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STATUTORY INSTRUMENTS

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**2007 No. 64**

**The Air Quality Standards Regulations 2007**

**PART 2**

**Group A and Group B pollutants and ozone**

**CHAPTER 3**

**Maintenance of air quality standards and action plans**

**Maintenance of air quality standards**

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

- (a) concentrations of one or more Group A pollutants are below the relevant limit values;
- (b) concentrations of one or more Group B pollutants are below the relevant target values; or
- (c) concentrations of ozone meet the long-term objectives.

(2) Where sub-paragraphs (a) or (b) of paragraph (1) apply, the Secretary of State shall in respect of each pollutant meeting the conditions set out in those sub-paragraphs—

- (a) maintain compliance with the relevant limit values or target values; and
- (b) endeavour to maintain the lowest concentration which he considers to be compatible with sustainable development.

(3) Where paragraph (1)(c) applies, the Secretary of State shall—

- (a) in so far as the transboundary nature of ozone pollution, meteorological conditions and any other similar factors permit, ensure that concentrations are kept at or below the long-term objectives; and
- (b) maintain through proportionate measures the lowest concentrations which he considers to be compatible with sustainable development and a high level of protection for the environment and human health.

**Action plans**

**11.**—(1) The Secretary of State shall—

- (a) in accordance with paragraphs (2) to (4) and (6), prepare; and
- (b) in accordance with paragraph (5) and (6), implement,

action plans.

(2) The action plans shall indicate the measures to be taken within any zone in the short term in order to achieve the objectives set out in paragraph (3) in the event of circumstances in which the Secretary of State considers there is a risk that any one of the following will be exceeded—

- (a) a limit value;
- (b) the alert threshold for nitrogen dioxide or sulphur dioxide; or

(c) subject to paragraph (4), the alert threshold for ozone.

(3) The objectives of each action plan shall be—

- (a) to reduce the risk that the relevant limit value or alert threshold will be exceeded; or
- (b) where it is not possible to prevent the relevant limit value or alert threshold being exceeded, to limit the duration or severity of the occurrence.

(4) In relation to ozone, the obligation imposed by paragraph (1)(a) shall only apply in so far as, taking into account geographical, meteorological and economic conditions, the Secretary of State considers there is significant potential for the objectives set out in paragraph (3) to be achieved.

(5) When the Secretary of State considers that the risks referred to in paragraph (2) arise within a zone, he shall implement the measures indicated in the relevant action plans within that zone to the extent he considers necessary in the circumstances.

(6) In preparing and implementing any action plans for ozone, the Secretary of State shall have regard to Annexes I and II to the Commission Decision of 19 March 2004 concerning guidance for implementation of Directive [2002/3/EC](#)<sup>(1)</sup>.

(7) Schedule 3 has effect in prescribing—

- (a) alert thresholds for nitrogen dioxide and sulphur dioxide, in Part 1 of that Schedule; and
- (b) the alert threshold and information threshold for ozone, in Part 2 of that Schedule.

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(1) OJ No L 87, 25.03.04, p.50.