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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 428**

**The Air Quality Limit Values (Scotland) Regulations 2003**

**Action to be taken where limit values are exceeded**

**11.**—(1) The Scottish Ministers shall draw up a list of zones in which the levels of one or more of the relevant pollutants are higher than—

- (a) in a case where there is no margin of tolerance shown in Schedule 1 in relation to a limit value, the limit value;
- (b) in any other case, the limit value plus the margin of tolerance shown in Schedule 1.

(2) The Scottish Ministers shall draw up a list of zones in which the levels of one or more of the relevant pollutants are between the limit value and the limit value plus any margin of tolerance.

(3) Subject to paragraphs (6), (8) and (9), the Scottish Ministers shall draw up for each zone listed under paragraph (1) a plan or programme for attaining the limit values for the pollutants in question within the time limits specified in Schedule 1 and shall secure the implementation of the plan or programme.

(4) The plan or programme shall at least include the information listed in Schedule 9.

(5) Where in any zone the level of more than one pollutant is higher than the limit values, an integrated plan covering all the pollutants in question shall be prepared.

(6) For any zone to which regulation 7(10)(a) applies, the Scottish Ministers may determine that plans or programmes shall only be required under this regulation where the limit values are exceeded owing to man-made emissions.

(7) Plans or programmes for PM<sub>10</sub> which are prepared in accordance with this regulation shall also have the aim of reducing concentrations of PM<sub>2.5</sub>.

(8) For any zone to which regulation 7(10)(b)(i) applies, the Scottish Ministers may determine that plans or programmes shall only be required where the limit values are exceeded owing to causes other than natural events.

(9) For zones to which regulation 7(10)(b)(ii) applies, the Scottish Ministers may determine that the plans or programmes shall only be required where the limit values are exceeded owing to PM<sub>10</sub> levels other than those caused by the resuspension of particulates following the winter sanding of roads.