STATUTORY RULES OF NORTHERN IRELAND

2002 No. 357

ENVIRONMENTAL PROTECTION

The Air Quality Limit Values (Amendment) Regulations (Northern Ireland) 2002

Made - - - -	*21st November 2002*
Coming into operation	*13th December 2002*

The Department of the Environment, being a department designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to measures relating to the control of pollution in ambient air, in exercise of the powers conferred on it by that section and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Air Quality Limit Values (Amendment) Regulations (Northern Ireland) 2002 and shall come into operation on 13th December 2002.

(2) The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to these regulations as it applies to an Act of the Northern Ireland Assembly.

Responsibility for implementation of the Air Framework Directive

2. For the purposes of Article 3 (implementation and responsibilities) of Council Directive 96/62/EC on ambient air quality assessment and management(**4**) 'the Air Framework Directive',

(a) the Department of the Environment shall be the competent authority responsible for–

(i) assessment of ambient air quality;

(ii) approval of measuring devices (methods, equipment, networks and laboratories);

(iii) ensuring accuracy of measurement by measuring devices and checking the maintenance of such accuracy by those devices, in particular by internal quality controls carried out in accordance with applicable quality assurance standards, including European standards;

(iv) analysis of assessment methods; and

(**1**) S.I.1988/785
(**2**) 1972 c. 68
(**3**) 1954 c. 33(N.I.)
(**4**) O.J. No. L296, 21.11.96, p. 55

(v) co-ordination within Northern Ireland of European Community-wide quality assurance programmes organised by the European Commission, save in so far as that co-ordination entails communication with the European Commission;

(b) where a Northern Ireland Department has functions relevant to the assessment and maintainance of ambient air quality, it shall exercise those functions so as to secure compliance with the requirements of that Directive.

Amendment of the Air Quality Limit Values Regulations (Northern Ireland) 2002

3.—(1) The Air Quality Limit Values Regulations (Northern Ireland) 2002(**5**) shall be amended in accordance with paragraphs (2) to (11).

(2) In regulation 2(1) (definitions and interpretation), in the definition of "relevant pollutants", for the words "and lead" there shall be substituted ", lead, benzene and carbon monoxide".

(3) In regulation 7 (method of assessment of ambient air quality)–

(a) in paragraph (6)–

(i) in sub-paragraph (b) the word "and" at the end shall be omitted;

(ii) in sub-paragraph (c) after "PM_{10}" there shall be added a semi-colon;

(iii) after sub-paragraph (c) there shall be inserted–

"(d) the sampling and analysis of benzene; and

(e) the analysis of carbon monoxide,".

(b) in paragraph (9) for the words "and oxides of nitrogen" there shall be substituted ", oxides of nitrogen, benzene and carbon monoxide".

(4) In regulation 11 (public information), after paragraph (3), there shall be inserted the following paragraphs–

"(3A) Information on ambient concentrations of benzene, as an average value over the last 12 months, shall be updated–

(a) where practicable on a monthly basis;

(b) in all other cases, as a minimum on a three-monthly basis.

(3B) Information on ambient concentrations of carbon monoxide, as a maximum running average over eight hours, shall be updated–

(a) where practicable on an hourly basis;

(b) in all other cases, as a minimum on a daily basis.".

(5) In Schedule 1 (limit values, margins of tolerance etc.) after Part IV there shall be added–

(**5**) S.R. 2002 No. 94

"PART V

BENZENE

	Averaging period	*Limit value*	*Margin of tolerance*	*Date by which limit value is to be met*
Limit value for the protection of human health	Calendar year	5μg/m^3	5μg/m^3 on 13 December 2002, reducing on 1 January 2006 and every 12 months thereafter by 1 μg/m^3 to reach 0 by 1 January 2010	1 January 2010

PART VI

CARBON MONOXIDE

	Averaging period	*Limit value*	*Margin of tolerance*	*Date by which limit value is to be met*
Limit value for the protection of human health	Maximum daily 8-hour mean	10mg/m^3	6 mg/m^3 on 13th December 2002, reducing on 1 January 2003 and every 12 months thereafter by 2 mg/m^3 to reach 0 by 1 January 2005	1 January 2005".

The maximum daily 8-hour mean concentration will be selected by examining 8-hour running averages, calculated from hourly data and updated each hour. Each 8-hour average so calculated will be assigned to the day on which it ends, i.e. the first calculation period for any one day will be the period from 17:00 on the previous day to 01:00 on that day; the last calculation period for any one day will be the period from 16:00 to 24:00 on that day.

(6) In Part I of Schedule 2 (upper and lower assessment thresholds and exceedances) after paragraph (d) there shall be added–

"(e) BENZENE

	Annual Average
Upper assessment threshold	70% of limit value (3.5 μg/m^3)
Lower assessment threshold	40% of limit value (2 μg/m^3)

(f) CARBON MONOXIDE