
WELSH STATUTORY INSTRUMENTS

2010 No. 1433

The Air Quality Standards (Wales) Regulations 2010

PART 2

Assessment of ambient air quality

CHAPTER 2

Ozone

Assessment requirements

8.—(1) The Welsh Ministers must assess the level of ozone in ambient air in each zone.

(2) The Welsh Ministers must ensure, for the purposes of paragraph (1), that fixed measurements are taken in any zone where the level of ozone has exceeded the long-term objectives specified in Schedule 3 during any of the five years preceding those measurements.

(3) In any zone where fixed measurements are supplemented by modelling or indicative measurements or both, the Welsh Ministers must take account of the results of those supplementary methods for the purposes of paragraph (1).

(4) The data quality objectives and requirements set out in Sections A and C of Annex I to Directive [2008/50/EC](#) must be applied in carrying out the assessment referred to in paragraph (1).

(5) Save as provided in paragraph (6), measurements for the purposes of paragraph (1) must be taken in accordance with the reference measurement methods specified in point 8 of Section A of Annex VI to Directive [2008/50/EC](#).

(6) Alternative methods to those referred to in paragraph (5) may be used provided the conditions set out in Section B of Annex VI to Directive [2008/50/EC](#) are complied with.

Location and number of sampling points

9.—(1) The Welsh Ministers must install sampling points in accordance with the criteria set out in Annex VIII to Directive [2008/50/EC](#) for the assessment of ozone.

(2) In zones where fixed measurements are the sole source of information for the assessment of air quality, the number of sampling points must be greater than or equal to the minimum number specified in Section A of Annex IX to Directive [2008/50/EC](#).

(3) In zones where the level of ozone has been below the long-term objectives for each of the previous five years of measurement, the number of sampling points must be determined in accordance with the criteria set out in Section B of Annex IX to Directive [2008/50/EC](#).

(4) In zones where the information from fixed measurements is supplemented by information from modelling or indicative measurements or both, the number of sampling points referred to in paragraph (2) may be reduced provided that the following conditions are met—

- (a) the supplementary methods provide sufficient information for the assessment of air quality in relation to target values, long-term objectives and information and alert thresholds,

- (b) the number of sampling points to be installed and the spatial resolution of supplementary methods are sufficient for the level of ozone to be established in accordance with the data quality objectives set out in Section A of Annex I to Directive [2008/50/EC](#) and to enable assessment results to meet the criteria specified in Section B of the same Annex,
 - (c) there is at least one sampling point in each zone, with a minimum of one sampling point per two million inhabitants or one sampling point per 50,000 km², whichever produces the greater number of sampling points, and
 - (d) nitrogen dioxide is measured at all remaining sampling points except those that are rural background stations.
- (5) The Welsh Ministers must ensure that nitrogen dioxide is measured at no less than 50% of the sampling points required under Section A of Annex IX to Directive [2008/50/EC](#).
- (6) The measurement referred to in paragraph (5) must be continuous except at rural background stations.
- (7) In this regulation, “rural background stations” (“*gorsafodd cefndir gwledig*”) has the meaning given by Section A of Annex VIII to Directive [2008/50/EC](#).