

**2002 No. 3118**

**ENVIRONMENTAL PROTECTION**

**The National Emission Ceilings Regulations 2002**

<i>Made</i> - - - - -	<i>16th December 2002</i>
<i>Laid before Parliament</i>	<i>17th December 2002</i>
<i>Coming into force</i> - -	<i>10th January 2003</i>

The Secretary of State, being a Minister designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the control of air pollution, in exercise of the powers conferred upon her by that subsection, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the National Emission Ceilings Regulations 2002 and shall come into force on 10th January 2003.

**Interpretation**

2.—(1) In these Regulations—

“emission” means the release of a substance from a point or diffuse source into the atmosphere, with the exception of—

- (a) emissions from international maritime traffic; and
- (b) aircraft emissions beyond the landing and take-off cycle, being a cycle represented by the following time in each operating mode:
  - (i) 4 minutes for approach;
  - (ii) 26 minutes for taxi/ground idle;
  - (iii) 0.7 minutes for take-off; and
  - (iv) 2.2 minutes for climb;

“nitrogen oxides” means nitric oxide and nitrogen dioxide, expressed as nitrogen dioxide;

“relevant pollutant” means sulphur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), volatile organic compounds (VOC) or ammonia (NH<sub>3</sub>);

“volatile organic compound” means all organic compounds (other than methane) arising from human activities which are capable of producing photochemical oxidants by reactions with nitrogen oxides in the presence of sunlight.

(2) For the purposes of these Regulations, references to the “United Kingdom” shall include—

- (a) the area adjacent to the United Kingdom up to the seaward limits of territorial waters; and

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(a) S.I. 1988/785.

(b) 1972 c. 68.

(b) any area for the time being designated under section 1(7) of the Continental Shelf Act 1964<sup>(a)</sup> (designation of areas of continental shelf).

(3) For the purpose of regulations 4(4) and 5(4), “the public” includes any organisation or body representing or having an interest in the environment, health, business or consumers.

#### **National emission ceilings**

3. The Secretary of State shall ensure that, in 2010 and each year thereafter, the total emissions within the United Kingdom of each relevant pollutant do not exceed the amount specified in the Schedule for that pollutant.

#### **National programme**

4.—(1) The Secretary of State shall as soon as practicable prepare a programme for the progressive reduction in emissions within the United Kingdom of the relevant pollutants in accordance with Article 6(1) and (2) and having regard to Article 5 of European Parliament and Council Directive 2001/81/EC relating to national emission ceilings for certain atmospheric pollutants<sup>(b)</sup>.

(2) The Secretary of State may review the programme from time to time and shall update and revise it as necessary by 1st October 2006.

(3) Public authorities shall have regard to the programme when exercising any functions which significantly affect the level of emissions within the United Kingdom of the relevant pollutants.

(4) The Secretary of State shall take appropriate steps to ensure that the programme is made available to the public and is clear, comprehensible and easily accessible.

#### **Emissions inventories and projections**

5.—(1) The Secretary of State—

(a) shall as soon as practicable prepare—

- (i) a final inventory of emissions within the United Kingdom of the relevant pollutants during the year 2000;
- (ii) a provisional inventory of emissions within the United Kingdom of the relevant pollutants during the year 2001; and
- (iii) a projection of emissions within the United Kingdom of the relevant pollutants during the year 2010; and

(b) shall—

- (i) by 31st December in each year prepare a final inventory of emissions within the United Kingdom of the relevant pollutants during the year ending on 31 December 24 months earlier;
- (ii) by 31st December in each year prepare a provisional inventory of emissions within the United Kingdom of the relevant pollutants during the year ending on 31 December 12 months earlier; and
- (iii) by 31st December in each year up to and including 2009 update the projection referred to in paragraph (1)(a)(iii).

(2) The inventories and projections referred to in paragraph (1) shall be prepared and updated using the methodologies in the Joint EMEP/CORINAIR Atmospheric Emission Inventory Guidebook, third Edition, 2001, published by the European Environment Agency<sup>(c)</sup>.

(3) The projection referred to in paragraph (1)(a)(iii) shall include information to enable a quantitative understanding of the key socio-economic assumptions used in its preparation.

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(a) 1964 c. 29.

(b) OJ No. L309, 27.11.2001, p. 22.

(c) The Guidebook can be accessed on the internet at [http://reports.eea.eu.int/technical\\_report\\_2001\\_3/en](http://reports.eea.eu.int/technical_report_2001_3/en)

(4) The Secretary of State shall take appropriate steps to ensure that the inventories and projections referred to in paragraph (1) are made available to the public.

16th December 2002

*Alan Michael*  
Minister of State  
Department for Environment, Food and Rural Affairs

## SCHEDULE

Regulation 3

### National Emission Ceilings for SO<sub>2</sub>, NO<sub>x</sub>, VOC and NH<sub>3</sub>

The amount specified for the purpose of regulation 3 is the relevant figure shown in the Table below less the emissions of that pollutant from Gibraltar in the relevant year.

<i>SO<sub>2</sub> Kilotonnes</i>	<i>NO<sub>x</sub> Kilotonnes</i>	<i>VOC Kilotonnes</i>	<i>NH<sub>3</sub> Kilotonnes</i>
585	1167	1200	297

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations implement in the United Kingdom European Parliament and Council Directive 2001/81/EC relating to national emission ceilings for certain atmospheric pollutants<sup>(a)</sup>.

Regulation 3 requires the Secretary of State to ensure that in 2010 and each subsequent year emissions from the United Kingdom of sulphur dioxide, nitrogen oxides, volatile organic compounds and ammonia do not exceed the amounts specified in the Schedule.

Regulation 4 requires the Secretary of State to prepare a programme for the progressive reduction of those pollutants. Regulation 4(3) requires public authorities to have regard to the programme when exercising any functions which significantly affect the level of emissions within the United Kingdom of those pollutants.

Regulation 5 requires the Secretary of State to prepare annual inventories of emissions of those pollutants, and projections of emissions of those pollutants in 2010.

These Regulations extend to the United Kingdom and apply to emissions from land, territorial waters, and the continental shelf (regulation 2(2)).

A Regulatory and Environmental Impact Assessment and a Transposition Note have been prepared. Copies can be obtained from AEQ Division, Department for Environment, Food and Rural Affairs, Ashdown House, 123 Victoria Street, London SW1E 6DE.

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(a) OJ No. L309, 27.11.2001, p. 22.





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