

WELSH STATUTORY INSTRUMENTS

**2010 No. 1433**

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

**PART 3**

Duties of Welsh Ministers in relation to limit values etc.

**Duty in relation to target values**

14.—(1) The Welsh Ministers must ensure that all necessary measures not entailing disproportionate costs are taken to ensure that levels of PM<sub>2.5</sub>, ozone, arsenic, cadmium, nickel and benzo(a)pyrene do not exceed the target values in Schedule 2 in any zone.

(2) The Welsh Ministers must draw up a list of all zones where the levels of arsenic, cadmium, nickel or benzo(a)pyrene are below the target values set out in Schedule 2 for those pollutants.

(3) In relation to zones listed under paragraph (2), the Welsh Ministers must ensure that the level of any pollutant that is below its target value is maintained below that target value and must endeavour to maintain the best ambient air quality compatible with sustainable development.

(4) The Welsh Ministers must draw up a list of all zones where the target values for arsenic, cadmium, nickel or benzo(a)pyrene are exceeded.

(5) In relation to zones listed under paragraph (4), the Welsh Ministers must—

- (a) identify the areas where the target values are exceeded and the sources contributing to those exceedances; and
- (b) ensure that the measures taken in accordance with paragraph (1) are directed at the predominant sources of emission which have been identified and that those measures apply, where relevant, the best available techniques in accordance with [<sup>F1</sup>the Environmental Permitting (England and Wales) Regulations 2016].

(6) In zones where the level of ozone exceeds the target value set out in Schedule 2 for that pollutant, the Welsh Ministers must ensure that the programme prepared pursuant to [<sup>F2</sup>regulation 9 of the National Emission Ceilings Regulations 2018] is implemented to attain the target value, unless this value cannot be achieved other than through measures that would entail disproportionate costs.

<sup>F3</sup>(7) .....

**Textual Amendments**

**F1** Words in reg. 14(5)(b) substituted (31.12.2020) by The Air Quality Standards (Wales) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/390), regs. 1(1), **2(5)(a)** (as amended by S.I. 2020/1215, regs. 1(2), 3); 2020 c. 1, **Sch. 5 para. 1(1)**

**F2** Words in reg. 14(6) substituted (31.12.2020) by The Air Quality Standards (Wales) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/390), regs. 1(1), **2(5)(b)**; 2020 c. 1, **Sch. 5 para. 1(1)**

**F3** Reg. 14(7) omitted (31.12.2020) by virtue of The Air Quality Standards (Wales) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/390), regs. 1(1), **2(5)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the The Air Quality Standards (Wales) Regulations 2010, Section 14.