
STATUTORY RULES OF NORTHERN IRELAND

2010 No. 188

The Air Quality Standards Regulations (Northern Ireland) 2010

PART 5

Plans

Air quality plans

25.—(1) Where the levels of sulphur dioxide, nitrogen dioxide, benzene, carbon monoxide, lead and PM₁₀ in ambient air exceed any of the limit values in Schedule 2 or the level of PM_{2.5} exceeds the target value in Schedule 3, the Department, after consultation with other Northern Ireland departments, shall draw up and implement an air quality plan so as to achieve that limit value or target value.

(2) The air quality plan shall include measures intended to ensure compliance with any relevant limit value within the shortest possible time.

(3) Between the date when these Regulations come into operation and 31st December 2014, the Department, after consultation with other Northern Ireland departments, shall draw up and implement an air quality plan if levels of PM_{2.5} in ambient air exceed a level calculated by applying the margin of tolerance set out in Schedule 2 to the limit value.

(4) Air quality plans shall include the information listed in Schedule 7.

(5) Wherever possible, air quality plans shall be consistent with other plans drawn up in accordance with obligations imposed under the Directive on the limitation of emissions of certain pollutants into the air from large combustion plants⁽¹⁾, Council Directive [2001/81/EC](#) on national emission ceilings for certain atmospheric pollutants⁽²⁾ and Council Directive [2002/49/EC](#) on assessment and management of environmental noise⁽³⁾.

(6) Where an air quality plan is required in relation to more than one pollutant, the Department, after consultation with other Northern Ireland departments, shall, where appropriate, draw up and implement an integrated plan in relation to all pollutants concerned.

(7) Where the level of ozone in a zone exceeds the target value in Schedule 3, the Department, after consultation with other Northern Ireland departments, shall draw up and implement an air quality plan unless the measures necessary to achieve the target value would entail disproportionate cost.

Short-term action plans

26.—(1) Where in any zone, there is a risk that levels of sulphur dioxide or nitrogen dioxide will exceed the alert thresholds set out in Schedule 5, the Department, after consultation with other Northern Ireland departments, shall draw up and implement a short-term action plan.

(1) OJ No L 309, 27.11.01, p.1, last amended by Directive [2009/31/EC](#) (OJ No L 140, 5.6.2009, p.114)

(2) OJ No L 309, 27.11.01, p.22, last amended by Regulation [\(EC\) No 219/2009](#) (OJ No L 87, 31.3.2009, p.109)

(3) OJ No L 189, 18.7.02, p.12, last amended by Regulation [\(EC\) No 1137/2008](#) (OJ No L 311, 21.11.2008, p.1)

(2) A short-term action plan shall set out the measures intended to reduce the risk of alert thresholds being exceeded, or in the event of the levels being exceeded, to reduce the duration of such an incident.

(3) Where, in any zone, levels of ozone exceed the alert threshold set out in Schedule 5 or there is a risk that they will exceed that threshold, the Department, after consultation with other Northern Ireland departments, shall draw up and implement a short-term action plan taking into account Decision 2004/279/EC(4), if of the opinion that it is reasonably likely that the risk of alert level being exceeded, or the severity or duration of such an incident can be reduced taking into account geographical, meteorological and economic conditions.

(4) For the purposes of paragraph (3), the threshold must be exceeded or be predicted to exceed the alert threshold for at least three consecutive hours.

(5) Short-term action plans may also be drawn up where there is a risk that any of the limit values or targets values set out in Schedules 2 or 3 will be exceeded.

Public participation in drawing up air quality and short-term action plans

27.—(1) The Department, after consultation with other Northern Ireland departments, shall consult the public where it proposes to prepare, modify or review an air quality plan or a short-term action plan.

(2) Where paragraph (1) applies, the Department, after consultation with other Northern Ireland departments, shall—

- (a) inform the public as to the proposal, any relevant background information and the right of the public to participate in the drawing up of the plan;
- (b) specify the means by which the public can participate in the consultation, including an address for responses, and a reasonable timescale for the consultation; and
- (c) take account of the results of the consultation in drawing up the plan.

(3) When the plan is published, the Department, after consultation with other Northern Ireland departments, shall also provide information to the public as to the reasons for the contents of the plan together with information about the public participation process that has been carried out.

(4) OJ No L 87, 25.3.04, p.50