
STATUTORY INSTRUMENTS

2010 No. 1001

The Air Quality Standards Regulations 2010

PART 1

General

Citation, commencement, application and extent

1.—(1) These Regulations may be cited as the Air Quality Standards Regulations 2010 and come into force on 11th June 2010.

(2) They apply in England, except regulations 3(a), 23, 24, 25(4) and 32 which extend to the United Kingdom⁽¹⁾.

Definitions

2. In these Regulations—

“ambient air” means outdoor air in the troposphere, excluding workplaces where members of the public do not have regular access;

“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”, “cadmium”, “nickel” and “benzo(a)pyrene” mean the total content of those elements and compounds within the PM_{10} present in ambient air;

“Directive 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⁽²⁾;

“Directive 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⁽³⁾;

“fixed measurements” 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 measurement” means measurements which meet data quality objectives that are less strict than those required for fixed measurements;

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

(1) In relation to Scotland, the Secretary of State relies on section 57(1) of the [Scotland Act 1998 \(c. 46\)](#); in relation to Northern Ireland, the Secretary of State relies on section 23(1) of the [Northern Ireland Act 1998 \(c. 47\)](#); in relation to Wales, the Secretary of State relies on article 2(3) of the European Communities (Designation) (No 3) Order 2000 ([S.I. 2000/2812](#)).

(2) OJ No 152, 11.6.2008, p. 1

(3) OJ No 23, 26.1.2005, p. 3, last amended by Regulation (EC) No 219/2009 (OJ No L 87, 31.3.2009, p 109)

“oxides of 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 ($\mu\text{g}/\text{m}^3$);

“ozone precursor substances” means substances which contribute to the formation of ground level ozone;

“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}” 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;

“particulate matter” means PM_{2.5} and PM₁₀;

“pollutant” means any of the following—

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

“polycyclic aromatic hydrocarbons” means those organic compounds composed of at least two fused aromatic rings made entirely from carbon and hydrogen;

“relevant administration” means—

- (a) the Welsh Ministers for Wales;
- (b) the Scottish Ministers for Scotland; and
- (c) the Department of the Environment for Northern Ireland;

Designation of competent authority

3. The Secretary of State is designated as the competent authority—
 - (a) for the United Kingdom for the purposes of article 3(f) of Directive [2008/50/EC](#), and
 - (b) save as set out in paragraph (a), in England for the purposes of Directive [2008/50/EC](#) and for the purposes of Directive [2004/107/EC](#).

Zones and agglomerations

- 4.—(1) The Secretary of State must, for the purposes of these Regulations, divide the territory of England 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.

(4) Zones are identified on a map published by the Secretary of State in January 2010.(4)

(4) The map is deposited at the Defra Information and Resource Centre, Lower Ground Floor, Ergon House, Horseferry Road, London SW1P 2AL.