
WELSH STATUTORY INSTRUMENTS

2010 No. 1433

The Air Quality Standards (Wales) Regulations 2010

PART 1

General

Title, commencement and application

1.—(1) The title of these Regulations is the Air Quality Standards (Wales) Regulations 2010 and they come into force on 11 June 2010.

(2) These Regulations apply in relation to Wales.

Definitions

2.—(1) In these Regulations—

“ambient air” (“*aer amgylchynol*”) means outdoor air in the troposphere, excluding workplaces as defined by Council Directive [89/654/EEC](#)(**1**) where provisions concerning health and safety at work apply and to which members of the public do not have regular access;

“AOT 40” (“*AOT 40*”) (expressed in $(\mu\text{g}/\text{m}^3) \cdot \text{hours}$) means the sum of the difference between hourly concentrations greater than $80 \mu\text{g}/\text{m}^3$ (= 40 parts per billion) and $80 \mu\text{g}/\text{m}^3$ over a given period using only the one-hour values measured between 08:00 hours and 20:00 hours Central European Time (CET) each day;

“arsenic” (“*arsenig*”), “cadmium” (“*cadmiwm*”), “nickel” (“*nicel*”) and “benzo(a)pyrene” (“*benso(a)pyren*”) mean the total content of those elements and compounds within the PM₁₀ fraction;

“assessment” (“*asesu*”, “*asesiad*”) means assessment carried out by means of fixed measurements, indicative measurements, modelling or objective estimation techniques;

“Directive [2004/107/EC](#)” (“*Cyfarwyddeb 2004/107/EC*”) means 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(**2**);

“Directive [2008/50/EC](#)” (“*Cyfarwyddeb 2008/50/EC*”) means Directive [2008/50/EC](#) of the European Parliament and of the Council on ambient air quality and cleaner air for Europe(**3**);

“fixed measurements” (“*mesuriadau sefydlog*”) means measurements taken at fixed locations, either continuously or by sampling from time to time, to determine levels of pollutants in accordance with the relevant data quality objectives;

“indicative measurements” (“*mesuriadau dangosol*”) means measurements which meet data quality objectives that are less strict than those required for fixed measurements;

(1) OJ No L 393, 30.12.89, p. 1, amended by Directive [2007/30/EC](#) (OJ No L 165, 27.6.07, p. 21).

(2) OJ No L 23, 26.1.05, p 3, last amended by Regulation (EC) No [219/2009](#) (OJ No L 87, 31.3.09, p. 109).

(3) OJ No L 152, 11.6.08, p 1.

“margin of tolerance” (“*ffin goddefiant*”) means the percentage of the limit value by which that value may be exceeded in a given year;

“oxides of nitrogen” (“*ocsidau nitrogen*”) means the sum of the volume mixing ratio (ppbv) of nitrogen monoxide (nitric oxide) and nitrogen dioxide expressed in units of mass concentration of nitrogen dioxide ($\mu\text{g}/\text{m}^3$);

“PM₁₀” (“*PM₁₀*”) means particulate matter which passes through a size-selective inlet as defined in the reference method for the sampling and measurement of PM₁₀, EN 12341, with a 50% efficiency cut-off at 10 μm aerodynamic diameter;

“PM_{2.5}” (“*PM_{2.5}*”) means particulate matter which passes through a size-selective inlet as defined in the reference method for the sampling and measurement of PM_{2.5}, EN 14907, with a 50% efficiency cut-off at 2,5 μm aerodynamic diameter;

“pollutant” (“*llygrydd*”) means any of the following—

- (a) arsenic,
- (b) benzene,
- (c) benzo(a)pyrene or other polycyclic aromatic hydrocarbons,
- (d) cadmium,
- (e) carbon monoxide,
- (f) lead,
- (g) mercury,
- (h) nickel,
- (i) nitrogen dioxide,
- (j) oxides of nitrogen,
- (k) ozone,
- (l) PM₁₀,
- (m) PM_{2.5},
- (n) sulphur dioxide;

“polycyclic aromatic hydrocarbons” (“*hydrocarbonau aromatig polysyclig*”) means those organic compounds composed of at least two fused aromatic rings made entirely from carbon and hydrogen; and

“total deposition rate” (“*cyfradd llwyr ddyddodiad*”) means the total mass of pollutants which is transferred from the atmosphere to surfaces such as soil, vegetation, water and buildings in a given area within a given time.

(2) References in these Regulations to Annexes I to VI and VIII to X and Section B of Annex XV to Directive [2008/50/EC](#) and to Section II of Annex II and Annexes III to V to Directive [2004/107/EC](#) are references to those Annexes and those Sections as amended from time to time.

Designation of competent authority

3. The Welsh Ministers are designated as the competent authority for the purposes of Directive [2008/50/EC](#) (other than for the purpose specified in Article 3(f) of that Directive) and for the purposes of Directive [2004/107/EC](#).

Zones and agglomerations

4.—(1) The Welsh Ministers must, for the purposes of these Regulations, divide the territory of Wales into zones and agglomerations.

(2) A zone will be classified as an agglomeration if it is a conurbation with a population in excess of 250,000 inhabitants.

(3) In these Regulations references to a zone include a zone which has been classified as an agglomeration.