

# **S.I. No. 33/1999 — Environmental Protection Agency Act, 1992 (Ambient Air Quality Assessment and Management) Regulations, 1999**

## **STATUTORY INSTRUMENTS.**

**S.I. No. 33 of 1999.**

---

### **ENVIRONMENTAL PROTECTION AGENCY ACT, 1992 (AMBIENT AIR QUALITY ASSESSMENT AND MANAGEMENT) REGULATIONS, 1999.**

**S.I. No. 33 of 1999.**

### **ENVIRONMENTAL PROTECTION AGENCY ACT, 1992 (AMBIENT AIR QUALITY ASSESSMENT AND MANAGEMENT) REGULATIONS, 1999.**

In exercise of the powers conferred on the Minister for the Environment and Local Government by sections 6 and 53 of the Environmental Protection Agency Act, 1992 (Number 7 of 1992), which said powers are delegated to me by the Environment and Local Government (Delegation of Ministerial Functions) (No. 2) Order, 1997 ( S.I. No. 428 of 1997 ) and for the purpose of giving effect to Council Directive 96/62/EC<sup>1</sup> on ambient air quality assessment and management, I, Dan Wallace, Minister of State at the Department of the Environment and Local Government, hereby make the following Regulations:—

1. These Regulations may be cited as the Environmental Protection Agency Act, 1992 (Ambient Air Quality Assessment and Management) Regulations, 1999.
2. These Regulations shall come into effect on the 15th day of February, 1999.
3. (1) In these Regulations:—

“the Act” means the Environmental Protection Agency Act, 1992 (No. 7 of 1992) ;

“the Agency” means the Environment Protection Agency established under section 19 of the Act;

“the Directive” means Council Directive 96/62/EC on ambient air quality assessment and management; and

“preliminary assessment” means the preliminary assessment of ambient air quality involving such series of representative measurements, surveys or assessments as the Agency considers appropriate to implement Article 5 of the Directive.

(2) In these Regulations:—

- (a) a reference to a schedule which is not otherwise identified is a reference to a schedule of these Regulations; and
- (b) a word or phrase which has been assigned a meaning by the Directive has that meaning except where otherwise indicated.

4. The Agency is designated as the competent authority and body responsible for:—

- (1) implementation of the Directive;
- (2) assessing ambient air quality in the territory of the State for the purposes of the Directive;
- (3) approving, or causing to be approved, such ambient air quality measuring devices (including but not limited to methods, equipment, networks and laboratories) as are deemed necessary by the Agency for the implementation of the Directive;
- (4) ensuring, or causing to be ensured, the accuracy of measurement by measuring devices and checking, or causing to be checked, the maintenance of such accuracy by those devices, in particular by internal quality controls carried out in accordance, *inter alia*, with the requirements of European quality assurance standards;
- (5) the analysis of assessment methods; and
- (6) co-ordination within the State of Community-wide quality assurance programmes organised by the Commission of the European Communities.

5. The Agency shall:—

- (1) undertake a preliminary assessment of the levels of the pollutants listed in the Schedule; and

(2) thereupon inform the Commission of the European Communities of the methods used for the preliminary assessment.

## SCHEDULE

List of atmospheric pollutants to be taken into consideration in the assessment and management of ambient air quality

Sulphur dioxide

Nitrogen dioxide

Fine particulate matter such as soot (including mw 10)

Suspended particulate matter

Lead

Ozone

Benzene

Carbon monoxide

Poly-aromatic hydrocarbons

Cadmium

Arsenic

Nickel

Mercury

Date this 10th day of February, 1999.

DAN WALLACE,

Minister of State at the Department of the Environment and Local Government.

## EXPLANATORY NOTE.

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations transpose articles 2, 3, 5 and 11(1)(d) of Directive 96/62/EC on ambient air quality assessment and management into Irish law.

The Regulations make the Environmental Protection Agency the competent authority and body for the purposes of implementing the Directive, provide for the preliminary assessment of ambient air quality and notification to the Commission of the European Communities of the methods used for this purpose.

<sup>(1)</sup> O.J. No. L296/55 of 21 November, 1996.

© Government of Ireland. Oireachtas Copyright Material is reproduced with the permission of the House of the Oireachtas