
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 265

The Air Quality Standards Regulations (Northern Ireland) 2007

PART 1

General

Citation and commencement

1.—(1) These Regulations may be cited as the Air Quality Standards Regulations (Northern Ireland) 2007 and shall come into operation on 28th May 2007.

(2) The Interpretation Act (NI) 1954(1) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Definitions and interpretation

2.—(1) In these Regulations—

“action plan” means an action plan required by regulation 11;

“additional polycyclic aromatic hydrocarbons” means those organic compounds, other than benzo(a)pyrene and basic polycyclic aromatic hydrocarbons, which are composed of at least two fused aromatic rings made entirely from carbon and hydrogen;

“agglomeration” has the meaning given in regulation 5(2);

“air quality standards” means limit values, target values, and long-term objectives;

“alert threshold” means an alert threshold set out in Schedule 3;

“ambient air” means outdoor air in the troposphere, excluding work places;

“assessment” (unless the context indicates otherwise) means any method used to measure, monitor, calculate, predict or estimate the concentration of a pollutant;

“attainment date” means the date (or, in the case of ozone, year) specified for the relevant air quality standard in Schedule 1;

“basic polycyclic aromatic hydrocarbons” means—

- (a) benzo(a)anthracene;
- (b) benzo(b)fluoranthene;
- (c) benzo(j)fluoranthene;
- (d) benzo(k)fluoranthene;
- (e) dibenz(a,h)anthracene; and
- (f) indeno(1,2,3-cd)pyrene;

“combined measurement” means an assessment of a Group A or Group B pollutant by means of a combination of fixed measurement and modelling techniques;

“concentration” means—

- (a) for pollutants other than Group B pollutants, the concentration of the relevant pollutant in ambient air; or
- (b) for Group B pollutants, the total content of the relevant pollutant in the PM₁₀ fraction in ambient air,

and, in both cases, a reference to a concentration is to a concentration assessed by the Department in accordance with these Regulations;

“fixed measurement” means measurement in accordance with regulation 14(1) for a Group A or Group B pollutant or regulation 14(3) for ozone;

“Group A pollutants” means benzene, carbon monoxide, lead, nitrogen dioxide and oxides of nitrogen, PM₁₀ and sulphur dioxide;

“Group B pollutants” means arsenic, benzo(a)pyrene, cadmium and nickel and their compounds;

“improvement plan” means an improvement plan required by regulation 8;

“information threshold” means the information threshold set out in Part 2 of Schedule 3;

“limit value” means a maximum concentration of a Group A pollutant set out in Part 1 of Schedule 1;

“long-term objective” means a maximum concentration of ozone set out in Part 4 of Schedule 1 which is to be achieved in the long term, in so far as this is possible through the measures required in relation to the long-term objective by regulation 7(3);

“lower assessment threshold” means the lower assessment threshold specified for the relevant pollutant in Parts 1 and 2 of Schedule 4;

“margin of tolerance” means an amount specified in Part 2 of Schedule 1 by which a limit value may be exceeded;

“oxides of nitrogen” means the sum of nitric oxide and nitrogen dioxide added as parts per billion and expressed as nitrogen dioxide in microgrammes per cubic metre;

“ozone precursor substances” means substances which contribute to the formation of ground level ozone;

“PM_{2.5}” means particulate matter which passes through a size-selective inlet with a 50% efficiency cut-off at 2.5µm aerodynamic diameter;

“PM₁₀” means particulate matter which passes through a size-selective inlet with a 50% efficiency cut-off at 10µm aerodynamic diameter, in relation to which, in the case of assessments of Group B pollutants, the inlet shall be as defined in CEN standard EN 12341: 1998(2)

“pollutant” means—

- (a) any Group A pollutant;
- (b) any Group B pollutant;
- (c) ozone; or
- (d) except in Part 2 of these Regulations, any pollutant to which Part 3 applies;

“polycyclic aromatic hydrocarbons” mean—

- (a) the basic polycyclic aromatic hydrocarbons; and

(2) This standard is issued by the European Committee for Standardisation (36 rue de Stassart, B-1050, Brussels, Belgium)

- (b) any of the additional polycyclic aromatic hydrocarbons;
- “rural background station” means a station referred to in the fourth row (rural background) of the table in Part 3 of Schedule 6;
- “target value” means a maximum concentration of a Group B pollutant set out in Part 3 of Schedule 1 or ozone as set out in Part 4 of Schedule 1;
- “upper assessment threshold” means the upper assessment threshold specified for the relevant pollutant in Parts 1 and 2 of Schedule 4;
- “the Department” means the Department of the Environment;
- “the Air Framework Directive” means Council Directive [96/62/EC](#) on ambient air quality assessment and management⁽³⁾; and
- “zone” means one of the parts of the territory into which the Department has divided Northern Ireland under regulation 5(1) for the purposes of Part 2 of these Regulations, and references to a zone shall (unless the context indicates otherwise) include an agglomeration.

(2) Other words and expressions used in these Regulations shall have the same meaning as in the following Directives—

- (a) Council Directive [96/62/EC](#) on ambient air quality assessment and management;⁽⁴⁾
- (b) Council Directive [1999/30/EC](#) relating to limit values for sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead in ambient air⁽⁵⁾
- (c) Directive [2000/69/EC](#) of the European Parliament and of the Council relating to limit values for benzene and carbon monoxide in ambient air⁽⁶⁾
- (d) Directive [2002/3/EC](#) of the European Parliament and of the Council relating to ozone in ambient air⁽⁷⁾
- (e) Directive [2004/107/EC](#) of the European Parliament and of the Council relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air⁽⁸⁾.

Responsibility for implementation of the Air Framework Directive

3. For the purposes of Article 3 (implementation and responsibilities) of Council Directive [96/62/EC](#) on ambient air quality assessment and management ‘the Air Framework Directive’,

- (a) the Department of the Environment shall be the competent authority responsible for—
- (i) assessment of ambient air quality;
- (ii) approval of measuring devices (methods, equipment, networks and laboratories);
- (iii) ensuring accuracy of measurement by measuring devices and checking the maintenance of such accuracy by those devices, in particular by internal quality controls carried out in accordance with applicable quality assurance standards, including European standards;
- (iv) analysis of assessment methods; and
- (v) co-ordination within Northern Ireland of European Community-wide quality assurance programmes organised by the European Commission, save in so far as that co-ordination entails communication with European Commission;

(3) OJ No.L296, 21.11.96, p.55

(4) OJ No L 296, 21.11.96, p.55

(5) OJ No L 163, 29.06.99, p.41, as amended by Commission Decision [2001/744/EC](#), OJ No L 278, 23.10.01, p.35

(6) OJ No L 313, 31.12.00, p.12

(7) OJ No L 67, 09.03.02, p.14

(8) OJ No L 23, 26.01.05, p.3

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- (b) where a Northern Ireland department has functions relevant to the assessment and maintenance of ambient air quality, it shall exercise those functions so as to secure compliance with the requirements of the Air Framework Directive.