
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 265

The Air Quality Standards Regulations (Northern Ireland) 2007

PART 2

Group A and Group B pollutants and ozone

CHAPTER 2

Attainment of air quality standards

General attainment measures

7.—(1) Northern Ireland departments shall take the necessary measures to ensure that the air quality standards in regulation 6 are attained.

(2) In the case of Group B pollutants, the necessary measures are—

- (a) measures not entailing disproportionate costs; and
- (b) in so far as concentrations of the relevant pollutants arise as a result of emissions from installations to which Council Directive 96/61/EC concerning integrated pollution prevention and control(1) applies, the application of best available techniques to prevent pollution from those installations in accordance with that Directive(2).

(3) In the case of ozone, the necessary measures are measures the Department considers to be proportionate and, in relation to the long-term objectives, cost effective.

Improvement plans

8.—(1) This regulation applies in respect of each zone in which prior to the attainment date—

- (a) concentrations of benzene or nitrogen dioxide exceed a limit value plus the applicable margin of tolerance; or
- (b) concentrations of ozone exceed a target value.

(2) Where paragraph (1)(a) applies, the Department, after consultation with other Northern Ireland departments, shall prepare and implement an improvement plan for the pollutant in question or, where concentrations of both pollutants exceed the level referred to, a single improvement plan for both pollutants; and the Department and those other Northern Ireland departments shall ensure that the plan is implemented.

(3) Where paragraph (1)(b) applies, the Department, after consultation with other Northern Ireland departments, shall prepare and implement an improvement plan in respect of ozone unless it considers that the target value would not be attainable through proportionate measures.

(4) An improvement plan shall include the information specified in Schedule 2.

(1) OJ No L 257, 10.10.96, p.26

(2) The Directive is implemented by The Pollution Prevention and Control Regulations (Northern Ireland) 2003 (S.R. 2003 No.46 as amended by S.R. 2003 No.390, S.R. 2003 No.496, S.I. 2003/3311, S.R. 2004 No.36, S.R. 2004 No.297, S.R. 2004 No.507, S.R. 2005 No.285, S.R. 2005 No.300, S.R. 2005 No.454 and S.R. 2006 No.98)

(5) Where the Department, after consultation with other Northern Ireland departments, is required to prepare and implement an improvement plan under both paragraphs (2) and (3) it shall, where it considers it appropriate, prepare and implement an integrated improvement plan covering all of the pollutants concerned.

(6) An improvement plan may comprise either a plan or a programme which, in either case, shall have the objective of attaining—

- (a) the limit value, by the attainment date; or
- (b) the target value, by 2010.

Other improvement measures

9.—(1) This regulation applies in respect of each zone in which—

- (a) concentrations of one or more Group B pollutants exceed the relevant target value; or
- (b) concentrations of ozone are equal to or below the target values, but exceed a long-term objective.

(2) Where paragraph (1)(a) applies, the Department shall—

- (a) identify the cause of the pollution and the predominant sources of emissions; and
- (b) in relation to the pollutants concerned, ensure that the measures required by regulation 7(2) are directed in particular at the sources of emissions identified.

(3) Where paragraph (1)(b) applies, the Department shall prepare and implement measures which it considers to be cost-effective with the aim of attaining the long-term objective.

(4) The Department shall ensure that the measures required in paragraph (3) are consistent with the improvement plans prepared for ozone under regulation 8(3).