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SCOTTISH STATUTORY INSTRUMENTS

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**2010 No. 204**

**The Air Quality Standards (Scotland) Regulations 2010**

**PART 5**

**Plans**

**Air quality plans**

**24.**—(1) Where in any zone the levels of sulphur dioxide, nitrogen dioxide, benzene, carbon monoxide, lead or PM<sub>10</sub> in ambient air exceed any of the limit values in Schedule 2 or the level of PM<sub>2.5</sub> exceeds the target value in Schedule 3, the Scottish Ministers must draw up and implement an air quality plan for that zone so as to achieve that limit value or target value.

(2) Where, in accordance with Article 21 of Directive [2008/50/EC](#), the Scottish Ministers have designated zones within which limit values for PM<sub>10</sub> are exceeded due to the re-suspension of particulates following winter sanding or salting of roads, the Scottish Ministers' duty under paragraph (1) applies to those zones only in so far as the excess is attributable to other sources of PM<sub>10</sub>.

(3) In zones where the level of ozone exceeds the target value for that pollutant in Schedule 3, the Scottish Ministers must draw up and implement an air quality plan to achieve the relevant target value, unless it cannot be achieved other than through measures that would entail disproportionate costs.

(4) Between the date when these Regulations come into force and 31st December 2014, the Scottish Ministers must draw up and implement an air quality plan if levels of PM<sub>2.5</sub> in ambient air exceed a level calculated by applying the margin of tolerance set out in Schedule 2 to the limit value for that pollutant.

(5) Air quality plans must set out the measures intended to ensure compliance with the relevant limit value or target value within the shortest possible time.

(6) Air quality plans must include the information listed in Schedule 7.

(7) Wherever possible, air quality plans must be consistent with other plans drawn up in accordance with obligations imposed under Council Directive [2001/80/EC](#) on the limitation of emissions of certain pollutants into the air from large combustion plants<sup>(1)</sup>, Council Directive [2001/81/EC](#) on national emission ceilings for certain atmospheric pollutants, and Council Directive [2002/49/EC](#) relating to the assessment and management of environmental noise<sup>(2)</sup>.

(8) Where an air quality plan is required in relation to more than one pollutant, the Scottish Ministers must, where appropriate, draw up and implement an integrated plan in relation to all pollutants concerned.

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(1) O.J. No. L 309 27.11.01, p.1, last amended by Directive [2009/31/EC](#) (O.J. No. L 140, 5.6.2009, p.114).

(2) O.J. No. L 189 18.7.02, p.12, amended by Regulation [\(EC\) No. 1137/2008](#) (O.J. No. L 311, 21.11.2008, p.1).