

STATUTORY RULES OF NORTHERN IRELAND

2010 No. 188

The Air Quality Standards Regulations (Northern Ireland) 2010

PART 3

Duties of Northern Ireland departments in relation to limit values etc

Duty in relation to limit values

18.—(1) Northern Ireland departments shall ensure that levels of sulphur dioxide, nitrogen dioxide, benzene, carbon monoxide, lead and particulate matter do not exceed the limit values set out in Schedule 2.

(2) In zones where levels of the pollutants mentioned in paragraph (1) are below the limit values set out in Schedule 2, Northern Ireland departments shall ensure that levels are maintained below those limit values and shall endeavour to maintain the best ambient air quality compatible with sustainable development.

[^{F1}(3) Where^{F2}... the Department considers that a limit value has been exceeded for a reason attributable to natural sources, that limit value will not be considered to be exceeded for the purposes of these Regulations.

(4) For the purposes of paragraph (3), the Department must prepare information, for the relevant zones and agglomerations, demonstrating that the exceedances are attributable to natural sources.]

Textual Amendments

- F1** Reg. 18(3)(4) inserted (17.1.2019) by [The Air Quality \(Amendment, etc.\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/215\)](#), regs. 1(1), **4(2)**
- F2** Words in reg. 18(3) omitted (31.12.2020) by virtue of [The Environmental Protection \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/289\)](#), reg. 1, **Sch. 2 para. 1(3)** (with Sch. 3 paras. 2, 3) (as amended by [S.R. 2020/284](#), regs. 1(1), 3(2)); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

- I1** Reg. 18 in operation at 11.6.2010, see [reg. 1](#)

Duty in relation to target values

19.—(1) Northern Ireland departments shall ensure that all necessary measures not entailing disproportionate costs are taken to ensure that concentrations of PM_{2.5}, ozone, arsenic, cadmium, nickel and benzo(a)pyrene do not exceed the target values in Schedule 3.

(2) Northern Ireland departments shall draw up a list of all zones where the target values for arsenic, cadmium, nickel or benzo(a)pyrene are met, and in relation to those zones shall maintain the levels of those pollutants below those target values and shall endeavour to achieve the best ambient air quality compatible with sustainable development.

(3) Northern Ireland departments shall draw up a list of all zones where the target value for arsenic, cadmium, nickel or benzo(a)pyrene is exceeded, and in relation to those zones, shall identify the areas where those values are exceeded and the relevant sources of pollutants.

(4) In relation to the zones to which paragraph (3) applies, the measures in paragraph (1) shall be directed at the predominant sources of emission which have been identified, and where applicable will entail the application of best available techniques in accordance with [F3the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013.]

Textual Amendments

- F3** Words in [reg. 19\(4\)](#) substituted (31.12.2020) by [The Environmental Protection \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/289\)](#), [reg. 1](#), [Sch. 2 para. 1\(4\)](#) (with [Sch. 3 paras. 2, 3](#)) (as amended by [S.R. 2020/284](#), [regs. 1\(1\), 3\(2\)](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Commencement Information

- I2** [Reg. 19](#) in operation at 11.6.2010, see [reg. 1](#)

Date of application for limit values and target values

20. Limit values and target values—

- (a) apply from the date specified for each limit value or target value concerned; or
- (b) apply from the date these Regulations come into operation, if no date is specified.

Commencement Information

- I3** [Reg. 20](#) in operation at 11.6.2010, see [reg. 1](#)

Duty in relation to long-term objectives for ozone

21.—(1) Northern Ireland departments shall ensure that all necessary measures not entailing disproportionate cost are taken to attain the long-term objectives for ozone set out in Schedule 4.

(2) In zones where the long-term objectives for ozone have been attained, Northern Ireland departments shall, insofar as factors including meteorological conditions and the transboundary nature of ozone pollution permit—

- (a) ensure that they continue to be met;
- (b) maintain the best ambient air quality compatible with sustainable development; and
- (c) maintain a high level of protection for the environment and human health.

Commencement Information

- I4** [Reg. 21](#) in operation at 11.6.2010, see [reg. 1](#)

Duty in relation to information and alert thresholds

22. Where any of the information or alert thresholds in Schedule 5 are exceeded Northern Ireland departments shall inform the public by means of radio, television, newspapers or the internet.

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Commencement Information

I5 Reg. 22 in operation at 11.6.2010, see [reg. 1](#)

Duty in relation to critical levels for the protection of vegetation

23. Northern Ireland departments shall ensure that the critical levels set out in Schedule 6 are not exceeded.

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Commencement Information

I6 Reg. 23 in operation at 11.6.2010, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Air Quality Standards Regulations (Northern Ireland) 2010, PART 3.