SCOTTISH STATUTORY INSTRUMENTS

2007 No. 182

The Air Quality Standards (Scotland) Regulations 2007

PART 1

General

Definitions

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 PM_{10} fraction in ambient air,

and, in both cases, a reference to a concentration is to a concentration assessed by the Scottish Ministers 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, PM_{10} 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 permitted 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;

"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;

"$PM_{2\cdot5}$" means particulate matter which passes through a size-selective inlet with a 50% efficiency cut-off at 2.5µm aerodynamic diameter;

"PM_{10}" 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(**1**);

"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 of these Regulations applies;

"polycyclic aromatic hydrocarbons" mean–

(a) the basic polycyclic aromatic hydrocarbons; and

(b) any of the additional polycyclic aromatic hydrocarbons which the Scottish Ministers decide should be monitored for the purpose of regulation 19(1);

"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 of ozone 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; and

(**1**) This standard is issued by the European Committee for Standardisation (CEN); (copies may be obtained from CEN at 36, Rue de Stassart B-1050, Brussels, Belgium, http://www.cenorm.be).

"zone" means one of the parts of the territory of Scotland into which the Scottish Ministers has divided Scotland 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) Subject to paragraph 1 words and expressions used both in these Regulations and in the following Directives shall have the same meaning in these Regulations as in the relevant Directive–

(a) Council Directive 96/62/EC on ambient air quality assessment and management(**2**);

(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(**3**);

(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(**4**);

(d) Directive 2002/3/EC of the European Parliament and of the Council relating to ozone in ambient air(**5**); and

(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(**6**).

(**2**) O.J. No L 296, 21.11.96, p.55.
(**3**) O.J. No L 163, 29.06.99, p.41.
(**4**) O.J. No L 313, 13.12.00, p.12.
(**5**) O.J. No L 67, 09.03.02, p.14.
(**6**) O.J. No L 23, 26.01.05, p.3.