
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement as respects Great Britain Council Directive [85/337/EEC](#) on the assessment of the effects of certain public and private projects on the environment (O.J. No. L175, 5.7.1985, p.40), as amended by Council Directive [97/11/EC](#) (O.J. No. L73, 14.3.1997, p.5), to the extent that the Directive relates to the dismantling or decommissioning of nuclear power stations and other nuclear reactors.

The Regulations make the dismantling or decommissioning of specified nuclear power stations and nuclear reactors (“a project” as defined by regulation 2(1)) subject to environmental impact assessment and impose procedural requirements in relation to the consideration of applications for consent to carry out a project.

The Regulations—

- (a) prohibit the carrying out of a project without the consent of the Health and Safety Executive (“the Executive”) (*regulation 4*);
- (b) require a licensee to provide to the Executive an environmental statement (*regulation 5*);
- (c) enable a licensee to seek an opinion from the Executive on the information to be included in an environmental statement and specify the types of information which are required (*regulation 6 and Schedule 1*);
- (d) require the Executive and other consultation bodies (as defined in regulation 2(1)), if requested, to assist the preparation of an environmental statement by making information available to the licensee (*regulation 7*);
- (e) provide for the procedure to be followed by the Executive upon receipt of an application for a consent to carry out a project (*regulation 8*);
- (f) provide for publicity of applications for consent and for the provision of copies of the environmental statement (*regulation 9*);
- (g) contain procedures for the provision by a licensee of information additional to that contained in the environmental statement (*regulation 10*);
- (h) require the Executive to provide information about decisions taken following the consideration of environmental information in accordance with these Regulations (*regulation 11*);
- (i) provide for consultation with other EEA States where a project is likely to have significant effects on the environment of another EEA State (*regulation 12*);
- (j) where there is a change or extension to a project, prohibit a licensee from commencing or continuing with that project until a determination has been sought from the Executive (which shall have regard to the matters set out in Schedule 2) as to whether the project as changed or extended should be made subject to an environmental impact assessment (*regulation 13*);
- (k) restrict the application of the Regulations in respect of certain information (*regulation 14*);
- (l) provide for the recovery of expenses incurred by the Executive in respect of the enforcement of the Regulation (*regulation 15*);
- (m) provide for the enforcement of these Regulations by the Executive (*regulation 16*).

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

A copy of the summary cost benefit prepared in respect of these Regulations can be obtained from the Health and Safety Executive, Economic Adviser's Unit, Rose Court, 2 Southwark Bridge, London SE1 9HS. A copy has been placed in the Library of each House of Parliament.