
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations are made in the implementation in Northern Ireland of European Council Directive [2002/3/EC](#) relating to ozone in ambient air.

Regulation 3 sets the target values for the protection of human health and vegetation in respect of the concentrations of ozone in ambient air.

Regulation 4 sets the long-term objectives for the protection of human health and vegetation in respect of the concentrations of ozone in ambient air.

Regulation 5 requires the Department of the Environment (“the Department”) to assess the concentrations of ozone and ozone precursor substances in accordance with Regulations 6 to 7.

Regulation 6 requires the Department to classify each zone in relation to ozone in accordance with the method of assessment that is required, and which is dependent on either the history of ozone concentrations or the available data in each zone.

Regulation 7 requires the Department to ensure that specified methods are used for assessing ambient air quality in respect of ozone. Part I of Schedule 3 specifies the minimum number of fixed sampling points required where continuous measurement is the only source of information. The Regulation also specifies the minimum number of sampling points that are required for the measurement of nitrogen dioxide. It provides details of when the number of sampling points required by Part I of Schedule 3 may be reduced. Schedule 2 determines the location of sampling points for the fixed measurement of ozone. Schedule 4 lists the recommended ozone precursor substances of which concentrations must be measured. Schedule 6 prescribes reference methods for the analysis of ozone.

Regulation 8 requires the Department to compile a list of zones, and draw up and implement a plan or programme where the levels of ozone in ambient air are: (i) higher than the target value, save where achieving the target value would not be done so through proportionate measures; and (ii) higher than the long-term objectives but equal to or below the target values. The information shall be made available to the public. The Department is also required to ensure that in those zones where ozone levels meet the long-term objectives, levels are kept below long-term objectives, and are preserved through proportionate measures.

Regulation 9 requires the Department to ensure that up-to-date information on concentrations of ozone in ambient air is made available routinely to the public, which shall include an indication of each time and the extent to which ozone concentrations were exceeded; a short assessment of those exceedances and their effect on public health; comprehensive annual reports; and timely information about actual or predicted exceedances of the alert threshold. The information made available to the public shall be clear, comprehensive and accessible.

Regulation 10 requires the Department to draw up action plans indicating the measures to be taken in the short term where there is any risk of the alert threshold being exceeded, if there is significant potential to reduce such a risk and in order to reduce the duration or severity of such an occurrence. The Department shall make the results of investigations undertaken in the preparation of these action plans, the action plans and information on implementation of the action plans available to the public.

Regulation 11 requires the Department to notify the Secretary of State for the Environment, Food and Rural Affairs should transboundary pollution incidents arise in Northern Ireland, and where the cause is due largely to precursor emissions in other Member States.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Regulation 12 requires the Department to ensure that the information specified in Part I of Schedule 8 is obtained and collated. The criteria for aggregating data and calculating statistical parameters specified in Part II of Schedule 8 shall apply to this Regulation.

Regulation 13 revokes the Ozone Monitoring and Information Regulations 1994.