

---

STATUTORY INSTRUMENTS

---

**2018 No. 834**

**The Nuclear Reactors (Environmental Impact Assessment for Decommissioning) (Amendment) Regulations 2018**

**Amendments to regulation 2**

3.—(1) Regulation 2 (definitions) is amended as follows.

(2) At the appropriate places insert—

““environmental assessment” (except in the phrase “EU environmental assessment”) means an assessment carried out in accordance with an obligation under the law of any part of the United Kingdom of the effect of anything on the environment;”;

““environmental statement” is to be read in accordance with regulation 5;”;

““EU environmental assessment” means an assessment carried out—

(a) under an obligation to which section 2(1) of the European Communities Act 1972 applies (other than the Directive); or

(b) under the law of any part of the United Kingdom implementing an EU obligation other than an obligation arising under the Directive,

of the effect of anything on the environment;”;

““the HSWA 1974” means the Health and Safety at Work etc. Act 1974(1);”;

““the Habitats Directive” means Council [Directive 92/43/EEC](#) on the conservation of natural habitats and of wild fauna and flora(2), as last amended by Council [Directive 2013/17/EU](#)(3);”;

““the Wild Birds Directive” means [Directive 2009/147/EC](#) of the European Parliament and of the Council on the conservation of wild birds(4), as amended by Council [Directive 2013/17/EU](#);”.

(3) For the definition of “the Directive” substitute—

““the Directive” means [Directive 2011/92/EU](#) of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment(5), as amended by [Directive 2014/52/EU](#) of the European Parliament and of the Council(6);”.

(4) In the definition of “the consultation bodies”—

(a) for the words from “and such of the following bodies” to “Environment Agency;” substitute—

“(d) in England—

(i) the Environment Agency; and

(ii) Natural England;”;

---

(1) 1974 c. 37.

(2) OJ No L 206, 22.7.1992, p. 7.

(3) OJ No L 158, 10.6.2013, p. 193.

(4) OJ No L 20, 26.1.2010, p. 7.

(5) OJ No L 26, 28.1.2012, p. 1.

(6) OJ No L 124, 25.4.2014, p. 1.

- (b) after paragraph (g) insert—
  - “(h) any other body with environmental or public health responsibilities or local or regional competencies with whom the ONR considers it appropriate to consult;”.
- (5) For the definition of “environmental impact assessment” substitute—
  - ““environmental impact assessment” means, in relation to a project—
    - (a) the preparation of an environmental statement by the licensee under regulations 5 and 6;
    - (b) the carrying out of any consultations under regulations 8 to 10A and 12;
    - (c) the ONR’s consideration of the information about the likely significant effects of the project on the environment under regulation 10B(2);
    - (d) the ONR reaching a conclusion about the likely significant effects of the project on the environment under regulation 10B(3); and
    - (e) the ONR’s consideration of that conclusion under regulation 10C(1) when determining the application.”.