision, enforcement, crisis preparedness, advisory, international cooperation, public information, research
- 🔦 Combined legislative and executive powers
- 🔦 Minister cannot direct ANVS substantive decisions (Art. 12a NEA)

Other involved authorities and entities



ANVS

Primary nuclear regulator (licensing, supervision, enforcement)



Minister of Finance

Nuclear liability; co-approves decommissioning financial security



Minister of Infrastructure and Water

Nuclear safety policy; appoints ANVS board



DCMR

Conventional environmental expertise (framework agreement with ANVS, March 2026)



Minister of Economic Affairs and Climate

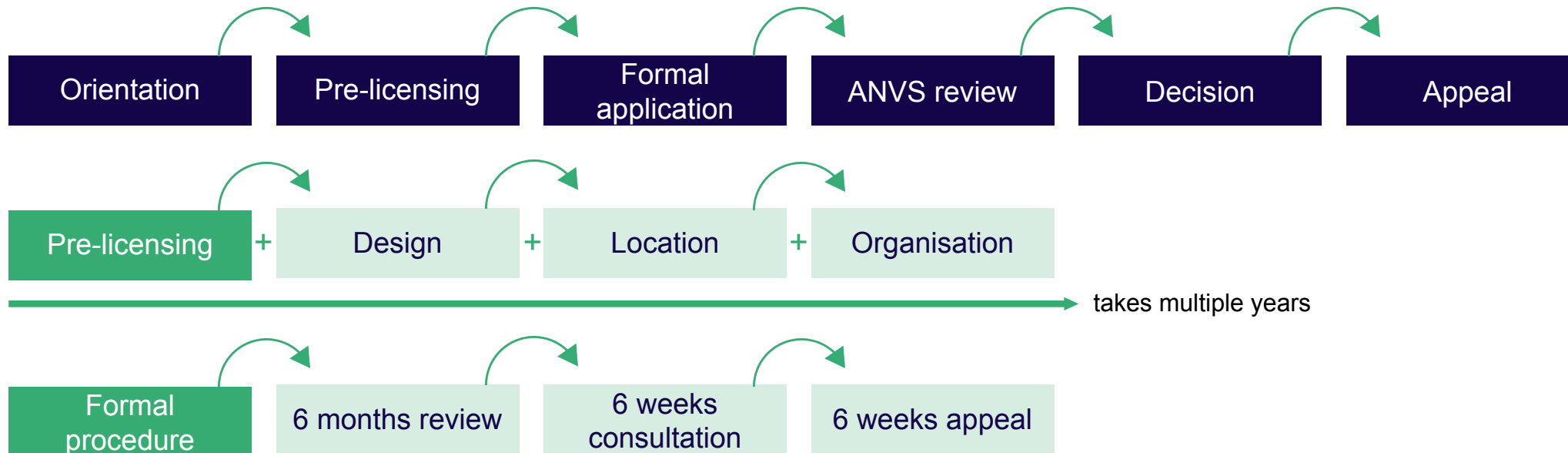
Energy policy; oversees NEO NL



NEO NL B.V.

State-owned future owner/operator of new NPPs

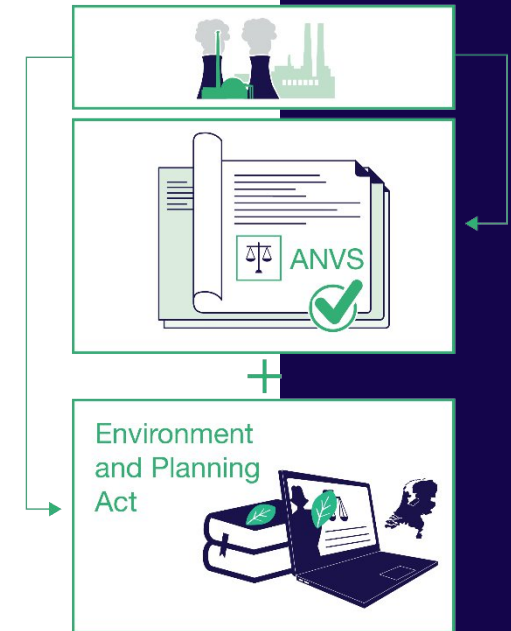
The Licensing Process and VOBK 2025



- 🔦 VOBK 2025 (Guideline for Safe Design and Operation of Nuclear Installations : safety assessment framework; direct IAEA reference; technology-neutral
- 🔦 Scope broadened to ALL nuclear installations (incl. COVRA)
- 🔦 Delegated regulation amendment planned 1 July 2027 to codify VOBK 2025 in binding regulation

Dual-Track Regulatory Complexity

- 🔦 NEA has NOT been integrated into the Environment and Planning Act
- 🔦 Nuclear track (ANVS): integral licence – nuclear + partly conventional environmental
- 🔦 Remaining environmental track: project decision, building/water/nature permits
- 🔦 Key risk: mutual blocking or gaps between the two regimes
- 🔦 Mitigation: joint delineation analysis
- 🔦 ANVS has no experience in conventional environmental law, experience 'hired' from DCMR (regional environment entity)
- 🔦 Additional constraints: nitrogen oxides deposition, cooling water/WFD, grid capacity



Strengths, Challenges, and Current Developments

Strengths

- Technology-neutral, goal-oriented, flexible
- Strong IAEA/WENRA/Euratom alignment
- Independent regulator meeting int'l standards
- PALLAS as successful regulatory pilot

Challenges

- Knowability of requirements (esp. for int'l parties)
- Dual-track complexity (NEA vs. Environment and Planning Act)
- Nitrogen, cooling water, grid constraints
- Public participation and litigation risk

Current Developments

- NEO NL procurement active (EDF, Westinghouse); target operations ~2035
- Borssele LTO: Art. 15a NEA amendment pending in Parliament
- PALLAS under construction; SMR programme advancing
- VOBK 2025 broadened scope; Bkse amendment planned 1 July 2027

Key Takeaways

1

Goal-oriented
framework
works – but
knowability is
limited

2

Engage the
regulator early –
pre-licensing is
essential

3

Map the dual-
track risks –
NEA and
Environment
and Planning Act
run in parallel

4

Build the
organisation
before you build
the reactor

5

Prepare for
public
participation,
EIA litigation,
and nitrogen

Thank you!



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