SCOTTISH STATUTORY INSTRUMENTS

2000 No. 97

ENVIRONMENTAL PROTECTION

The Air Quality (Scotland) Regulations 2000

Made - - - - 31st March 2000

Coming into force in accordance with regulation 1(1)

The Scottish Ministers, in exercise of the powers conferred upon them by sections 87(1), (2)(b) and (h), (3) and (5) and 91(1) of the Environment Act 1995(**1**) and of all other powers enabling them in that behalf having, in accordance with section 87(7) of that Act, consulted the Scottish Environment Protection Agency, such bodies or persons appearing to them to be representative of the interests of local government and of industry as they consider appropriate, and such other bodies or persons as they consider appropriate, hereby make the following Regulations, a draft of which has been laid before and has been approved by the Scottish Parliament:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Air Quality (Scotland) Regulations 2000 and shall come into force on the seventh day after the day on which they are made.

(2) These Regulations shall extend to Scotland only.

Interpretation

2.—(1) In these Regulations–

"the 1995 Act" means the Environment Act 1995;

"level" means the measured ambient concentration of a pollutant in the air, expressed as milligrams or micrograms per cubic metre.

(2) The provisions of the Schedule to these Regulations which follow the Table in that Schedule shall have effect for the purpose of the interpretation of that Schedule.

Relevant periods

3. The relevant period for the purposes of Part IV of the 1995 Act shall be, in relation to an air quality objective, the period beginning with the date on which these Regulations come into force and ending, in respect of the substance specified in column 1 of the Table in the Schedule to these Regulations and the objective relating to that substance specified in column 2 of that Table, on the

(**1**) 1995 c. 25. See the definitions of "prescribed", "regulations" and "relevant period" in section 91(1) of that Act. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

date set out in the corresponding entry relative to that substance and that objective in column 3 of that Table.

Air quality objectives

4.—(1) The air quality objective, in respect of a substance specified in column 1 of the Table in the Schedule to these Regulations shall be to restrict the level at which that substance is present in the air to the level set out in the corresponding entry relative to that substance in column 2 of that Table, by no later than the date set out in the corresponding entry relative to that substance and that objective in column 3 of that Table.

(2) The achievement or likely achievement of an air quality objective prescribed by paragraph (1) above shall be determined by reference to the quality of air at locations–

(a) which are situated outside of buildings or other natural or man-made structures; and

(b) where members of the public are regularly present.

Revocation

5. The Air Quality Regulations 1997(**2**) are revoked, in so far as they extend to Scotland.

St Andrew's House,Edinburgh
31st March 2000

SARAH BOYACK
A member of the Scottish Executive

(**2**) S.I.1997/3043.

SCHEDULE Regulations 2(2), 3 and 4

AIR QUALITY OBJECTIVES TABLE

	Column 1 *Substance*	*Column 2* *Air Quality Objectives*	*Column 3* *Prescribed Date*
1	Benzene	16.25 micrograms per cubic metre or less, when expressed as running annual mean	31st December 2003
2	1,3-Butadiene	2.25 micrograms per cubic metre or less, when expressed as a running annual mean	31st December 2003
3	Carbon monoxide	11.6 milligrams per cubic metre or less, when expressed as a running 8 hour mean	31st December 2003
4	Lead	0.5 micrograms per cubic metre or less, when expressed as an annual mean	31st December 2004
5	Lead	0.25 micrograms per cubic metre or less, when expressed as an annual mean	31st December 2008
6	Nitrogen dioxide	200 micrograms per cubic metre, when expressed as an hourly mean, not to be exceeded more than 18 times a year	31st December 2005
7	Nitrogen dioxide	40 micrograms per cubic metre or less, when expressed as an annual mean	31st December 2005
8	PM_{10}	50 micrograms per cubic metre or less, when expressed as a 24 hour mean, not to be exceeded more than 35 times a year	31st December 2004
9	PM_{10}	40 micrograms per cubic metre or less, when expressed as an annual mean	31st December 2004