
STATUTORY INSTRUMENTS

2018 No. 129

The National Emission Ceilings Regulations 2018

PART 1

Introductory

Citation and commencement

1. These Regulations may be cited as the National Emission Ceilings Regulations 2018 and come into force on 1st July 2018.

Interpretation

2.—(1) In these Regulations—

“anthropogenic emissions” means atmospheric emissions of pollutants associated with human activities with the exception of—

- (a) emissions from international maritime traffic;
- (b) aircraft emissions beyond the landing and take-off cycle;
- (c) emissions of NO_x and NMVOC from activities falling under categories 3B (manure management) and 3D (agricultural soils) in NFR 2014;

“black carbon” or “BC” means carbonaceous particulate matter that absorbs light;

“Cd” means cadmium;

“the Directive” means [Directive 2016/2284/EU](#) of the European Parliament and the Council on the reduction of national emissions of certain atmospheric pollutants⁽¹⁾;

“EMEP” means the European Monitoring and Evaluation Programme, established under the Convention;

“EMEP/EEA Guidebook” means the EMEP and EEA air pollution inventory guidebook dated 30th September 2016⁽²⁾;

“EMEP Reporting Guidelines” means the EMEP guidelines for reporting emissions and projections data under the Convention dated 13th March 2014⁽³⁾;

“emission” means the release of a substance from a point or diffuse source into the atmosphere;

“fine particulate matter” or “PM_{2.5}” means particles with an aerodynamic diameter equal to or less than 2.5 micrometres;

“HCB” means hexachlorobenzene;

(1) OJ No L 344, 17.12.2016, p 1-31.

(2) The EMEP/EEA Guidebook can be obtained or viewed at the Department for Environment, Food and Rural Affairs, Nobel House, 17 Smith Square, London SW1P 3JR or accessed at <https://www.eea.europa.eu/publications/emep-eea-guidebook-2016>.

(3) The EMEP Reporting Guidelines can be obtained or viewed at the Department for Environment, Food and Rural Affairs, Nobel House, 17 Smith Square, London SW1P 3JR or it can be accessed at http://www.ceip.at/fileadmin/inhalte/emep/2014_Guidelines/ece.eb.air.125_ADVANCE_VERSION_reporting_guidelines_2013.pdf.

“Hg” means mercury;

“national air pollution control programme” means the programme prepared, reviewed or revised in accordance with regulation 9;

“national emission ceiling” means the level to be met in accordance with regulation 5(1) in respect of a specified pollutant for a particular calendar year;

“national emission reduction commitment” means the emission reduction level for a relevant pollutant to be achieved in accordance with regulation 6(2) or (3) in a particular calendar year;

“NFR 2014” means the Nomenclature for Reporting 2014 adopted by EMEP(4);

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

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

“PAHs” means polycyclic aromatic hydrocarbons;

“Pb” means lead;

“PCBs” means polychlorinated biphenyls;

“relevant pollutant” means ammonia, nitrogen oxides, non-methane volatile organic compounds, fine particulate matter or sulphur dioxide;

“source-based air pollution control legislation” means legislation of which one purpose is to reduce the emissions of a relevant pollutant at the source of those emissions;

“sulphur dioxide” or “SO₂” means all sulphur compounds expressed as sulphur dioxide, including sulphur trioxide, sulphuric acid, and reduced sulphur compounds such as hydrogen sulphide, mercaptans and dimethyl sulphides.

(2) In these Regulations—

(a) references to the “United Kingdom” include—

- (i) the area adjacent to the United Kingdom up to the seaward limits of the territorial waters;
- (ii) any area for the time being designated under section 1(7) of the Continental Shelf Act 1964(5);
- (iii) the areas specified in article 2 of the Exclusive Economic Zone Order 2013(6);
- (iv) the areas specified by the Merchant Shipping (Prevention of Pollution) (Limits) Regulations 2014(7) as waters within which the jurisdiction and rights of the United Kingdom are exercisable in accordance with Part 12 of the United Nations Convention on the Law of the Sea(8) for the protection and preservation of the marine environment;

(b) references to “the public” include any organisation or body representing or having an interest in the environment, health, business or consumers.

(4) The NFR 2014 can be obtained or viewed at the Department for Environment, Food and Rural Affairs, Nobel House, 17 Smith Square, London SW1P 3JR or it can be accessed at http://www.ceip.at/fileadmin/inhalte/emep/2014_Guidelines/Annex_I_Emissions_reporting_template.xls.

(5) 1964 c.29; section 1(7) was amended by paragraph 1 of Schedule 3 to the Oil and Gas (Enterprise) Act 1982 (c.23) and section 103 of the Energy Act 2011 (c.16).

(6) S.I. 2013/3161.

(7) S.I. 2014/3306.

(8) The United Nations Convention on the Law of the Sea can be obtained or viewed at the Department for Environment, Food and Rural Affairs, Nobel House, 17 Smith Square, London SW1P 3JR or it can be accessed at http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm.

(3) In paragraph (1)—

“the Convention” means the 1979 UNECE Convention on Long-Range Transboundary Air Pollution⁽⁹⁾, including its protocols, annexes and appendices;

“EEA” means the European Environment Agency;

“international maritime traffic” means journeys at sea and in coastal waters by water-borne vessels of all flags, except fishing vessels, that depart from the territory of one country and arrive in the territory of another country;

“landing and take-off cycle” means the cycle that includes taxi in and out, take-off, climb out, approach, landing and all other aircraft activities that take place below the altitude of 3,000 feet.

(9) The Convention can be obtained or viewed at the Department for Environment, Food and Rural Affairs, Nobel House, 17 Smith Square, London SW1P 3JR or it can be accessed at <https://www.unece.org/fileadmin/DAM/env/lrtap/full%20text/1979.CLRTAP.e.pdf>.