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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Part IV of the Environment Act 1995 (“the 1995 Act”) requires county and county borough councils in Wales to review, within their areas, the quality of air for the time being and the likely future air quality. Such reviews must be accompanied by an assessment of whether any prescribed air quality standards and objectives are being achieved or are likely to be achieved within a prescribed period.

Where any such standards or objectives are not being achieved, or are not likely to be achieved within the prescribed period, in any part of a council’s area, the council concerned must designate that part of its area as an air quality management area (see section 83(1) of the 1995 Act). An action plan must then be prepared in relation to the designated area, setting out how the council intends to exercise its powers to achieve the prescribed air quality standards and objectives (see section 84(2) of the 1995 Act).

The Air Quality (Wales) Regulations 2000 (“the 2000 Regulations”) set the air quality objectives for Wales and prescribe the periods within which they must be achieved.

These Regulations amend the 2000 Regulations. They introduce a second air quality objective for benzene of 5 micrograms per cubic metre or less, when expressed as an annual mean, to be achieved by 31 December 2010 (regulation 2(2)(a)). They also alter the air quality objective for carbon monoxide, which is to be achieved by 31 December 2003, to a maximum daily running 8 hour mean of 10 milligrams per cubic metre or less (regulation 2(2)(b)).

Amendments are also made to Part II (Interpretation) of the Schedule to the 2000 Regulations. These amendments affect the air quality objectives for benzene, carbon monoxide and lead: the meaning of the expression “maximum daily running 8 hour mean” is explained and changes are made to the meaning of the expressions “hourly mean” and “annual mean” (regulation 2(3)).