2017 No. 2

ENVIRONMENTAL PROTECTION

The Air Quality Standards (Amendment) Regulations (Northern Ireland) 2017

Made - - - - 9th January 2017

Coming into operation - 9th February 2017

The Department of Agriculture, Environment and Rural Affairs, being a Department designated(a) for the purposes of Section 2(2) of the European Communities Act 1972(b) in relation to measures relating to the environment, makes these regulations in exercise of the power conferred upon it by that section.

Citation and commencement

1. These Regulations may be cited as the Air Quality Standards (Amendment) Regulations (Northern Ireland) 2017 and come into operation on 9th February 2017.

Amendment of the Air Quality Standards Regulations (Northern Ireland) 2010

2. The Air Quality Standards Regulations (Northern Ireland) 2010(c) are amended in accordance with regulations 3 to 5.

Amendment of regulation 2 (definitions and interpretation)

3. In regulation 2(2), for the definition of—

(a) S.I. 2008/301
(b) 1972 c. 68
(c) S.R. 2010 No. 188
Amendment of Schedule 1 (sampling points, etc.)

4. In Part 3 of Schedule 1 (microscale siting of sampling points)—
   (a) In paragraph 9, for sub-paragraphs (a), and (b), substitute—
      “(a) the flow around the inlet sampling probe shall be unrestricted (in general free in an
          arc of at least 270° or 180° for sampling points at the building line) without any
          obstructions affecting the airflow in the vicinity of the inlet (normally some metres
          away from buildings, balconies, trees and other obstacles and at least 0.5 m from
          the nearest building in the case of sampling points representing air quality at the
          building line);

      (b) in general, the inlet sampling point shall be between 1.5 m (the breathing zone)
          and 4 m above the ground. Higher siting may also be appropriate if the station is
          representative of a large area and any derogations should be fully documented;”;

   (b) In paragraph 9, for sub-paragraph (e), substitute—
      “in relation to the location of traffic-orientated samplers, sampling points must be
      at least 25 m from the edge of major junctions and no more than 10 m from the
      kerbside. A “major junction” is a junction which interrupts the traffic flow and
      causes different emissions (due to vehicles stopping and starting) from the rest of
      the road.”; and

   (c) After paragraph 10, insert—
      “11. Any deviation from the criteria listed in this Part shall be documented in accordance
      with Part 4.”.

Addition of Part 4 of Schedule 1

5. After Part 3 of Schedule 1, insert—

   “PART 4
   Documentation and review of site selection

   1. The Department shall, for all zones and agglomerations, fully document the site-
      selection procedures and record information to support the network design and choice of
      location for all monitoring sites.

   2. The documentation shall include compass-point photographs of the area surrounding
      monitoring sites and detailed maps.

   3. Where supplementary methods are used within a zone or agglomeration, the
      documentation shall include details of these methods and information on how the criteria
      listed in Article 7(3) of the Directive are met.

   4. The documentation shall be updated as necessary and reviewed at least every 5 years,
      to ensure that selection criteria, network design and monitoring site locations remain valid
      and optimal over time.”.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 9th January 2017.

Dave Foster
A senior officer of the Department of Agriculture, Environment and Rural Affairs
EXPLANATORY NOTE
(This Note is not part of the Regulations)


Regulation 4 also corrects a drafting error in the previous Regulations relating to the distance of traffic-oriented samplers from the roadside.


An impact assessment has not been produced for these Regulations as no impact on the private or voluntary sectors is foreseen.