

Proposals for redrafted Guidance on the Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999

This consultative document is issued in accordance with the aim of the Health and Safety Commission and the Health and Safety Executive to make its consultation procedure as thorough and open as possible.

Comments should be sent to:

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To reach the section no later than **31 May 2005**

The Commission tries to make its consultation procedure as thorough and open as possible. Responses to this consultative document will be lodged with the Health and Safety Executive's Information Centre after the close of the consultation period where they can be inspected by members of the public or copied to them on payment of the appropriate fee to cover costs.

Responses to this consultative document are invited on the basis that anyone submitting them agrees to their response being dealt with in this way. Responses, or part of them, will be withheld from the Information Centre only at the express request of the person making them (under the Freedom of Information Act 2000; Environment Information Regulations 2004 and the Data Protection Act 1998). In such cases, a note will be put in the index to the responses identifying those who have commented and have asked that their views, or part of them, be treated as confidential.

Many business e-mail systems now automatically append a paragraph stating the message is confidential. If you are responding to this consultative document by e-mail and you are content for your responses to be made publicly available, please make it clear in the body of your response that you do not wish any standard confidentiality statement to apply

**CONSULTATIVE
DOCUMENT**

**CONSULTATIVE DOCUMENT ON REDRAFTED GUIDANCE ON THE NUCLEAR
REACTORS (ENVIRONMENTAL IMPACT ASSESSMENT FOR
DECOMMISSIONING) REGULATIONS 1999 (EIADR99)**

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Redrafted Guidance on EIADR99

PROPOSAL TO PUBLISH REDRAFTED GUIDANCE ON THE NUCLEAR REACTORS (ENVIRONMENTAL IMPACT ASSESSMENT FOR DECOMMISSIONING) REGULATIONS 1999 (EIADR99)

INTRODUCTION

1. This Consultative Document seeks comments on a proposal by the Health and Safety Executive (HSE) to publish redrafted guidance on the Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999 (EIADR99).

BACKGROUND

2. An initial draft of the guidance on the EIADR99 was subject to public consultation in 1999. Following this consultation, a commitment was made to consultees in 2000 to redraft the guidance and undertake further consultation before publication.

3. The redrafting required the consideration of a number of issues of interpretation of the EIADR99 (for example, what constitutes a 'significant adverse impact' relating to changes to projects that which are already underway).

4. The issues identified from the previous consultation have now been addressed in the redrafted guidance. In addition, the experience gained during the process for the applications to undertake decommissioning projects at the Hinkley Point A and Bradwell power stations has enabled HSE to set some standards as to what we expect from submissions and how these will be dealt with. Thus, the redrafted guidance should benefit future applicants by highlighting these standards and requirements in related guidance.

5. The guidance has also been radically redrafted so that each regulation in the EIADR99 is reproduced followed by interpretative guidance. We believe this new approach is more user-friendly and easier to understand.

6. For the reasons given above, the redrafting has taken a number of years.

PROPOSED DATE OF PUBLICATION

7. If the response to this consultation proposal is generally favourable, then we expect the guidance to be adopted and formally published by autumn 2005.

8. The guidance is intended to be available as an on-line 'live' document to be updated periodically as and when required. For example, next year some amendments will need to be made to the EIADR99. Once completed, the guidance will be updated accordingly.

COSTS AND BENEFITS

9. Publishing the guidance will enable nuclear site licensees to understand the standards and requirements that need to be met when making an application to undertake decommissioning projects under EIADR99.

10. The redrafted guidance also provides some helpful interpretative advice on a number of difficult EIADR – related issues that hitherto were unavailable.

COMMENTS WELCOMED

10. We have already consulted key stakeholders during the process of redrafting the guidance on EIADR99, and believe it provides sound interpretative advice.

11. We would welcome any comments from those affected by, or interested in, the redrafted guidance by 31 May 2005.

Comments (and/or requests for a paper copy of the Consultative Document) should be sent to:

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Please complete and enclose this form with your reply to this CD.

<p>In your view how well does this guidance provide interpretative advice on the Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999 (EIADR99)?</p> <p>[Tick one box]</p>	<p>Very well</p> <p>Not well</p>	<p>Well</p> <p>Poorly</p>
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If you answered ‘Not well’ or ‘Poorly’ how do you suggest things might be improved for the future? [Please add extra sheets if you wish]

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