

---

STATUTORY INSTRUMENTS

---

**2010 No. 2844**

**The Justification Decision (Generation of Electricity  
by the EPR Nuclear Reactor) Regulations 2010**

**Justification decision**

**3.** For the purposes of Article 6(1) of the 1996 Directive, subject to regulation 4, the following are justified<sup>(1)</sup>—

- (a) the EPR practice; and
- (b) any class or type of practice which is—
  - (i) a development of the EPR practice; and
  - (ii) so similar to the EPR practice that the balance of benefits and detriments from that class or type of practice does not materially differ from the balance of benefits and detriments from the EPR practice<sup>(2)</sup>.

---

(1) In November 2009 the Secretary of State determined that the EPR practice was a new class or type of practice for the purposes of the 2004 Regulations details of which determination can be found at: [http://www.decc.gov.uk/assets/decc/What%20we%20do/UK%20energy%20supply/Energy%20mix/Nuclear/whitepaper08/actions/regjust/1\\_20091106131726\\_e\\_@@\\_justificationpracticesdetermination.pdf](http://www.decc.gov.uk/assets/decc/What%20we%20do/UK%20energy%20supply/Energy%20mix/Nuclear/whitepaper08/actions/regjust/1_20091106131726_e_@@_justificationpracticesdetermination.pdf) .

(2) The Secretary of State's analysis of the benefits and detriments associated with the AP1000 practice can be found at: [http://www.decc.gov.uk/en/content/cms/what\\_we\\_do/uk\\_supply/energy\\_mix/nuclear/new/reg\\_just/reg\\_just.aspx](http://www.decc.gov.uk/en/content/cms/what_we_do/uk_supply/energy_mix/nuclear/new/reg_just/reg_just.aspx)