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## EXPLANATORY NOTE

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

These Regulations implement the following Directives—

Directive [2008/50/EC](#) on ambient air quality and cleaner air for Europe (this Directive replaces Council Directive [96/62/EC](#) on ambient air quality assessment and management, Council Directive [1999/30/EC](#) relating to limits for sulphur dioxide, nitrogen dioxide, oxides of nitrogen, particulate matter and lead in ambient air, Council Directive [2000/69/EC](#) relating to limit values for benzene and carbon monoxide in ambient air, Council Directive [2002/3/EC](#) relating to ozone in ambient air.)

Directive [2004/107/EC](#) relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air.

These Regulations replace the Air Quality Standards Regulations 2007 ([S.I. 2007/64](#)) which are revoked.

These Regulations apply in England, except regulations 3 (a) which deals with designation of a competent authority for the purposes of cooperation with other member States, regulations 23, 24 and 25(3), which deal with reduction of exposure to PM<sub>2.5</sub> in the UK, and regulation 32 which deals with transboundary pollution.

Part 1 of the Regulations deals with definitions, designates the Secretary of State as the competent authority for the purposes of Directives [2008/50/EC](#) and [2004/107/EC](#) and requires the Secretary of State to divide England into zones.

Part 2 of the Regulations deals with assessment of ambient air quality. Chapter 1 relates to assessment of sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter, lead benzene and carbon monoxide. Chapter 2 relates to assessment of ozone, and Chapter 3 relates to assessment of arsenic, cadmium, nickel, mercury, benzo(a)pyrene and other polycyclic aromatic hydrocarbons.

Part 3 of the Regulations sets out the duties of the Secretary of State in relation to the limit values, target values, long-term objectives, information and alert thresholds and critical levels for the protection of vegetation which are set out in Schedules 2 to 6.

Part 4 of the Regulations deals with requirements in relation to PM<sub>2.5</sub> in addition to the limit value and target value for this pollutant. The additional requirements in this part relate to the calculation of an average exposure indicator (AEI) for the UK, the calculation of a national exposure reduction target based on the AEI, attainment of the national exposure reduction target in the UK and compliance with a limit on the AEI for 2015.

Part 5 of the Regulations imposes requirements on the Secretary of State to draw up air quality plans in relation to limit values and target values and short-term action plans in relation to alert thresholds. Short-term action plans may also be used in relation to limit values and target values.

Part 6 of the Regulations relates to public information.

Part 7 of the Regulations gives the Secretary of State power to direct local authorities and the Mayor of London. This part also contains provisions relating to transboundary air pollution.

Schedule 1 of the Regulations sets out the requirements for the siting of sampling points for the assessment of sulphur dioxide, nitrogen dioxide, oxides of nitrogen, particulate matter, lead, benzene and carbon dioxide.

Schedules 2 to 6 set out limit values, target values, long term objectives for ozone, information and alert thresholds and critical levels for the protection of vegetation.

**Status:** This is the original version (as it was originally made).

Schedule 7 sets out national exposure reduction targets for PM<sub>2.5</sub>

Schedule 8 sets out the information to be included in air quality plans.

Schedule 9 sets out the public information to be provided in relation to concentrations of pollutants.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Atmosphere and Local Environment Division, Department for Environment, Food and Rural Affairs, Ergon House, Horseferry Road, London, SW1P 3JR and is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website ([www.opsi.gov.uk](http://www.opsi.gov.uk)).

Transposition notes have also been prepared in relation to the directives transposed by these Regulations, and are available from the same address.