

LEĠISLAZZJONI SUSSIDJARJA 549.59

REGOLAMENTI DWAR
IL-KWALITÀ TAL-ARJA TAL-MADWAR

9 ta' Novembru, 2010

L-AVVIŻ LEGALI 478 tal-2010, kif emendat bl-Avviżi Legali 482 tal-2011, 33 tal-2015, 415 tal-2016 u 133 tal-2021.

1. (1) It-titolu ta' dawn ir-regolamenti hu Regolamenti dwar il-Kwalità tal-Arja tal-Madwar.

Titolu.
Emendat:
A.L. 415 tal-2016;
A.L. 133 tal-2021.

(2) Dawn ir-regolamenti jittrasponu id-Direttiva 2004/107/KE tal-Parlament Ewropew u tal-Kunsill tal-15 ta' Diċembru 2004 dwar l-arseniku, il-kadmju, il-merkurju, in-nikil u l-idrokarboni aromatiċi poliċikliċi fl-arja ambjentali; id-Direttiva 2008/50/KE tal-Parlament Ewropew u tal-Kunsill tal- 21 ta' Mejju 2008 dwar il-kwalità tal-arja fl-ambjent u arja iktar nadifa għall-Ewropa; u d-Direttiva tal-Kummissjoni (UE) 2015/1480 tat-28 ta' Awwissu li temenda diversi annessi tad-Direttivi 2004/107/KE u 2008/50/KE tal-Parlament Ewropew u tal-Kunsill li jstabbilixxu r-regoli li jikkonċernaw il-metodi ta' referenza, il-validazzjoni tad-*data* u s-siti tal-punti ta' ġbir ta' kampjuni għall-valutazzjoni tal-kwalità tal-arja fl-ambjent.

2. F'dawn ir-regolamenti, kemm-il darba r-rabta tal-kliem ma tkunx tehtieg xort'oħra:

Tifsir.
Emendat:
A.L. 482 tal-2011;
A.L. 33 tal-2015;
A.L. 133 tal-2021.

"agglomerat" tfisser żona li fiha jkun hemm konċentrata popolazzjoni ta' 'l fuq minn 250,000 abitant, jew, jekk kemm-il darba, il-popolazzjoni tkun ta' 250,000 jew anqas, li jkollha densità ta' popolazzjoni kull km² li għandha tiġi stabbilita mill-awtorità kompetenti;

"arja tal-madwar" tfisser l-arja ta' barra, mit-troposfera l-isfel, u teskludi il-postijiet tax-xogħol li jaqgħu taht ir-Regolamenti dwar Htigiet Minimi ta' Sahħa u Sigurtà fuq il-Post tax-Xogħol, fejn japplikaw id-disposizzjonijiet li jirrigwardaw is-sahħa u s-sigurtà fuq il-post tax-xogħol u li għalihom, il-membri tal-pubbliku ma jkollhomx aċċess regolari;

L.S. 424.15

"arseniku", "kadmju", "nikil" u "benzo(a)pirene" jfisser il-kontenut totali ta' dawn l-elementi u komposti fil-frazzjoni tal-PM₁₀;

"l-Att" tfisser l-Att dwar il-Protezzjoni tal-Ambjent, jew kull Att ieħor li jissostitwixxi;

Kap. 549.

"l-awtorità kompetenti" tfisser l-Awtorità għall-Ambjent u r-Riżorsi u dik l-awtorità oħra kif jista' jiġi sostitwit;

"deposizzjoni totali jew kumplessiva" tfisser il-massa totali ta' sustanzi inkwinanti li tiġi trasferita mill-atmosfera għal superfiċi (bħal ħamrija, veġetazzjoni, ilma, binjiet, eċċ) f'area stipulata u f'medda ta' żmien stipulata;

"emissjoni" tfisser ir-rimi fl-arja tal-gassijiet residwi;

"idrokarburi poliċikliċi aromatiċi" tfisser komposti aromatiċi,

magħmulin minn tal-inqas żewġt iċrieġi aromatiċi magħqudin flimkien u komposti biss mill-karbonju u mill-idroġenu;

"istruzzjonijiet tekniċi fuq il-kontroll tal-kwalità tal-arja" tfisser l-aħhar verżjoni tan-noti gwida fuq il-kontroll tal-kwalità tal-arja approvata mill-awtorità kompetenti;

"indikatur tal-esposizzjoni medja" tfisser livell medju kalkulat fuq kejl li jsir fis-siti kollha li huma rappreżentattivi tat-tniġġis fiż-żoni urbani madwar Malta, u li jirriflettu l-esposizzjoni tal-popolazzjoni. Dan jintuża sabiex jiġi kalkulat l-oġġettiv nazzjonali għat-tnaqqis tal-esposizzjoni u l-obbligu fil-qasam tal-konċentrazzjoni tal-esposizzjoni;

"kejl fiss" tfisser kejl li jsir f'sit fiss, kemm jekk b'mod kontinwu kif ukoll jekk permezz ta' kampjunament każwali, u li jsir sabiex jiġu determinati l-livelli skond oġġettivi ta' kwalità applikabbli;

"kejl indikattiv" tfisser kull kejl li jsir skond oġġettivi għall-kwalità tad-data li huma anqas stringenti minn daww għal kejl kontinwu;

"komposti organiċi volatili" (KOV) tfisser komposti organiċi kemm minn sorsi antropogeniċi kif ukoll minn sorsi bijoġeniċi u bl-eskluzjoni tal-metan, li huma kapaċi jipproduċu l-ossidanti fotokimiċi permezz tar-rejazzjonijiet mal-ossidi tal-ażotu fil-preżenza tad-dawl tax-xemx;

"kontribuzzjonijiet minn sorsi naturali" tfisser emissjonijiet ta' sustanzi inkwinanti li m'humiex ikkawżati direttament jew indirettament mill-attivitajiet tal-bniedem, u li jinkludu avvenimenti naturali bħal l-eruzzjonijiet vulkaniċi, attività sismika, attività ġeotermika, nirien spontanji fuq l-art, riħ qawwi, aerosol ta' orijini marina jew it-trasport u s-suspensjoni mill-ġdid fl-atmosfera ta' partiċelli ta' orijini naturali minn reġjuni niexfa;

"livell" tfisser il-konċentrazzjoni ta' sustanzi inkwinanti fl-arja jew id-deposizzjoni tal-istess sustanzi fuq medda ta' żmien stipulata;

"livell kritiku" tfisser dak il-livell li jekk kemm-il darba jinqabeż, jkun hemm, skond l-informazzjoni xjentifika, effetti negattivi diretti fuq ċerti riċetturi bħal sigar, pjanti oħra u ekosistemi naturali, imma mhux fuq il-bniedem;

"livell mira" tfisser livell iffissat bil-għan li jiġu evitati, li jiġu ipprevenuti jew li jitnaqqsu l-effetti negattivi fuq is-saħħa tal-bniedem u fuq l-ambjent fit-totalità tiegħu, u li għandu jintlaħaq fejn possibbli fuq medda ta' żmien stipulata;

"livell ta' allarm" tfisser dak il-livell li jekk jinqabeż, ikun hemm riskju għas-saħħa tal-bniedem fil-każ li l-popolazzjoni fit-totalità tagħha tiġi esposta għall-medda qasira ta' żmien u li għaladarba jintlaħaq ikun hemm bżonn li jittiehdu passi immedjati mill-awtorità kompetenti;

"livell ta' informazzjoni" tfisser dak il-livell li jekk jinqabeż ikun hemm riskju għas-saħħa tal-bniedem, fil-każ li daww il-gruppi l-aktar sensittivi tal-popolazzjoni jiġu esposti għal medda qasira ta' żmien u li għaladarba jintlaħaq ikun hemm bżonn immedjat ta'

informazzjoni adegwata;

"livell ta' valutazzjoni, inferjuri" tfisser livell li tahtu jistgħu jintużaw tekniċi ta' mudellar jew tekniċi ta' stima oġġettiva wehldhom, biex issir valutazzjoni tal-kwalità tal-arja;

"livell ta' valutazzjoni, superjuri" tfisser livell li tahtu għall-iskop ta' valutazzjoni tal-kwalità tal-arja, tista' tintuża kombinazzjoni ta' kejl fiss flimkien ma' tekniċi ta' mudellar u, jew ta' stima oġġettiva;

"lokalità fi sfond urban" tfisser sit imqiegħed f'żona urbana, li l-livelli fih huma rappreżentattivi tal-esposizzjoni tal-popolazzjoni urbana b'mod ġenerali;

"margini ta' tolleranza" tfisser dik il-perċentwali ta' tolleranza tal-valur limitu permessa taht il-kundizzjonijiet stabbiliti b'dawn ir-regolamenti;

"merkurju gassuż totali" tfisser il-fwar tal-merkurju fl-istat elementali tiegħu (Hg^0) u il-merkurju gassuż rejattiv, jiġifieri l-ispeċi tal-merkurju li jinhallu fl-ilma u li għandhom pressa tal-fwar għolja biżżejjed sabiex jistgħu jeżistu fil-fażi gassuża;

"il-Ministru" tfisser il-Ministru responsabbli għall-ambjent;

"obbligu fil-qasam tal-konċentrazzjoni tal-esposizzjoni" tfisser livell li jiġi kalkulat mill-indikatur tal-esposizzjoni medja bil-ghan li jitnaqqsu l-effetti negattivi fuq is-saħħa tal-bniedem u li għandu jintlaħaq fuq medda ta' żmien stabbilita;

"objettiv fit-tul" tfisser livell li għandu jintlaħaq fit-tul, bl-eċċezzjoni ta' meta dan ma jkunx jista' jintlaħaq permezz ta' miżuri proporzjonati, intiżi sabiex jitharsu b'mod effettiv kemm is-saħħa tal-bniendem kif ukoll l-ambjent;

"objettiv nazzjonali għat-tnaqqis tat-tniġġis" tfisser it-tnaqqis perċentwali, fl-esposizzjoni medja tal-popolazzjoni ta' Malta, fuq is-sena ta' riferenza, bil-ghan li jitnaqqsu l-effetti negattivi fuq is-saħħa tal-bniedem, li jrid jintlaħaq, fejn possibbli, fuq medda ta' żmien stabbilita;

"operatur" tfisser kull persuna naturali jew legali, li topera jew li għandha poter ekonomiku deċiżiv fuq impriza industrijali li għandha impatt negattiv fuq il-kwalità tal-arja;

"ossidi tal-ażotu" tfisser l-addizzjoni tal-proporzjonijiet ta' taħlit (ppbv) tal-ossidu tal-ażotu u tad-dijossidu tal-ażotu u espressa bħala konċentrazzjoni f' $\mu g/m^3$;

"pjanijiet dwar il-kwalità tal-arja" tfisser pjanijiet li jkun fihom għadd ta' miżuri intiżi sabiex jintlaħqu l-valuri limitu jew il-valuri mira;

"PM₁₀" tfisser partiċelli li kapaċi jippenetraw gewwa bokka selettiva għad-daqs, konformi mal-metodu standardizzat għall-kampjunament u l-kejl tal-PM₁₀, EN 12341, u li għandha effiċjenza ta' 50% għall-partiċelli ta' dijametru aerodinamiku ta' 10 μm ;

"PM_{2,5}" tfisser partiċelli li kapaċi jippenetraw gewwa bokka selettiva għad-daqs, konformi mal-metodu standardizzat għall-kampjunament u l-kejl tal-PM_{2,5}, EN 14907, u li għandha

effiċjenza ta' 50% għall-partiċelli ta' dijametru aerodinamiku ta' 2,5 ċm;

"Stat Membru" tfisser Stat Membru tal-Unjoni Ewropea;

"sustanza inkwinanti" tfisser kull sustanza li tista' tinstab fl-arja tal-madwar u li jista' jkollha effetti negattivi fuq is-saħħa tal-bniedem u fuq l-ambjent fit-totalità tiegħu;

"sustanzi inkwinanti ta' grupp A" tfisser diossidu tal-kubrit, diossidu tal-ażotu u ossidi tal-ażotu, partiċelli (PM₁₀ u PM_{2,5}), ċomb, benzene u monossidu tal-karbonju;

"sustanzi inkwinanti ta' grupp B" tfisser arseniku, kadmju, nikil u benzo(a)pirene;

"sustanzi inkwinanti ta' grupp ~" tfisser benzo(a)antraċene, benzo(b)fluorantene, benzo(j)fluorantene, benzo(k)fluorantene, indeno(1,2,3-cd)pirene, u dibenzo(a,h)antraċene;

"sustanzi prekursori tal-ożonu" tfisser dawk is-sustanzi li jikkontribwixxu għall-formazzjoni tal-ożonu fit-troposfera, u li f'it minnhom huma mnizzla fl-Iskeda 6;

"valur limitu" tfisser livelli stabbiliti fuq bażi ta' tagħrif xjentifiku, intiżi bil-ghan li jiġu evitati, jiġu prevenuti, jew biex jitnaqqsu l-effetti negattivi fuq is-saħħa tal-bniedem jew fuq l-ambjent fit-totalità tiegħu, li għandu jintlaħaq f'medda ta' żmien stipulata u li għaladarba jkun intlaħaq ma jkunx jista' jinqabeż;

"valutazzjoni" tfisser kull metodu użat biex jitkejjlu, jiġu kalkulati jew jitbassru l-livelli;

"żona" tfisser xi parti ta' Malta kif delimitat mill-awtorità kompetenti għall-fini ta' valutazzjoni u ġestjoni tal-kwalità tal-arja.

Implimentazzjoni u
responsabbiltajiet.
Emendat:
A.L. 33 tal-2015.

3. (1) L-awtorità kompetenti għandha tkun responsabbli:

- (a) għall-valutazzjoni tal-kwalità tal-arja;
- (b) li tiżgura l-esattezza tal-kejl;
- (ċ) għall-analisi tal-metodi ta' valutazzjoni
- (d) għall-kordinament ta' programmi ta' assigurazzjoni tal-kwalità mifruxa madwar il-Komunità u organizzata mill-Kummissjoni Ewropea;
- (e) għall-koperazzjoni mal-Istati Membri l-oħra u mal-Kummissjoni Ewropea; u
- (f) għall-approvazzjoni tas-sistemi ta' kejl (metodi, tagħmir, *networks* u laboratorji).

(2) L-awtoritajiet kompetenti responsabbli mill-approvazzjoni tas-sistemi ta' kejl (metodi, tagħmir, *networks* u laboratorji) għandhom jinhatru mill-Ministru.

Għamla tal-miżuri.

4. Il-miżuri kollha li jittiehdu taħt ir-regolamenti 33(1) u 37 għandhom jieħdu f'kunsiderazzjoni approċċ integrat għall-harsien tal-kwalità tal-arja, tal-ilma u tal-ħamrija u m'għandhomx ikollhom effett negattiv fuq xi Stat Membru ieħor.

5. (1) Għall-iskop ta' dawn ir-regolamenti l-awtorità kompetenti għandha taqşam il-Malta f'żoni u agglomerati. Malta għandha tiġi maqsuma f'żoni u agglomerati.
- (2) L-awtorità kompetenti għandha tivvaluta u timmaniġġa l-kwalità tal-arja madwar iż-żoni u l-agglomerati kollha.
- (3) L-awtorità kompetenti tista', fejn fil-ġudizzju tagħha jkun meħtieġ, tistabbilixxi żoni differenti għal sustanzi inkwinanti differenti.
6. L-Iskeda 2 tippreskrivi l-livelli ta' valutazzjoni, superjuri u l-livelli ta' valutazzjoni, inferjuri, li ġejjin: Livelli ta' valutazzjoni.
- (a) għas-sustanzi inkwinanti ta' grupp A, il-livelli ta' valutazzjoni, superjuri u l-livelli ta' valutazzjoni, inferjuri, mnizzla fil-paragrafu 1 sal-paragrafu 6 tas-Sezzjoni A ta' dik l-Iskeda, u;
- (b) għas-sustanzi inkwinanti ta' grupp B, il-livelli ta' valutazzjoni, superjuri u l-livelli ta' valutazzjoni, inferjuri, mnizzla fil-paragrafu 7 tas-Sezzjoni A ta' dik l-Iskeda.
7. It-Taqsimha III tas-Sezzjoni D tal-Iskeda 7 tippreskrivi l-oġettivi fit-tul għall-ożonu. L-oġettivi fit-tul għall-ożonu.
8. (1) Iż-żoni għandhom jiġu kklassifikati skond il-livelli ta' valutazzjoni fir-regolament 6 u l-oġettivi fit-tul fir-regolament 7. Klassifikar taż-żoni.
- (2) L-ikklassifikar taż-żoni taht is-subregolament (1) għandu jiġi rivedut kull hames snin skont il-proċedura mnizzla fis-Sezzjoni B tal-Iskeda 2 għas-sustanzi inkwinanti ta' grupp A, kif ukoll għas-sustanzi inkwinanti ta' grupp B.
- (3) L-ikklassifikar għandu jsir aktar kmieni fil-każ li jkun hemm tibdil sinifikattiv fl-attivitajiet li jikkontribwixxu għall-preżenza taż-żewġ gruppi ta' sustanzi inkwinanti fl-arja.
9. L-awtorità kompetenti għandha tivvaluta il-kwalità tal-arja fir-rigward tas-sustanzi inkwinanti tal-gruppi A u B, u tal-ożonu fiż-żoni u fl-agglomerati kollha skond il-kriterji mnizzla fl-Iskeda 3 u skont il-kriterji mnizzla fir-regolamenti 10, 11 u 12. L-awtorità kompetenti għandha tivvaluta l-kwalità tal-arja.
10. (1) L-awtorità kompetenti għandha tivvaluta l-konċentrazzjoni tas-sustanzi inkwinanti ta' gruppi A u B, f'dawk iż-żoni u l-agglomerati li fihom il-livelli ta' dawn is-sustanzi inkwinanti huma oġġla mill-livell ta' stima superjuri fir-regolament 6. L-awtorità kompetenti għandha tivvaluta l-konċentrazzjoni.
- (2) L-awtorità kompetenti għandha tivvaluta l-konċentrazzjoni ta' ożonu f'dawk iż-żoni u l-agglomerati, li fihom ikunu tkejjlu l-livelli ta' din is-sustanza, matul il-hames snin preċedenti u li fihom l-oġettivi fit-tul speċifikati fir-regolament 7 ikunu inqabżu mill-anqas f'xi sena minnhom.
- (3) Sabiex tkun konformi mar-rekwiżiti fis-subregolamenti (1) u (2), l-awtorità kompetenti għandha tivvaluta l-konċentrazzjoni:
- (a) tas-sustanzi inkwinanti fi grupp A, permezz tal-kejl fiss;

- (b) tas-sustanzi inkwinanti fi grupp B, permezz tal-kejl fiss jew ta' kampjunament każwali. Dawn għandhom isiru kemm-il darba jkun neċessarju sabiex jiġu stabbiliti l-livelli;

(ċh) tal-ożonu permezz ta' kejl fiss kontinwu.

(4) Il-kejl msemmi fis-subregolament (3) jistgħu jiġu integrati ma' tekniċi tal-immudellar jew ma' tekniċi ta' kejl indikattiv sabiex tingħata informazzjoni adegwata fuq id-distribuzzjoni tal-kwalità tal-arja.

Metodu ta' kif tivvaluta konċentrazzjonijiet anqas mill-livell ta' valutazzjoni superjuri.

11. (1) L-awtorità kompetenti għandha tivvaluta l-konċentrazzjonijiet ta' sustanzi inkwinanti ta' gruppi A u B permezz ta' kombinazzjoni ta' kejl fiss jew kejl indikattiv f'dawk iż-żoni u l-agglomerati li fihom il-livelli ta' dawn is-sustanzi inkwinanti huwa oghla mill-livell ta' valutazzjoni, inferjuri iżda anqas mill-livell ta' valutazzjoni, superjuri.

(2) Sabiex tistabbilixxi jekk il-konċentrazzjonijiet tas-sustanzi inkwinanti ta' grupp B, fiż-żoni u l-agglomerati rispettivi jaqgħux fil-firxa ta' konċentrazzjonijiet msemmi fis-subregolament (1), l-awtorità kompetenti għandha tuża l-metodu fis-Sezzjoni B tal-Iskeda 2.

(3) Sabiex tkun konformi mar-rekwiżiti tas-subregolament (1) f'dak li għandu x'jaqsam mal-valutazzjoni tas-sustanzi inkwinanti ta' grupp B, l-awtorità kompetenti tista' tuża l-metodi ta' kejl indikattiv msemmi fit-Taqsima I tas-Sezzjoni B tal-Iskeda 1.

Metodu ta' kif tivvaluta konċentrazzjonijiet taht il-livelli ta' valutazzjoni inferjuri.

12. (1) L-awtorità kompetenti għandha tivvaluta l-konċentrazzjonijiet tas-sustanzi inkwinanti ta' gruppi A u B, permezz tat-tekniċi tal-immudellar jew permezz tat-tekniċi ta' valutazzjoni oġġettiva, f'dawk iż-żoni u l-agglomerati fejn il-livelli ta' dawn is-sustanzi inkwinanti huwa taht il-livelli ta' valutazzjoni, inferjuri.

(2) Sabiex tiddetermina jekk il-livelli tas-sustanzi inkwinanti ta' grupp B fiż-żoni u l-agglomerati rispettivi, humiex aktar baxxi mill-konċentrazzjoni msemmi fis-subregolament (1), l-awtorità kompetenti għandha tuża l-metodi fis-Sezzjoni B tal-Iskeda 2.

Il-kontribut tal-benzo(a)pirene fl-arja tal-madwar.

13. L-awtorità kompetenti għandha tivvaluta l-kontribut tal-benzo(a)pirene fl-arja tal-madwar billi twettaq monitoraġġ f'numru limitat ta' siti, għas-sustanzi inkwinanti ta' Grupp ~ ukoll. Is-siti għall-monitoraġġ tal-benzo(a)pirene għandhom ikunu fl-istess lok minn fejn jittiehdu l-kampjuni tas-sustanzi inkwinanti ta' Grupp ~ u għandhom jintgħażlu b'tali mod sabiex ikun possibbli li jiġu individwati l-varjazzjonijiet ġeografiċi kif ukoll it-tendenzi fit-tul. It-Taqsima II tas-Sezzjoni B, it-Taqsima II tas-Sezzjoni ~ u t-Taqsima I tas-Sezzjoni D tal-Iskeda 3 għandhom japplikaw.

Kejl li għandu jsir f'lokalità fi sfond rurali.

14. (1) Flimkien mar-rekwiżiti fir-regolamenti 10, 11 u 12, l-awtorità kompetenti għandha tkejjel il-livelli tas-sustanzi inkwinanti ta' gruppi A, B u Ċ, tal-merkurju u tal-ożonu f'lokalità fi sfond rurali u 'l bogħod minn sorsi sinifikanti ta' tniġġis.

(2) L-awtorità kompetenti għandha ukoll tkejjel id-deposizzjoni tas-sustanzi inkwinanti tal-gruppi B u Ċ u tal-

merkurju f'sit fl-isfond.

(3) L-awtorità kompetenti għandha tuża l-kejl mis-sit fl-isfond sabiex tivvaluta l-livelli u l-ispeċijazzjoni kimika tal-PM_{2,5} fuq bażi ta' medja fis-sena. L-oġġettivi għall-kwalità tad-*data* fit-Taqsimiet I u III tas-Sezzjoni A tal-Iskeda I huma applikabbli għall-kejl tal-konċentrazzjoni f'µg/m³ tal-partiċelli. L-Iskeda 4 tapplika fit-totalità tagħha.

15. (1) Is-siti ta' kampjunament għandhom jiġu ddeterminati permezz tal-kriterji mnizzla fis-sezzjonijiet rilevanti tal-Iskeda 3.

Siti ta' kampjunament.

(2) L-ammont minimu ta' siti ta' kampjunament m'għandhomx ikunu inqas mill-ammont minimu preskritt mill-Iskeda 5, kif ġej:

- (a) it-Taqsima I(1) tas-Sezzjoni A tal-Iskeda 5, għas-sustanzi inkwinanti ta' grupp A;
- (b) is-Sezzjoni B(1) tal-Iskeda 5, għas-sustanzi inkwinanti ta' grupp B, u;
- (c) it-Taqsima I tas-Sezzjoni ~ tal-Iskeda 5 għall-ożonu.

16. (1) L-awtorità kompetenti għandha tkejjel il-livelli ta' dijossidu tal-ażotu mill-anqas, f'50% tas-siti għall-kampjunament tal-ożonu kif mitlub mit-Taqsima I tas-Sezzjoni C tal-Iskeda 5. Il-kejl għandu jsir b'mod kontinwu.

Kejl ta' dijossidu tal-ażotu.

(2) L-ammont ta' siti ta' kampjunament għall-kejl fiss tal-ożonu f'dawk iż-żoni u l-agglomerati, li fihom skond il-kejl li jkun sar matul il-ħames snin ta' qabel, jirriżulta li l-livelli ta' din is-sustanza kienu taħt l-oġġettivi fit-tul, għandhom ikunu skont it-Taqsima II tas-Sezzjoni ~ tal-Iskeda 5.

(3) L-awtorità kompetenti għandha tistabilixxi mill-anqas sit wiehed ta' kampjunament sabiex tkejjel il-livelli tas-sustanzi prekursori tal-ożonu mnizzla fl-Iskeda 6, u għandha wkoll tieġu f'kunsiderazzjoni l-oġġettivi u l-metodi mnizzla f'din l-istess Skeda.

17. L-awtorità kompetenti għandha tilhaq l-oġġettivi għall-kwalità tad-*data* mnizzla fl-Iskeda 1.

Oġġettivi għall-kwalità tad-*data*.

18. L-awtorità kompetenti għandha tuża l-metodi ta' riferenza fl-Iskeda 10 biex tkejjel:

Metodi ta' riferenza.

- (a) il-livelli fl-arja tas-sustanzi inkwinanti fi grupp A;
- (b) il-livell fl-arja tal-ożonu; u
- (c) il-livelli fl-arja u r-rati ta' depożitar tas-sustanzi inkwinanti fi grupp B.

19. (1) L-awtorità kompetenti għandha tieġu kull azzjoni li fil-ġudizzju tagħha tkun neċessarja, skont is-setgħat mogħtija lilha taħt l-Att, biex tiżgura li l-livelli tas-sustanzi inkwinanti fi gruppi A u B ma jkunux oġġa mill-valuri limitu jew il-valuri mira preskritti mis-sezzjonijiet rilevanti tal-Iskeda 7, f'dawk iż-żoni u l-agglomerati li fihom il-livelli ta' dawn is-sustanzi inkwinanti huma iktar baxxi mill-valuri limitu jew mill-valuri miri applikabbli.

Azzjoni li tittiehed mill-awtorità kompetenti dwar sustanzi inkwinanti ta' gruppi A u B.

(2) F'dawn iż-żoni u l-agglomerati għandha tinzamm l-aħjar

kwalità tal-arja possibbli u kumpatibbli mal-iżvilupp sostenibbli.

Kull azzjoni oħra li
tittiehed mill-
awtorità
kompetenti.

20. (1) L-awtorità kompetenti għandha tiegħu kull azzjoni li fil-gudizzju tagħha tkun neċessarja u skont is-setgħat mogħtija lilha taħt l-Att biex tiżgura li matul iż-żoni u l-agglomerati f'Malta:

- (a) il-livelli ta' dijossidu tal-kubrit, PM_{10} , ċomb, u l-monossidu tal-karbonju ma jkunux oghla mill-valuri limitu applikabbli, kif preskritti mis-sezzjonijiet rilevanti tal-Iskeda 7; u
- (b) il-livelli ta' benzene u dijossidu tal-ażotu ma jkunux oghla mill-valuri limitu applikabbli, kif preskritti mis-sezzjonijiet rilevanti tal-Iskeda 7, mid-dati hemm speċifikati; u
- (c) mill-31 ta' Diċembru 2012 il-livelli ta' sustanzi inkwinanti ta' grupp B ma għandhomx ikunu oghla mill-valuri mira preskritti mis-sezzjonijiet rilevanti tal-Iskeda 7.

(2) Il-konformità ma' dawn ir-rekwiżiti għandha tiġi vvalutata skont l-Iskeda 3.

(3) Il-marġini ta' tolleranza mnizzla fl-Iskeda 7 għandhom japplikaw skont ir-regolament 31(1).

(4) Il-livelli ta' allarm għall-konċentrazzjonijiet fl-arja ta' dijossidu tal-kubrit u dijossidu tal-ażotu għandhom ikunu daww preskritti mis-Sezzjoni A tal-Iskeda 8.

(5) Is-subregolament (2) għandu japplika għall-proġetti li għalihom ikun intalab il-permess mingħand l-awtorità kompetenti wara id-data li fihom jidhlu fis-sehħ dawn ir-regolamenti.

Livelli mira għas-
sustanzi inkwinanti
ta' grupp B.

21. L-awtorità kompetenti għandha tiġbor lista taż-żoni u tal-agglomerati li fihom ikunu nqabżu l-livelli mira fl-Iskeda 7, għas-sustanzi inkwinanti ta' grupp B. L-awtorità kompetenti għandha tispeċifika wkoll daww il-lokalitajiet fejn jiġu rreġistrati dawn il-livelli, kif ukoll is-sorsi li jkun qegħ jikkontribwixxu għalihom.

Livelli kritiċi
għall-harsien tal-
veġetazzjoni.

22. (1) Il-livelli kritiċi għall-harsien tal-veġetazzjoni għandhom ikunu daww preskritti mill-Iskeda 9 u għandhom jiġu vvalutati skont is-Sezzjoni A tal-Iskeda 3.

(2) Fejn il-metodi ta' kejl fiss huma l-unika sors ta' informazzjoni għall-ivvalutar tal-kwalità tal-arja, in-numru ta' siti ta' kampjunament ma għandhomx ikunu inqas mill-minimu speċifikat fit-Taqsima III tas-Sezzjoni A tal-Iskeda 5.

(3) Fejn jintużaw it-tekniki ta' kejl indikattiv jew ta' mudellar flimkien mal-metodi ta' kejl fiss, biex tingabar l-informazzjoni għall-ivvalutar tal-kwalità tal-arja, in-numru minimu ta' siti ta' kampjunament jista' jitnaqqas b'50%, sakemm il-livelli tas-sustanzi inkwinanti jistgħu jiġu vvalutati skont l-oġettivi għall-kwalità tad-data preskritti mit-Taqsima I tas-Sezzjoni A tal-Iskeda 1.

L-oġettiv
nazzjonali għat-
tnaqqis ta' $PM_{2.5}$.

23. (1) L-oġettiv nazzjonali għat-tnaqqis ta' $PM_{2.5}$ għandu jkun dak preskriti fit-Taqsima II tas-Sezzjoni B tal-Iskeda 7. Dan

il-livell ta' tnaqqis għandu jintlaħaq sa dik id-data speċifikata fis-sezzjoni rilevanti ta' din l-Iskeda.

(2) Sal-2015, l-indikatur tal-esposizzjoni medja m'għandux ikun oġġla mill-obbligu fil-qasam tal-konċentrazzjoni tal-esposizzjoni preskritt mit-Taqsima III tas-Sezzjoni B tal-Iskeda 7. L-indikatur tal-esposizzjoni medja tal-PM_{2.5} għandu jiġi vvalutat kif preskritt fit-Taqsima I tas-Sezzjoni B tal-Iskeda 7.

(3) Skont l-Iskeda 3, id-distribuzzjoni u n-numru ta' siti ta' kampjunament li għandhom jintużaw biex jiġi kalkulat l-indikatur tal-esposizzjoni medja tal-PM_{2.5} għandu jirrifletti b'mod adegwat l-esposizzjoni tal-popolazzjoni b'mod ġenerali. In-numru ta' siti ta' kampjunament m'għandhomx ikunu inqas minn dawk preskritti fit-Taqsima II tas-Sezzjoni A tal-Iskeda 5.

24. (1) Il-livelli ta' PM_{2.5} fl-arja m'għandhomx ikunu oġġla mill-valuri mira preskritti mit-Taqsima IV tas-Sezzjoni A tal-Iskeda 7 u għandhom jintlaħqu sad-data speċifikata hemm.

PM_{2.5} fl-arja m'għandhomx ikunu oġġla mill-valuri preskritti.

(2) Il-livelli ta' PM_{2.5} fl-arja ta' madwar iż-żoni u l-agglomerati kollha m'għandhomx ikunu oġġla mill-valuri limitu preskritti fit-Taqsima V tas-Sezzjoni A tal-Iskeda 7, u li għandhom jintlaħqu sad-dati speċifikati hemm. Il-konformità ma' dan ir-rekwiżit għandha tiġi valutata kif preskritt fl-Iskeda 3.

(3) Il-margini ta' tolleranza fit-Taqsima V tas-Sezzjoni A tal-Iskeda 7 għandhom japplikaw skont ir-regolament 32(1).

25. (1) Il-valuri mira għall-ożonu għandhom ikunu dawk preskritti fit-Taqsima II tas-Sezzjoni D tal-Iskeda 7.

Il-valuri mira għall-ożonu.
Emendat:
A.L. 33 tal-2015.

(2) Il-miri fit-tul għall-ożonu għandhom ikunu dawk preskritti fit-Taqsima III tas-Sezzjoni D tal-Iskeda 7.

(3) F'dawk iż-żoni u l-agglomerati li fihom il-livelli ta' ożonu fl-arja ikunu oġġla mill-valuri mira fis-subregolament (1), dawn il-valuri mira għandhom jintlaħqu sad-dati preskritti fit-Taqsima II tas-Sezzjoni D tal-Iskeda 7, permezz tal-implementazzjoni ta' programm ippreparat skond ir-regolament 6 tar-Regolamenti dwar l-Oġġla Livelli ta' Emissjoni Nazzjonali fil-każ ta' ċerti Sustanzi Atmosferiċi li Jniġġsu, u jekk ikun neċessarju permezz tal-implementazzjoni ta' pjan għall-kwalità tal-arja.

L.S. 549.32

(4) F'dawk iż-żoni u l-agglomerati li fihom il-livelli tal-ożonu fl-arja huma oġġla mill-oġġettivi fit-tul fis-subregolament (2), imma daqs jew inqas mill-valur mira fis-subregolament (1), l-oġġettivi fit-tul għandhom jintlaħqu permezz ta' miżuri li jkunu effikaċi f'dak li għandu x'jaqsam mal-aspett finanzjarju. Dawn il-miżuri għandhom ikunu konsistenti mal-pjanijiet u l-programmi msemmija fis-subregolament (3).

(5) Il-livelli tal-ożonu fl-arja għandhom jinżammu taht il-miri fit-tul, fis-subregolament (2), f'dawk iż-żoni u agglomerati li fihom il-livelli tal-ożonu huma diġà konformi ma' dan l-oġġettiv, wara li jiġu meqjusa kemm in-natura transfruntaljiera tat-tniġġis mill-ożonu, kif ukoll il-kundizzjonijiet meteoroloġiċi. Għandha tiġi ppreservata l-aħjar kwalità tal-arja kompatibbli mal-oġġla livell ta' protezzjoni tas-saħħa tal-bniedem kif ukoll tal-ambjent.

Nota Teknika fuq
il-Kontroll tal-
Kwalità tal-Arja.
Emendat:
A.L. 133 tal-2021.

Impjanti tal-
kombustjoni.
Sostitwit:
A.L. 33 tal-2015.

Gholi taċ-ċmieni.
Sostitwit:
A.L. 33 tal-2015.

Studji dwar il-
kwalità skond id-
dokument ta'
gwida.

Sottokumitat għall-
Pjan tal-Kwalità
tal-Arja.

26. L-awtorità kompetenti għandha tippubblika dokument gwida fuq kif għandhom isiru l-istudji kollha li għandhom x'jaqsmu mal-kwalità tal-arja.

27. *Imħassar bl-Avviż Legali 133 tal-2021.*

28. *Imħassar bl-Avviż Legali 133 tal-2021.*

29. Kull studju dwar il-kwalità tal-arja li hu rekwiżit ta' kull regolament maħruġ taħt l-Att għandu jsir skond id-dokument ta' gwida maħruġ taħt ir-regolament 26(2) u għandu jirreferi għall-livelli ta' sustanzi inkwinanti msemmija fir-regolamenti 19 u 20.

30. (1) Għandu jiġi nominat sottokumitat għall-Pjan tal-Kwalità tal-Arja biex jiġi kkonsultat mill-awtorità kompetenti qabel ma jinħarġu l-Pjanijiet ta' Azzjoni taħt ir-regolament 33(1).

(2) Dan is-sottokumitat għandu jkun kompost minn:

- (a) id-Direttur tas-Saħħa Ambjentali jew ir-rappreżentant tiegħu;
- (b) id-Direttur tal-Harsien tal-Ambjent (Awtorità għall-Ambjent u r-Riżorsi) jew ir-rappreżentant tiegħu;
- (ċ) id-Direttur tal-Ippjanar (Awtorità tal-Ippjanar) jew ir-rappreżentant tiegħu;
- (d) l-uffiċjal Kap Eżekuttiv tal-Awtorità tat-Trasport jew ir-rappreżentant tiegħu;
- (e) ir-rappreżentant tal-Kamra tal-Kummerċ, Impriża u Industrijia;
- (f) ir-rappreżentant tal-Impriži Żgħar u ta' Daqs Medju (SMEs);
- (g) ir-rappreżentant tal-Assoċjazzjoni tal-Kunsilli Lokali;
- (h) ir-rappreżentant tal-ONG tal-Ambjent; u
- (i) ir-rappreżentant tal-ONG tas-Saħħa Pubblika.

Rapport dwar il-
kwalità tal-arja.
Emendat:
A.L. 33 tal-2015;
A.L. 133 tal-2021.

31. (1) Sabiex tiġi evalwata l-konformità mal-valuri limitu, il-valuri mira, il-miri fit-tul u il-mira għat-tnaqqis tal-espożizzjoni nazzjonali fl-Iskeda 7, l-awtorità kompetenti għandha tagħmel rapport kull sena, dwar il-kwalità tal-arja. Ir-rapport għandu jkun lest sat-30 ta' Novembru tas-sena ta' wara.

(2) Ir-rapport għandu jinkludi analiżi tar-riżultati tal-monitoraġġ tal-livelli fl-arja tas-sustanzi inkwinanti ta' gruppi A u B u tal-ożonu, madwar Malta u għandu jinkludi sommarju tal-livelli li jkunu oġġetti mill-valuri limitu, valuri mira, objettivi fit-tul, livelli ta' informazzjoni u livelli ta' allarm. Flimkien ma' din l-informazzjoni għandu jkun hemm ukoll valutazzjoni fil-qosor tal-effetti, ta' meta jinqabzu l-livelli msemmija.

(3) Dawn ir-rapporti jistgħu, fejn ikun meħtieġ, jinkludu wkoll informazzjoni fuq sustanzi inkwinanti oħra, bħal per eżempju xi uħud mis-sustanzi prekursori tal-ożonu mnizzla fit-Taqsima B tal-

Iskeda 6.

32. (1) Fuq rakkomandazzjoni tal-awtorità kompetenti il-Ministru għandu jiddikjara Area għall-Immaniġġar tal-kwalità tal-arja kull fejn:

Area għall-
Immaniġġar tal-
Kwalità tal-Arja.
Emendat:
A.L. 33 tal-2015.

- (a) il-valuri limitu, il-valuri mira, l-oġġettivi fit-tul, jew il-mira għat-tnaqqis tal-espożizzjoni nazzjonali fl-Iskeda 7, ma jkunux qed jintlaħqu. Għandhom jittiehdu ukoll f'kunsiderazzjoni d-dati li fihom il-valuri limiti, il-valuri mira, l-oġġettivi fit-tul, jew il-mira għat-tnaqqis tal-espożizzjoni nazzjonali stabbiliti fl-Iskeda 7 iridu jintlaħqu;
- (b) jekk permezz tal-użu ta' *software* tal-immuddellar jiġi mbassar li ikunu ser jinqabżu, il-valuri limitu, il-valuri mira, l-oġġettivi fit-tul, jew il-mira għat-tnaqqis tal-espożizzjoni nazzjonali fl-Iskeda 7.

(2) L-Area għall-Immaniġġar tal-Kwalità tal-Arja għandha tiġi ddikjarata permezz ta' Ordni għall-Immaniġġar tal-Kwalità tal-Arja skont l-Iskeda 13. L-Ordni għall-Immaniġġar tal-Kwalità tal-Arja għandha tiġi ppubblikata fil-Gazzetta.

(3) L-ordni msemmija fis-subregolament (2) tista' tiġi revokata jekk, valutazzjoni suċċessiva tal-kwalità tal-arja turi li l-valuri limitu, il-valuri mira, l-oġġettivi fit-tul, il-mira għat-tnaqqis tal-espożizzjoni nazzjonali fl-Iskeda 7 ikunu qed jintlaħqu f'dik il-lokalità li fiha tkun ġiet iddikjarata Area għall-Immaniġġar tal-Kwalità tal-Arja taht is-subregolament (1).

33. (1) Kull fejn ordni taht ir-regolament 32(2) tidhol fis-seħh, l-awtorità kompetenti għandha tipprepara Pjan ta' Azzjoni għall-Kwalità tal-Arja għall-lokalità inkwistjoni u li għandu jkollu bħala għan li l-perijodu ta' superazzjoni għandu jkun l-iqsar possibbli, qabel ma jgħaddu tnax-il xhar minn meta tiġi publikata l-ordni fil-Gazzetta.

Pjan ta' Azzjoni
għall-Kwalità tal-
Arja.
Emendat:
A.L. 33 tal-2015.

(2) Il-Pjan ta' Azzjoni msemmi fis-subregolament (1) għandu mill-anqas jinkludi:

- (a) l-informazzjoni fl-Iskeda 11; u
- (b) indikazzjoni ta' kemm ikun hemm bżonn biex jiġu implimentati l-miżuri li jkunu mnizzla fil-pjan ta' azzjoni.

(3) Il-Pjanijiet ta' Azzjoni msemmija fis-subregolament (1) għandhom ukoll jinkludu daww il-miżuri li jkunu neċessarji biex fil-lokalità inkwistjoni, jintlaħqu il-valuri limitu, il-valuri mira, l-oġġettivi fit-tul, il-mira għat-tnaqqis tal-espożizzjoni nazzjonali fl-Iskeda 7. Il-Pjanijiet ta' Azzjoni għandhom jinkludu miżuri li skont it-tbassir tas-*software* li jimmudella l-kwalità tal-arja (fost tekniċi oħra li jistgħu jintużaw), jwasslu għal tnaqqis fil-livelli fl-arja tas-sustanzi inkwinanti ikkonċernati, fil-lokalità inkwistjoni. Dawn il-miżuri jistgħu jinkludu:

- (a) restrizzjonijiet fuq it-traffiku jew li t-traffiku jiġi mid-direzzjonat jgħaddi minn bnadi oħra;

- (b) *heavy goods vehicles (HGVs)* li ma jkunux konformi ma' ċerti *Euro Standards* ma jithallewx jghaddu mill-lokalità inkwistjoni (dan għandu jiġi stabbilit permezz tal-immuddellar);
- (c) is-sospensjoni temporanja tal-attivitajiet kummerċjali jew industrijali li għandhom effett negattiv fuq il-kwalità tal-arja, bħal tqattiegħ ta' blat fil-barrieri, qtugħ ta' ġebel, invjar tal-ġebel, impjanti industrijali, eċċ;
- (d) miżuri li għandhom x'jaqsmu mal-irmigħ tal-vapuri f'xi port li jista' jkun fil-qrib;
- (e) limitu ta' żmien fuq l-għotja ta' permessi tal-ippjanar; u
- (f) sospensjoni ta' xi xogħlijiet ta' kostruzzjoni fiż-żona.

(4) Waqt li tkun qed tipprepara il-pjan ta' azzjoni, l-awtorità kompetenti għandha tikkonsulta mas-sottokumitat mahtur taht ir-regolament 30.

(5) Jekk il-pjan ta' azzjoni għall-kwalità tal-arja fis-subregolament (1) jiskatta minhabba xi superament tal-obiettivi għall-kwalità ambjentali msemija fis-subregolament (3) għall-żewġ sustanzi inkwinanti jew aktar, l-awtorità kompetenti għandha tipprepara u timplimenta pjan integrat ta' azzjoni għall-kwalità tal-arja li jirrigwarda is-sustanzi inkwinanti rilevanti kollha.

Reviżjoni ta' pjanijiet ta' azzjoni.

Konformità ta' pjanijiet.
Emendat:
A.L. 133 tal-2021.

L.S. 549.56

L.S. 549.124

L.S. 549.37

34. L-awtorità kompetenti tista minn żmien għal żmien tirrevedi l-pjanijiet ta' azzjoni li joħroġu taht ir-regolament 33(1).

35. Kull pjan mahruġ taht ir-regolament 33(1), għandu jkun konformi ma' daww il-pjanijiet li jistgħu joħroġu taht -

- (a) ir-Regolamenti dwar l-Impjanti l-Kbar tal-Kombustjoni;
- (b) ir-Regolamenti dwar il-Limitazzjoni fuq l-Emissjonijiet ta' Ċerti Inkwinanti Atmosferiċi; u
- (c) ir-Regolamenti dwar Valutazzjoni u Maniġġar ta' Hsejjes fl-Ambjent;

biex jintlaħqu l-miri ambjentali rispettivi.

Pjan ta' Azzjoni fuq Medda ta' Żmien Qasir.
Emendat:
A.L. 33 tal-2015.

36. (1) L-awtorità kompetenti għandha tipprepara Pjan ta' Azzjoni fuq Medda ta' Żmien Qasir għal daww iż-żoni u l-agglomerati li fihom hemm riskju li jinqabzu wiehed jew aktar mil-livelli ta' allarm fl-Iskeda 8.

(2) Il-Pjan ta' Azzjoni fuq medda ta' żmien qasir għandu jiehu f'kunsiderazzjoni id-Deċiżjoni 2004/279/KE u għandu jispeċifika il-miżuri li għandhom jittiehdu biex jitnaqqas kemm ir-riskju li jinqabzu il-livelli fis-subregolament (1), kif ukoll it-tul tal-perjodu li fih ikunu qed jinqabzu dawn il-livelli.

Kontenut ta' pjanijiet ta' azzjoni.

37. Il-pjanijiet ta' azzjoni msemija fir-regolament 33(1) għandhom ukoll jinkludu daww il-miżuri li jkunu neċessarji biex fil-lokalità inkwistjoni, jintlaħqu l-valuri limitu fl-Iskeda 8. Il-

pjanijiet ta' azzjoni għandhom jinkludu miżuri li skont it-tbassir tas-*software* li jimmuddella l-kwalità tal-arja fost tekniċi oħra jistgħu jwasslu għal tnaqqis fil-livelli fl-arja tas-sustanzi inkwinanti konċernati, fil-lokalità inkwistjoni. Dawn il-miżuri jistgħu jinkludu, fost oħrajn:

- (a) ir-restrizzjonijiet fuq it-traffiku jew inkella t-traffiku jiġi mgieghel jgħaddi minn bnadi oħra;
- (b) HGVs li ma jkunux konformi ma' ċerti *Euro Standards* ma jithallewx jgħaddu mil-lokalità inkwistjoni (dan għandu jiġi stabbilit permezz tal-immuddellar);
- (c) is-sospensjoni temporanja tal-attivitajiet kummerċjali jew industrijali li għandhom effett negattiv fuq il-kwalità tal-arja, bħal qtugħ ta' blat fil-barrieri, qtugħ ta' ġebel, invjar tal-ġebel, impjanti industrijali, eċċ;
- (d) miżuri li għandhom x'jaqsmu mal-irmigġ tal-vapuri f'xi port li jista' jkun fil-qrib;
- (e) *moratorium* fuq il-permessi tal-ippjanar; u
- (f) sospensjoni tax- xogħlijiet ta' kostruzzjoni fiż-żona.

38. Fil-każ li jinqabżu l-livelli ta' allarm għall-ożonu kif preskritt fl-Iskeda 8, ikun hemm bżonn li jsiru l-pjanijiet ta' azzjoni skont ir-regolament 33(1) jekk wara li l-awtorità kompetenti tagħmel il-valutazzjoni tagħha joħroġ biċ-ċar li jekk jittiehdu f'konsiderazzjoni l-fatturi nazzjonali, ġeografiċi, meteoroloġiċi u ekonomiċi jirriżulta li permezz tal-implimentazzjoni tal-pjan ta' azzjoni jista' jitnaqqas ir-riskju li jinqabeż dan il-livell, id-differenza bejn il-livelli attwali ta' ożonu u l-livell ta' allarm, kif ukoll it-tul tal-perijodu li fih ikunu qed jinqabżu dawn il-livelli.

Il-livelli ta' allarm tal-ożonu.

39. Il-pubbliku ġenerali għandu jkun infurmat b'mod adegwat, permezz tal-mezzi tal-istampa, tar-radju, tat-televiżjoni u tal-internet, fost mezzi oħrajn, kull darba li jinqabżu l-livelli ta' informazzjoni u l-livelli ta' allarm preskritti fl-Iskeda 8.

Informazzjoni li tinghata mill-media.

40. (1) L-awtorità kompetenti għandha tinforma fil-hin u b'mod adegwat kemm lill-pubbliku ġenerali kif ukoll lill-korpi kostitwiti, bħal għaqdiet ambjentali, għaqdiet tal-konsumaturi, għaqdiet li jirrapreżentaw l-interessi ta' popolazzjonijiet sensitivi, għaqdiet li jinteressaw ruhhom fis-saħħa pubblika kif ukoll federazzjonijiet li jirrapreżentaw lill-industrija b'dan li ġej:

Informazzjoni ulterjuri li għandha tinghata lill-pubbliku.
Emendat:
A.L. 33 tal-2015.

- (a) il-kwalità tal-arja skont l-Iskeda 12;
- (b) kull darba li jittiehdu deċiżjonijiet ta' posponiment skont l-Artikolu 22(1) tad-Direttiva 2008/50/KE tal-Parlament Ewropew u tal-Kunsill tal-21 ta' Mejju 2008 dwar il-kwalità tal-arja fl-ambjent u arja iktar nadifa għall-Ewropa;
- (c) kull eżenzjoni taħt l-Artikolu 22(2) tad-Direttiva 2008/50/KE tal-Parlament Ewropew u tal-Kunsill tal-21 ta' Mejju 2008 dwar il-kwalità tal-arja fl-ambjent u arja iktar nadifa għall-Ewropa;
- (d) il-pjanijiet tal-kwalità tal-arja skont l-Artikoli 22(1) u 23 kif ukoll il-programmi msemmija fl-artikolu 17(2)

tad-Direttiva 2008/50/KE tal-Parlament Ewropew u tal-Kunsill tal-21 ta' Mejju 2008 dwar il-kwalità tal-arja fl-ambjent u arja aktar nadifa għall-Ewropa; u skont ir-regolamenti 25(3), 33(1) u 36(1).

(2) L-awtorità kompetenti għanda ttipprovdi, permezz tal-mezzi tal-medja kollha aċċessibbli (inkluż l-internet jew permezz ta' kull mezz ta' telekommunikazzjoni adegwat), u b'xejn, kull informazzjoni msemmija fis-subregolament (1) skont id-disposizzjonijiet tad-Direttiva 2007/2/KE tal-Parlament Ewropew u tal-Kunsill tal-14 ta' Marzu 2007 li tistabbilixxi Infrastruttura għall-Infomazzjoni Ġeografika fil-Komunità Ewropea (INSPIRE).

(3) L-awtorità kompetenti għandha tiżgura li r-rapporti annwali kollha dwar is-sustanzi inkwinanti, preskritti mir-regolament 31(1), għandhom ikunu aċċessibbli għall-pubbliku.

(4) L-awtorità kompetenti għandha tinforma lill-pubbliku dwar kif jitqassmu r-responsabbiltajiet skont ir-regolament 3.

L-awtorità kompetenti tibda l-proċess.
Miżjud:
A.L. 33 tal-2015.

40A. (1) Kull fejn jinqabeż xi wieħed mill-livelli ta' allarm, mill-valuri limitu, mill-valuri mira limit, jew mill-miri fit-tul jinqabżu minhabba kontribut sinifikattiv tat-trasport transfruntieri tas-sustanzi inkwinanti jew tal-prekursuri tagħhom mill-Istati Membri tal-UE ġirien, l-awtorità kompetenti għandha tikkuntattja l-awtoritajiet kompetenti fl-Istati Membri ikkonċernati sabiex jinbenda l-proċess msemmi fl-Artikolu 25(1) tad-Direttiva 2008/50/KE, bil-għan li l-Istati Membri involuti jikkoperaw u fejn ikun possibbli jaħdmu flimkien fuq attivitajiet bħall-preparazzjoni ta' pjanijiet għall-kwalità tal-arja kongunti jew ikkordinati skont l-Artikolu 23 tad-Direttiva 2008/50/KE, sabiex jitwaqqfu superamenti simili permezz ta' miżuri pporporzjonati.

(2) L-awtorità kompetenti għandha jekk jinħass il-bżonn tavviċina l-awtoritajiet kompetenti tal-Istati Membri ġirien sabiex jipperparaw u jikkontribwixxu għall-implimentazzjoni ta' pjanijiet ta' azzjoni kongunti li jkopru żoni ġirien fi Stati Membri ohra. L-awtorità kompetenti għandha tiżgura li ż-żoni ġirien fl-Istati Membri l-ohra li żviluppaw pjan ta' azzjoni fuq medda ta' żmien qasir jirċievu kull informazzjoni li jkun jeħtieġu.

(3) Għandha tintbagħat, mill-aktar fis possibbli, kull informazzjoni rilevanti, lill-awtoritajiet kompetenti fi Stati Membri ġirien, kull fejn ikun hemm superament ta' xi livell ta' allarm jew ta' informazzjoni f'żoni jew agglomerati qrib tal-fruntieri nazzjonali.

Reati.

41. Persuna tinsab haġta ta' reat taħt dawn ir-regolamenti jekk:

- (a) tonqos milli thares xi ordni legittimament mogħtija skont xi disposizzjoni ta' dawn ir-regolamenti; jew
- (b) tikser xi restrizzjoni, projbizzjoni jew hteġa imposta minn jew taħt dawn ir-regolamenti; jew
- (c) tikkonfoffa, tagħmel attentat, tghin jew thajjar, lil xi persuna ohra b'liema mezz ikun, inkluż ir-reklamar, l-ghoti ta' pariri jew hlas ta' flus biex tikser id-disposizzjonijiet ta' dawn ir-regolamenti jew biex

tonqos milli thares xi disposizzjoni bħal dawk, inkluż kull ordni mogħtija leġittimament skont xi disposizzjoni ta' dawn ir-regolamenti, jew biex tikser xi restrizzjoni, projbizzjoni jew ħtieġa imposta minn jew taht dawn ir-regolamenti.

42. Min jagħmel reat kontra dawn ir-regolamenti jista', meta jinsab hati, jehel: Pieni.

- (a) meta jinsab hati għall-ewwel darba, multa ta' mhux anqas minn elf u mitejn euro (€1,200) iżda mhux iżjed minn elfejn u tlett mitt euro (€2,300);
- (b) meta jinsab hati għat-tieni darba jew aktar drabi, multa ta' mhux anqas minn elfejn u tlett mitt euro (€2,300) iżda mhux iżjed minn ħdax-il elf u sitt mitt euro (€11,600), għal priġunerija għal żmien mhux iżjed minn sentejn, jew għal dik il-multa u priġunerija flimkien:

Iżda kull meta persuna tinsab hatja li tkun wettqet reat taht dawn ir-regolamenti permezz ta' xi vettura, sid dik il-vettura għandu, meta dan ikun japplika, jinżamm responsabbli bl-istess mod u grad:

Iżda wkoll il-qorti għandha tordna lil kull min ikun insab hati li wettaq reat kontra dawn ir-regolamenti li jhallas dawk l-ispejjeż li jkunu saru mill-entitajiet pubbliċi u, jew minn persuni oħra li jkunu involuti flokhom fl-implimentazzjoni ta' dawn ir-regolamenti u fir-riparazzjoni tal-ambjent bħala riżultat ta' dak ir-reat, ir-revoka ta' kull permess mahruġ mill-awtorità kompetenti u l-konfiska tal-*corpus delicti*.

43. (1) Id-disposizzjonijiet tal-artikolu 23 u 30(1) tal-Kodiċi Kriminali għandhom japplikaw, *mutatis mutandis*, għal proċeduri dwar reati kontra dawn ir-regolamenti, b'dan illi l-iskwalifika milli persuna jkollha jew tikseb liċenza, permess jew awtorità m'għandha f'ebda każ tkun għal anqas minn sena. Applikabilità tal-Kodiċi Kriminali. Kap. 9.

(2) Minkejja d-disposizzjonijiet tal-artikolu 370 tal-Kodiċi Kriminali, il-proċeduri dwar reati kontra dawn ir-regolamenti għandhom isiru quddiem il-Qorti tal-Maġistrati (Malta) jew il-Qorti tal-Maġistrati (Għawdex), skont ma jista' jkun il-każ, u għandhom ikunu skont id-disposizzjonijiet tal-Kodiċi Kriminali li jirregolaw il-proċedura quddiem dawk il-qorti bħala qorti ta' ġudikatura kriminali. Kap. 9.

(3) Minkejja d-disposizzjonijiet tal-Kodiċi Kriminali, l-Avukat Ġenerali għandu dejjem ikollu dritt ta' appell quddiem il-Qorti tal-Appell Kriminali minn kull sentenza mogħtija mill-Qorti tal-Maġistrati (Malta) jew mill-Qorti tal-Maġistrati (Għawdex) dwar proċeduri għal xi reat kontra dawn ir-regolamenti. Kap. 9.

Skeda 1

Sostitwita:
A.L. 415 tal-2016.

Data quality objectives

A. Data quality objectives for group A pollutants and for ozone.

I. Data quality objectives for ambient air quality assessment

	Sulphur dioxide, nitrogen dioxide and oxides of nitrogen and carbon monoxide	Benzene	Particulate matter (PM ₁₀ /PM _{2.5}) and lead	Ozone and related NO and NO ₂
Fixed measurements ⁽¹⁾	15%	25%	25%	15%
Uncertainty				
Minimum data capture	90%	90%	90%	90% during summer, 75% during winter
Minimum time coverage:				
Urban background and traffic	-	35% ⁽²⁾	-	-
Industrial sites	-	90%	-	-
Indicative measurements				
Uncertainty	25%	30%	50%	30%
Minimum data capture	90%	90%	90%	90%
Minimum time coverage	14% ⁽⁴⁾	14% ⁽³⁾	14% ⁽⁴⁾	> 10% during summer
Modelling uncertainty				
Hourly	50%	-	-	50%
Eight-hour averages	50%	-	-	50%
Daily averages	50%	-	Not yet defined	-
Annual averages	30%	50%	50%	-
Objective estimation				
Uncertainty	75%	100%	100%	75%

- (1). Random measurements instead of continuous measurements for benzene, lead and particulate matter if it can be demonstrated that the uncertainty, including the uncertainty due to random sampling, meets the quality objective of 25% and the time coverage is still larger than the minimum time coverage for indicative measurements. Random sampling must be evenly distributed over the year in order to avoid skewing of results. The uncertainty due to random sampling may be determined by the procedure laid down in ISO 11222 (2002) 'Air Quality - Determination of the Uncertainty of the Time Average of Air Quality Measurements'. If random measurements are used to assess the requirements of the PM₁₀ limit value the 90.4 percentile (to be lower than or equal to 50 µg/m³) should be evaluated instead of the number of exceedances, which is highly influenced by data coverage.
- (2). Distributed over the year to be representative of various conditions for climate and traffic.

	Sulphur dioxide, nitrogen dioxide and oxides of nitrogen and carbon monoxide	Benzene	Particulate matter (PM ₁₀ /PM _{2.5}) and lead	Ozone and related NO and NO ₂
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- (3). One day's measurement a week at random, evenly distributed over the year, or eight weeks evenly distributed over the year.
- (4). One measurement a week at random, evenly distributed over the year, or eight weeks evenly distributed over the year.

The uncertainty (expressed at a 95% confidence level) of the assessment methods will be evaluated in accordance with the principles of the CEN Guide to the Expression of Uncertainty in Measurement (ENV 13005-1999), the methodology of ISO 5725:2004 and the guidance provided in the CEN report 'Air Quality - Approach to Uncertainty Estimation for Ambient Air Reference Measurement Methods' (CR 14377:2002E). The percentages for uncertainty in the above table are given for individual measurements averaged over the period considered by the limit value (or target value in the case of ozone), for a 95% confidence interval. The uncertainty for the fixed measurements shall be interpreted as being applicable in the region of the appropriate limit value (or target value for ozone).

The uncertainty for modelling is defined as the maximum deviation of the measured and calculated concentration levels for the 90% individual monitoring points, over the period considered, by the limit value (or target value in the case of ozone), without taking into account the timing of the events. The uncertainty for modelling shall be interpreted as being applicable in the region of the appropriate limit value (or target value in the case of ozone). The fixed measurements that have to be selected for comparison with modelling results shall be representative of the scale covered by the model.

The uncertainty for objective estimation is defined as the maximum deviation of the measured and calculated concentration levels, over the period considered, by the limit value (or target value in the case of ozone), without taking into account the timing of the events.

The requirements for minimum data capture and time coverage do not include losses of data due to the regular calibration or the normal maintenance of the instrumentation.

II. Results of air quality assessment

The following information shall be compiled for zones and agglomerations within which sources other than measurement are employed to supplement information from measurement or as the sole means of air quality assessment:

- a description of the assessment activities carried out,
- the specific methods used, with reference to descriptions of the method,
- the sources of data and information,
- a description of results, including uncertainties and, in particular, the extent of any area or, if relevant, the length of road within the zone or agglomeration over which concentrations exceed any limit value, target value or long term objective plus margin of tolerance, if applicable, and of any area within which concentrations exceed the upper assessment threshold or the lower assessment threshold,

- the population potentially exposed to levels in excess of any limit value for protection of human health.

III. Quality assurance for ambient air quality assessment: data validation

1. To ensure accuracy of measurements and compliance with data quality objectives laid down in Section I, the appropriate competent authorities and bodies designated pursuant to regulation 3 shall ensure the following:

- that all measurements undertaken in relation to the assessment of ambient air quality pursuant to regulations 9, 10, 11, 12, 13 and 14 and are traceable in accordance with the requirements set out in harmonised standard for testing and calibration laboratories,
- those institutions operating networks and individual stations have an established quality assurance and quality control system which provides for regular maintenance to assure continued accuracy of measuring devices The quality system shall be reviewed as necessary and at least every five years by the relevant National Reference Laboratory,
- that a quality assurance/quality control process is established for the process of data collection and reporting and that institutions appointed for this task actively participate in the related Union-wide quality assurance programmes,
- that the National Reference Laboratory, is appointed by the competent authority or body designated pursuant to regulation 3 and is accredited for the reference methods referred to in Schedule 10, at least for those pollutants for which concentrations are above the lower assessment threshold, according to the relevant harmonised standard for testing and calibration laboratories, the reference to which has been published in the Official Journal of the European Union pursuant to Article 2(9) of Regulation (EC) No 765/2008 setting out requirements for accreditation and market surveillance. This laboratory shall also be responsible for the coordination in the Maltese territory of the Union-wide quality assurance programmes to be organised by the Commission's Joint Research Centre and shall also be responsible for coordinating, on the national level, the appropriate use of reference methods, and the demonstration of equivalence of non-reference methods. The National Reference Laboratory nominated by the competent authority pursuant to regulation 3 should also be accredited for inter-comparisons according to the relevant harmonised standard for proficiency testing,
- that the National Reference Laboratory, takes part at least every three years in Union-wide quality assurance programmes organised by the Commission's Joint Research Centre, If this participation produces unsatisfactory results then the national laboratory should demonstrate at the next participation in the intercomparison satisfactory remediation measures, and provide a report to the Joint Research Centre on these,
- that the National Reference Laboratory supports the work done by the European network of National Reference Laboratories set up by the Commission.

2. All reported data under Article 27 of Directive 2008/50/EC shall be deemed to be valid except data flagged as provisional.

B. Data quality objectives for group B pollutants.

I. Data quality objectives

The following data quality objectives are provided as a guide to quality assurance.

	Benzo (a) pyrene	Arsenic, cadmium and Nickel	Polycyclic aromatic hydrocarbon s other than benzo (a) pyrene, total gaseous mercury	Total deposition
- Uncertainty				
Fixed and indicative measurements	50%	40%	50%	70%
Modelling	60%	60%	60%	60%
- Minimum data capture	90%	90%	90%	90%
- Minimum time coverage				
Fixed measurements ⁽¹⁾	33%	50%		
Indicative measurements ⁽¹⁾⁽²⁾	14%	14%	14%	33%
(1) Distributed over the year to be representative of various conditions for climate and anthropogenic activities.				
(2) Indicative measurement being measurements which are performed at reduced regularity but fulfil other data quality objectives.				

The uncertainty (expressed at a 95% confidence interval) of the methods used for the assessment of ambient air concentrations will be evaluated in accordance with the principles of the CEN Guide to the expression of uncertainty in measurement (ENV 13005-1999), the methodology of ISO 5725:1994, and the guidance provided in the CEN Report, 'Air Quality - Approach to Uncertainty Estimation for Ambient Air Reference Measurement Methods' (CR 14377:2002E). The percentages for uncertainty are given for individual measurements should be interpreted as being applicable in the region of the appropriate target value. Fixed and indicative measurements must be evenly distributed over the year in order to avoid skewing of results.

The requirements for minimum data capture and time coverage do not include losses of data due to regular calibration or normal maintenance of the instrumentation. Twenty-four-hour sampling is required for the measurement of benzo(a)pyrene and other polycyclic aromatic hydrocarbons. With care, individual samples taken over a period of up to one month can be combined and analysed as a composite sample, provided the method ensures that the samples are stable for that period. The three congeners benzo(b)fluoranthene, benzo(j)fluoranthene, benzo(k)fluoranthene can be difficult to resolve analytically. In such cases they can be reported as sum. Sampling must be spread evenly over the weekdays and the year. For the measurement of deposition rates monthly or weekly, samples throughout the year are recommended.

The provisions on individual samples in the previous paragraph apply also to arsenic, cadmium, nickel and total gaseous mercury. Moreover, sub-sampling of PM10 filters for metals and subsequent analysis is allowed, providing there is evidence that the sub-sample is representative of the whole and that the detection sensitivity is not compromised when compared with the relevant data quality objectives. As an alternative to daily sampling, weekly sampling for metals in PM10 is allowed provided that the collection characteristics are not compromised.

Wet-only sampling can be used instead of bulk sampling if it can be demonstrated

that the difference between them is within 10%. Deposition rates should be given as $\mu\text{g.m}^{-2}\text{.day}^{-1}$.

A minimum time coverage lower than that indicated in the table above may be applied as long as it is not lower than 14% for fixed measurements and 6% for indicative measurements and provided that it can be demonstrated that the 95% expanded uncertainty for the annual mean, calculated from the data quality objectives in the table above according to ISO 11222:2002 - 'Determination of uncertainty of the time average of air quality measurements' will be met.

II. Requirements for air quality models

Where an air quality model is used for assessment, references to descriptions of the model and information on the uncertainty shall be compiled. The uncertainty for modelling is defined as the maximum deviation of the measured and calculated concentration levels, over a full year, without taking into account the timing of events.

III. Requirements for objective estimation techniques

Where objective estimation techniques are used, the uncertainty shall not exceed 100%.

IV. Standardisation

For substances to be analysed in the PM₁₀ fraction, the sampling refers to ambient conditions.

Skeda 2

Determination of requirements for assessment of concentrations of group A and group B pollutants in ambient air within a zone or agglomeration

*Sostitwita:
A.L. 415 tal-2016.*

A. Upper and lower assessment thresholds

The following upper and lower assessment thresholds apply:

1. Sulphur dioxide

	Health protection	Vegetation protection
Upper assessment threshold	60% of 24-hour limit value ($75 \mu\text{g}/\text{m}^3$, not to be exceeded more than 3 times in any calendar year)	60% of winter critical level ($12 \mu\text{g}/\text{m}^3$)
Lower assessment threshold	40% of 24-hour limit value ($50 \mu\text{g}/\text{m}^3$, not to be exceeded more than 3 times in any calendar year)	40% of winter critical level ($8 \mu\text{g}/\text{m}^3$)

2. Nitrogen dioxide and oxides of nitrogen

	Hourly limit value for the protection of human health (NO ₂)	Annual limit value for the protection of human health (NO ₂)	Annual limit value for the protection of vegetation and natural ecosystems (NO _x)
Upper assessment threshold	70% of limit value (140 µg/m ³ , not to be exceeded more than 18 times in any calendar year)	80% of limit value (32 µg/m ³)	80% of critical level (24 µg/m ³)
Lower assessment threshold	50% of limit value (100 µg/m ³ , not to be exceeded more than 18 times in any calendar year)	65% of limit value (26 µg/m ³)	65% of critical level (19.5 µg/m ³)

3. Particulate matter (PM₁₀/PM_{2.5})

	24-hour average PM ₁₀	Annual average PM ₁₀	Annual average PM _{2.5} ⁽¹⁾
Upper assessment threshold	70% of limit value (35 µg/m ³ , not to be exceeded more than 35 times in any calendar year)	70% of limit value (28 µg/m ³)	70% of limit value (17 µg/m ³)
Lower assessment threshold	50% of limit value (25 µg/m ³ , not to be exceeded more than 35 times in any calendar year)	50% of limit value (20 µg/m ³)	50% of limit value (12 µg/m ³)

(1) The upper assessment threshold and the lower assessment threshold for PM_{2.5}, do not apply to measurements to assess compliance with the PM_{2.5} exposure reduction target for the protection of human health.

4. Lead

	Annual average
Upper assessment threshold	70% of limit value (0.35 µg/m ³)
Lower assessment threshold	50% of limit value (0.25 µg/m ³)

5. Benzene

	Annual average
Upper assessment threshold	70% of limit value (3.5 µg/m ³)
Lower assessment threshold	40% of limit value (2 µg/m ³)

6. Carbon monoxide

	Annual average
Upper assessment threshold	70% of limit value (7 mg/m ³)
Lower assessment threshold	50% of limit value (5 mg/m ³)

7. Group B pollutants

	Arsenic	Cadmium	Nickel	B(a)P
Upper assessment threshold in percent of the target value.	60% (3.6 ng/m ³)	60% (3 ng/m ³)	70% (14 ng/m ³)	60% (0.6 ng/m ³)
Lower assessment threshold in percent of the target value.	40% (2.4 ng/m ³)	40% (2 ng/m ³)	50% (10 ng/m ³)	40% (0.4 ng/m ³)

B. Determination of exceedances of upper and lower assessment thresholds

Exceedances of upper and lower assessment thresholds must be determined on the basis on concentrations during the previous five years where sufficient data are available. An assessment threshold will be deemed to have been exceeded if it has been exceeded during:

- (a) at least three separate years (for group A pollutants); or
- (b) during at least three calendar years (for group B pollutants)

out of those previous five years.

Where fewer than five years' data are available, measurement campaigns of short duration during the period of the year and at locations likely to be typical of the highest pollution levels may be combined with results obtained from information from emission inventories and modelling to determine exceedances of the upper and lower assessment thresholds.

Skeda 3

Location of sampling points for group A and group B pollutants and for ozone

*Sostitwita:
A.L. 415 tal-2016.*

A. General requirements for the assessment of ambient air quality for group A pollutants.

Ambient air quality shall be assessed in all zones and agglomerations with the following criteria:

Ambient air quality shall be assessed at all locations except those listed in paragraph 2, in accordance with the criteria established by Sections B and C for the location of sampling points for fixed measurement. The principles established by Sections B and C shall also apply in so far as they are relevant in identifying the specific locations in which concentration of the relevant pollutants are established where ambient air quality is assessed by indicative measurement and modelling.

Compliance with the limit values directed at the protection of human health shall not be assessed at the following locations:

- (a) any locations situated within areas where members of the public do not have access and there is no fixed habitation;
- (b) in accordance with the appropriate definition in regulation 2, on factory premises or at industrial installations to which all relevant provisions

concerning health and safety at work apply;

- (c) on the carriageway of roads; and on the central reservations of roads except where there is normally pedestrian access to the central reservation.

B. Macroscale siting.

Sampling points for the measurement of concentrations in ambient air of group A pollutants

1. Protection of human health

- (a) Sampling points directed at the protection of human health shall be sited in such a way as to provide data on the following:
 - the areas within zones and agglomerations where the highest concentrations occur to which the population is likely to be directly or indirectly exposed for a period which is significant in relation to the averaging period of the limit value(s),
 - levels in other areas within the zones and agglomeration which are representative of the exposure of the general population.
- (b) Sampling points shall in general be sited in such a way as to avoid measuring very small micro-environments in their immediate vicinity, which means that the sampling point must be sited in such a way that the air sampled is representative of air quality for a street segment no less than 100m length at traffic-orientated sites and at least 250 m × 250 m at industrial sites where feasible;
- (c) Urban background locations shall be located so that their pollution level is influenced by the integrated contribution from all sources upwind of the station. Their pollution level should not be dominated by a single source unless such a situation is typical for a large urban area. Those sampling points shall, as a general rule, be representative for several square kilometres;
- (d) Where the objective is to assess rural background levels, the sampling point shall not be influenced by agglomerations or industrial sites in its vicinity. i.e. sites closer than five kilometres;
- (e) Where contributions from industrial sources are to be assessed, at least one sampling point shall be installed down-wind of the source in the nearest residential area. Where background concentration is not known, an additional sampling point shall be situated within the main wind direction;
- (f) Sampling points shall, where possible, also be representative of similar locations not in their immediate vicinity;
- (g) Account shall be taken of the need to locate sampling points on islands where it is necessary for the protection of human health.

2. Protection of vegetation and natural ecosystems

Sampling points targeted at the protection of vegetation and natural ecosystems shall be sited more than 20 km away from agglomerations or more than 5 km away from other built-up areas, industrial installations or motorways or major roads with traffic counts of more than 50,000 vehicles per day, which means that a sampling point must be sited in such a way that the air sampled must be representative of air quality in a surrounding area of at least 1000 km². A sampling point may be sited at a lesser distance or be representative of air quality in a less extended area, taking

account of geographical conditions or of the opportunities to protect particularly vulnerable areas.

Account shall be taken of the need to assess air quality on islands.

II. Sampling points for the measurements of concentrations in ambient air and deposition rates of group B pollutants.

The sites of sampling points should be selected in such a way as to:

- Provide data on the areas within zones and agglomerations where the population is likely to be directly or indirectly exposed to the highest concentrations averaged over a calendar year;
- Provide data on levels in other areas within zones and agglomerations which are representative of the exposure or the general population;
- Provide data on deposition rates representing the indirect exposure of the population through the food chain.

Sampling points shall in general be sited in such a way as to avoid measuring very small micro-environments in their immediate vicinity. As a guideline, a sampling point should be representative of air quality in surrounding areas of no less than 200 m² at traffic-orientated sites and at least 250 m × 250 m at industrial sites, where feasible and several square kilometres at urban background sites.

Where contributions from industrial sources are to be assessed, at least one sampling point shall be installed downwind of the source in the nearest residential area. Where the background concentration is not known an additional sampling point shall be situated within the main wind direction. In particular where regulation 21 applies, the sampling points should be sited such that the application of BAT can be monitored.

Sampling points should also, where possible, be representative of similar locations not in their immediate vicinity. Where appropriate they should be co-located with sampling points for PM₁₀.

III. Sampling points for the assessments of ozone concentrations

The following apply to fixed measurements:

Type of station	Objectives of measurement	Representativeness	Macroscale siting criteria
Urban	Protection of human health: To assess the exposure of the urban population to ozone, i.e. where population density and ozone concentration are relatively high and representative of the exposure of the general population	A few km ²	Away from the influence of local emissions such as traffic, petrol stations, etc.; Vented locations where well mixed levels can be measured; Locations such as residential and commercial areas of cities, parks (away from the trees), big streets or squares with very little or no traffic, open areas characteristic of educational, sports or recreation facilities

Type of station	Objectives of measurement	Representativeness	Macroscale siting criteria
Suburban	Protection of human health and vegetation: To assess the exposure of the population and vegetation located in the outskirts of the agglomeration, where the highest ozone levels to which the population and the vegetation are likely to be directly or indirectly exposed occur	Some tens of km ²	At a certain distance from the area of maximum emissions, downwind following the main wind direction/directions during conditions favourable to ozone formation; Where population, sensitive crops or natural ecosystems located in the outer fringe of an agglomeration are exposed to high ozone levels; Where appropriate, some suburban stations also upwind of the area of maximum emissions such as industrial installations and roads; At open area sites
Rural	Protection of human health and vegetation: To assess the exposure of population, crops and natural ecosystems to sub-regional scale ozone concentrations	Sub-regional levels (some hundreds of km ²)	Stations can be located in small settlements and/or areas with natural ecosystems, forests or crops; representative for ozone away from the influence of immediate local emissions such as industrial installations and roads; at open area sites
Rural back-ground	Protection of vegetation and human health: To assess the exposure of crops and natural ecosystems to regional-scale ozone concentrations as well as exposure of the population	Regional/national/continental levels (1000 to 10000 km ²)	Station located in areas with lower population density, e.g. with natural ecosystems, forests, at a distance of at least 20 km from urban and industrial areas and away from local emissions; avoid locations which are subject to locally enhanced formation of ground-near inversion conditions; coastal sites with pronounced diurnal wind cycles of local character are not recommended.

(1) Sampling points should, where possible, be representative of similar locations not in their immediate vicinity.

For rural and rural background stations the location shall, where appropriate, be coordinated with the monitoring requirements of Commission Regulation (EC) No 1737/2006 of 7 November 2006 laying down detailed rules for the implementation of

Regulation (EC) No 2152/2003 of the European Parliament and of the Council concerning monitoring of forests and environmental interactions in the Community.

C. Microscale siting.

I. Sampling points for the measurement of concentrations in ambient air of group A pollutants

In so far as is practicable, the following shall apply:

- the flow around the inlet sampling probe shall be unrestricted (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),
- 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,
- the inlet probe shall not be positioned in the immediate vicinity of sources in order to avoid the direct intake of emissions unmixed with ambient air,
- the sampler's exhaust outlet shall be positioned so that recirculation of exhaust air to the sampler inlet is avoided,
- for all pollutants, traffic-orientated sampling probes shall be at least 25 m from the edge of major junctions and no more than 10 m from the kerbside. A "major junction" to be considered here is a junction which interrupts the traffic flow and causes different emissions (stop & go) from the rest of the road.

Any deviation from the criteria listed in this Section shall be fully documented through the procedure described in Section D.

D. Documentation and review of site selection

The competent authorities responsible for air quality assessment 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. The documentation shall include compass-point photographs of the area surrounding monitoring sites and detailed maps. 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. The documentation shall be provided to the Commission within 3 months of being requested.

I. Sampling points for the measurement of concentrations in ambient air and deposition rates of group B pollutants

In so far as is practicable, the following shall apply:

- the flow around the inlet sampling probe should be unrestricted, without any obstructions affecting the airflow in the vicinity of the sampler (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);
- in general, the inlet sampling point should be between 1,5 m (the breathing zone) and 4 m above the ground. Higher positions (up to 8 m)

- may be necessary in some circumstances. Higher siting may also be appropriate if the station is representative of a large area;
- the inlet probe should not be positioned in the immediate vicinity of sources in order to avoid direct intake of emissions unmixed with ambient air;
- the sampler's exhaust outlet should be positioned so that recirculation of exhaust air to the sample inlet is avoided;
- traffic-orientated sampling points should be at least 25 metres from the edge of major junctions and at least 4 m from the centre of the nearest traffic lane; inlets should be sited so as to be representative of air quality near the building line;
- f or the deposition measurements in rural background areas, the EMEP guidelines and criteria should be applied as far as practicable and where not provided for in the Annexes.

The following factors may also be taken into account in the microscale siting of the sampling points for the measurement of the concentrations in ambient air of group A and group B pollutants and deposition rates of group B pollutants:

- interfering sources
- security
- access
- availability of electrical power and telephone communications
- visibility of the site in relation to its surroundings
- safety of the public and operators
- the desirability of co-locating sampling points for different pollutants
- planning requirements.

II. Sampling points for the measurement of concentrations in ambient air of ozone

In so far as is practicable the procedure on microscale siting in Section C of Annex III shall be followed, ensuring also that the inlet probe is positioned well away from such sources as furnaces and incineration flues and more than 10 m from the nearest road, with distance increasing as a function of traffic intensity.

B. Documentation and review of site selection.

I. Group A and group B pollutants

The site-selection procedures shall be fully documented at the classification stage by such means as compass-point photographs of the surrounding area and a detailed map. Sites shall be reviewed at regular intervals with repeated documentation to ensure that selection criteria remain valid over time.

II. Ozone

The procedures in paragraph I above shall be followed, applying proper screening and interpretation of the monitoring data in the context of the meteorological and photochemical processes affecting the ozone concentrations measured at the respective sites.

Skeda 4
Measurements at rural background locations
irrespective of concentration

Sostitwita:
A.L. 415 tal-2016.

A. Objectives

The main objectives of such measurements are to ensure that adequate information is made available on levels in the background. This information is essential to judge the enhanced levels in more polluted areas (such as urban background, industry related locations, traffic related locations), assess the possible contribution from long-range transport of air pollutants, support source apportionment analysis and for the understanding of specific pollutants such as particulate matter. It is also essential for the increased use of modelling also in urban areas.

B. Substances

Measurement of PM_{2.5} must include at least the total mass concentration and concentrations of appropriate compounds to characterise its chemical composition. At least the list of chemical species given below shall be included.

SO ₄ ²⁻	Na ⁺	NH ₄ ⁺	Ca ²⁺	Elemental carbon (EC)
NO ₃ ⁻	K ⁺	Cl ⁻	Mg ²⁺	Organic carbon (OC)

C. Siting

Measurements should be taken in particular in rural background areas in accordance with parts A, B and C of Schedule 3.

Skeda 5

Emendata:
A.L. 33 tal-2015.
Sostitwita:
A.L. 415 tal-2016.

A. Criteria for determining minimum numbers of sampling points for fixed measurements of concentrations of group A pollutants in ambient air

I. Minimum number of sampling points for fixed measurement to assess compliance with limit values for the protection of human health and alert thresholds in zones and agglomerations where fixed measurement is the sole source of information.

1. Diffuse sources

Population of agglomeration or zone	If maximum concentrations exceed the upper assessment threshold ⁽¹⁾		If maximum concentrations are between the upper and lower assessment thresholds	
(thousands)	Pollutants except PM	PM ⁽²⁾ (sum of PM ₁₀ and PM _{2.5})	Pollutants except PM	PM ⁽²⁾ (sum of PM ₁₀ and PM _{2.5})
0 - 249	1	2	1	1
250 - 499	2	3	1	2
500 - 749	2	3	1	2

- (1) For nitrogen dioxide, particulate matter, benzene and carbon monoxide: to include at least one urban background monitoring station and one traffic-orientated station provided this does not increase the number of sampling points. For these pollutants, the total number of urban-background stations and the total number of traffic oriented stations required under Section A(1) shall not differ by more than a factor of 2. Sampling points with exceedances of the limit value for PM₁₀ within the last three years shall be maintained, unless relocation is necessary owing to special circumstances, in particular spatial development.
- (2) Where PM_{2.5} and PM₁₀ are measured in accordance with regulation 18 at the same monitoring station, these shall count as two separate sampling points. The total number of PM_{2.5} and PM₁₀ sampling points in a Member State required under Section A(1), shall not differ by more than a factor of 2, and the number of PM_{2.5} sampling points in the urban background of agglomerations and urban areas shall meet the requirements under paragraph II of Schedule 5A.

2. Point sources

For the assessment of pollution in the vicinity of point sources, the number of sampling points for fixed measurement shall be calculated taking into account emission densities, the likely distribution patterns of ambient-air pollution and the potential exposure of the population.

II. Minimum number of sampling points for fixed continuous measurements to assess compliance with the PM_{2.5} exposure reduction target for the protection of human health.

One sampling point per million inhabitants summed over agglomerations and additional urban areas in excess of 100,000 inhabitants shall be operated for this purpose. Those sampling points may coincide with sampling points under section A.

III. Minimum number of sampling points for fixed measurements to assess compliance with critical levels for the protection of vegetation in zones other than agglomerations.

If maximum concentrations exceed upper assessment threshold	If maximum concentrations are between upper and lower assessment threshold
1 station every 20,000 km ²	1 station every 40,000 km ²

In island zones the number of sampling points for fixed measurement should be calculated taking into account the likely distribution patterns of ambient-air pollution and the potential exposure of vegetation.

B. Criteria for determining minimum numbers of sampling points for fixed measurements of concentrations of group B pollutants in ambient air

Minimum number of sampling points for fixed measurement to assess compliance with target values for the protection of human health in zones and agglomerations where fixed measurement is the sole source of information.

1. Diffuse sources

Population of agglomeration or zone (thousands)	If maximum concentrations exceed the upper assessment threshold ⁽¹⁾		If maximum concentrations are between the upper and lower assessment thresholds	
	As, Cd, Ni	B(a)P	As, Cd, Ni	B(a)P
0 - 749	1	1	1	1

(1) To include at least one urban-background station and for benzo(a)pyrene also one traffic-orientated station provided this not increase the number of sampling points.

2. Point sources

For the assessment of pollution in the vicinity of point sources, the number of

sampling points for fixed measurement should be determined taking into account emission densities, the likely distribution patterns of ambient air pollution and potential exposure of the population. The sampling points should be sited such that the application of BAT as defined by Article 2(11) of Directive 96/61/EC can be monitored.

C. Criteria for determining minimum numbers of sampling points for fixed measurements of ozone

1. Minimum number of sampling points for fixed continuous measurements to assess compliance with target values, long-term objectives and information and alert thresholds where such measurements are the sole source of information.

Population (× 1000)	Agglomeration ⁽¹⁾	Other zones ⁽¹⁾	Rural background
< 250		1	1 station/ 50,000 km ² as an average density over all zones ⁽²⁾
< 500	1	2	
< 1000	2	2	

(1) At least 1 station in areas where exposure of the population to the highest concentrations of ozone is likely to occur. In agglomerations at least 50% of the stations shall be located in suburban areas.

(2) 1 station per 25,000 km² for complex terrain is recommended.

II. Minimum number of sampling points for fixed measurements for zones and agglomerations attaining the long term objectives

The number of sampling points for ozone shall, in combination with other means of supplementary assessment such as air quality modelling and collocated nitrogen dioxide measurements, be sufficient to examine the trend of ozone pollution and check compliance with the long-term objectives. The number of stations located in agglomerations and other zones may be reduced to one-third of the number specified in Section A. Where information from fixed measurement stations is the sole source of information, at least one monitoring station shall be kept. If, in zones where there is supplementary assessment, the result of this is that a zone has no remaining station, coordination with the number of stations in neighbouring zones shall ensure adequate assessment of ozone concentrations against long-term objectives. The number of rural background stations shall be one per 100 000 km².

Skeda 6 Measurement of ozone precursor substances

*Sostitwita:
A.L. 415 tal-2016.*

A. Objectives

The main objectives of such measurements are to analyse any trend in ozone precursors, to check the efficiency of emission reduction strategies, to check the consistency of emission inventories and to help attribute emission sources to observed pollution concentrations.

An additional aim is to support the understanding of ozone formation and precursor dispersion processes, as well as the application of photochemical models.

B. Substances

Measurement of ozone precursor substances shall include at least nitrogen oxides (NO and NO₂), and appropriate volatile organic compounds (VOC). A list of volatile organic compounds recommended for measurement is given below:

	1-Butene	Isoprene	Ethyl benzene
Ethane	Trans-2-Butene	n-Hexane	m + p-xylene
Ethylene	cis-2-Butene	i-Hexane	o-Xylene
Acetylene	1,3-Butadiene	n-Heptane	1,3,4-Trimethylebenzene
Propane	n-Pentane	n-Octane	1,2,3-Trimethylebenzene
Propene	i-Pentane	i-Octane	1,3,5-Trimethylebenzene
n-Butane	1-Pentene	Benzene	Formaldehyde
i-Butane	2-Pentene	Toulene	Total non-methane hydrocarbons

C. Siting

Measurements shall be taken in particular in urban or suburban areas at any monitoring site set up in accordance with the requirements of this Directive and considered appropriate with regard to the monitoring objectives referred to in Section A.

Skeda 7

Emendata:
A.L. 33 tal-2015.
Sostitwita:
A.L. 415 tal-2016.

Limit values, target values and long-term objectives

A. Limit values, information and alert thresholds, critical levels for group A pollutants excluding PM_{2.5}

1. Criteria

Without prejudice to Schedule 1, the following criteria shall be used for checking validity when aggregating data and calculating statistical parameters:

Parameter	Required proportion of valid data
One hour values	75% (i.e. 45 minutes)
Eight hour values	75% of values (i.e. 6 hours)
Maximum daily 8-hour mean	75% of the hourly running eight hour averages (i.e. 18 eight hour averages per day)
24-hour values	75% of the hourly averages (i.e. at least 18 hour values)
Annual mean	90% ⁽¹⁾ of the one hour values or (if not available) 24-hour values over the year

(1) The requirements for the calculation of annual mean do not include losses of data due to the regular calibration or the normal maintenance of the instrumentation.

II. Limit values

Averaging Period	Limit Value	Margin of Tolerance	Date by which limit value is to be met
Sulphur dioxide			
One hour	350 µg/m ³ , not to be exceeded more than 24 times a calendar year	150 µg/m ³ (43%)	- (1)
One day	125 µg/m ³ , not to be exceeded more than 3 times a calendar year	None	- (1)
Nitrogen dioxide			
One hour	200 µg/m ³ , not to be exceeded more than 18 times a calendar year	50% on 19 July 1999, decreasing on 1 January 2001 and every 12 months thereafter by equal annual percentages to reach 0% by 1 January 2010	1 January 2010
Calendar year	40 µg/m ³	50% on 19 July 1999, decreasing on 1 January 2001 and every 12 months thereafter by equal annual percentages to reach 0% by 1 January 2010	1 January 2010
Benzene			
Calendar year	5 µg/m ³	5 µg/m ³ (100 %) on 13 December 2000, decreasing on 1 January 2006 and every 12 months thereafter by 1 µg/m ³ to reach 0% by 1 January 2010	1 January 2010
Carbon monoxide			
Maximum daily eight hour mean (2)	10 µg/m ³	60%	- (1)
Lead			
Calendar year	0.5 µg/m ³ (3)	100%	- (3)
PM₁₀			
One day	50 µg/m ³ , not to be exceeded more than 35 times a calendar year	50%	- (1)
Calendar year	40 µg/m ³	20%	- (1)

Averaging Period	Limit Value	Margin of Tolerance	Date by which limit value is to be met
(1) Already in force since January 2005			
(2) The maximum daily eight hour mean concentration will be selected by examining eight hour running averages, calculated from hourly data and updated each hour. Each eight hour average so calculated will be assigned to the day on which it ends i.e. the first calculation period for any one day will be the period from 17:00 on the previous day to 01:00 on that day; the last calculation period for any one day will be the period from 16:00 to 24:00 on that day.			
(3) Already in force since 1 January 2005. Limit value to be met only by 1 January 2010 in the immediate vicinity of the specific industrial sources situated on sites contaminated by decades of industrial activities. In such cases, the limit value until 1 January 2010 will be 1.0 µg/m ³ . The area in which higher limit values apply must not extend further than 1000 m from such specific sources.			

National exposure reduction target, target value and limit value for PM_{2.5}

I. Average Exposure Indicator

The Average Exposure Indicator expressed in µg/m³ (AEI) shall be based upon measurements in urban background locations in the zones and in the agglomerations. It should be assessed as a three-calendar year running annual mean concentration averaged over all sampling points established pursuant to Part II of Section A of Schedule 5. The AEI for the reference year 2010 shall be the mean concentration of the years 2008, 2009 and 2010.

However, where data are not available for 2008, the mean concentration of the years 2009 and 2010 or the mean concentration of the years 2009, 2010 and 2011 may be used.

The AEI for the year 2020 shall be the three-year running mean concentration averaged over all those sampling points for the years 2018, 2019 and 2020. The AEI is used for the examination whether the national exposure reduction target is met.

The AEI for the year 2015 shall be the three-year running mean concentration averaged over all those sampling points for the years 2013, 2014 and 2015. The AEI is used for the examination whether the exposure concentration obligation is met.

II. National Exposure reduction target

Exposure reduction target relative to the AEI in 2010		Year by which the exposure reduction target is to be met
Initial concentration in µg/m ³	Reduction target in percent	2020
< 8.5 = 8.5	0%	
> 8.5 - < 13	10%	
= 13 - < 18	15%	
= 18 - < 22	20%	
≥ 22	All appropriate measures to achieve 18 µg/m ³	

Where the AEI in the reference year is 8.5 µg/m³ or less the exposure reduction target shall be zero. The reduction target shall be zero also in cases where the AEI reaches the level of 8.5 µg/m³ at any point of time during the period from 2010 to 2020 and is maintained at or below that level.

III. National Exposure reduction target

Exposure concentration obligation	Year by which the obligation value is to be met
20 µg/m ³	2015

IV. Target value

Averaging period	Target value	Date by which target value should be met
Calendar year	25 µg/m ³	1 January 2010

V. Limit value

Averaging Period	Limit value	Margin of tolerance	Date by which limit value is to be met
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Stage 1

Calendar year	25 µg/m ³	20% on 11 June 2008, decreasing on the next 1 January and every 12 months thereafter by equal annual percentages to reach 0% by January 2015	1 January 2015
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Stage 2 ⁽¹⁾

Calendar year	20 µg/m ³		1 January 2020
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(1) Stage 2 – indicative limit value to be reviewed in 2013.

Target values for group B pollutants

Pollutant	Target value ⁽¹⁾
Arsenic	6 ng/m ³
Cadmium	5 ng/m ³
Nickel	20 ng/m ³
Benzo(a)pyrene	1 ng/m ³

(1) For the total content in the PM₁₀ fraction averaged over a calendar year.

D. Ozone target values and long term objectives

I. Definitions and criteria

1. Definitions

AOT40 (expressed in (µg/m³) hours) means the sum of the difference 80 µg/m³ (= 40 parts per billion) and 80 µg/m³ over a given period using only the one-hour values measured between 0800 hrs and 2000 hrs Central European Time (CET) each day.

2. Criteria

The following criteria shall be used for checking validity when aggregating data and calculating statistical parameters:

Parameter	Required proportion of valid data
One hour values	75% (i.e. 45 minutes)
Eight hour values	75% of values (i.e. six hours)

Maximum daily 8 hours mean from hourly running 8 hours	75% of the hourly running eight hours averages (i.e. 18 eight-hourly averages per day)
AOT 40	90% of the one hour values over the time period defined for calculating the AOT40 value ⁽¹⁾
Annual mean	75% of the one hour values over summer (April to September) and 75% over winter (January to March, October to December) seasons separately
Number of exceedances and maximum values per month	90% of the daily maximum eight hours mean values (27 available daily values per month) 90% of the one hour averages between 0800 hrs and 2000 hrs CET
Number of exceedances and maximum values per year	five out of six months over the summer season (April to September)

(1) In cases where all possible measured data are not available, the following factor shall be used to calculate AOT 40 values:

$$\text{AOT 40}_{\text{estimate}} = \text{AOT 40}_{\text{measured}} \times \frac{\text{total possible number of hours}^{(*)}}{\text{number of measured hourly values}}$$

* being the number of hours within the time period of AOT40 definition, (i.e. 0800 hrs to 2000 hrs CET from 1 May to 31 July each year, for vegetation protection and from 1 April to 30 September each year for forest protection).

II. Target values

Objective	Averaging Period	Target Value	Date by which target value should be met ⁽¹⁾
Protection of human health	Maximum daily eight-hour mean ⁽²⁾	120µg/m ³ not to be exceeded on more than 25 days per calendar year averaged over three years ⁽³⁾	1.1.2010
Protection of vegetation	May to July	AOT40 (calculated from 1 h values). 18,000 µg/m ³ .hr averaged over five years ⁽³⁾	1.1.2010

- (1) Compliance with target values will be assessed as of this date. That is, 2010 will be the first year the data for which is used in calculating compliance over the following three or five years, as appropriate.
- (2) The maximum daily eight-hour mean concentration shall be selected by examining eight-hour running averages, calculated from hourly data and updated each hour. Each eight-hour average so calculated shall be assigned to the day on which it ends. i.e. the first calculation period for any one day will be the period from 17:00 on the previous day to 01:00 on that day; the last calculation period for any one day will be the period from 16:00 to 24:00 on the day.
- (3) If the three or five year averages cannot be determined on the basis of a full and consecutive set of annual data, the minimum annual data required for checking compliance with the target values will be as follows:
- for the target value for the protection of human health: valid data for one year,
 - for the target value for the protection of vegetation: valid data for three years.

III. Longterm objectives

Objective	Averaging period	Longterm objective	Date by which the longterm objective should be met
Protection of human health	Maximum daily eight-hour mean within a calendar year	120 $\mu\text{g}/\text{m}^3$	not defined
Protection of vegetation	May to July	AOT40 (calculated from 1 h values) 6,000 $\mu\text{g}/\text{m}^3.\text{hr}$	not defined

Skeda 8

Information and alert thresholds

Emendata:
A.L. 33 tal-2015.
Sostitwita:
A.L. 415 tal-2016.

A. Alert thresholds for sulphur dioxide and nitrogen dioxide

To be measured over three consecutive hours at locations representative of air quality over at least 100 km^2 or an entire zone or agglomeration, whichever is the smaller.

Pollutant	Alert threshold
Sulphur dioxide	500 $\mu\text{g}/\text{m}^3$
Nitrogen dioxide	400 $\mu\text{g}/\text{m}^3$

B. Information and Alert thresholds for ozone

Purpose	Averaging period	Threshold
Information	1 hour	180 $\mu\text{g}/\text{m}^3$
Alert	1 hour (¹)	240 $\mu\text{g}/\text{m}^3$

⁽¹⁾ For the implementation of regulation 36, the exceedance of the threshold is to be measured or predicted for three consecutive hours.

Sostitwita:
A.L. 33 tal-2015;
A.L. 415 tal-2016.

Skeda 9

Critical levels for the protection of vegetation

Averaging Period	Critical Level
Sulphur Dioxide	
Calendar year and winter (1 October to 31 March)	20µg/m ³
Nitrogen dioxide	
Calendar year	30µg/m ³ .

Emendata:
A.L. 33 tal-2015.
Sostitwita:
A.L. 415 tal-2016.

Skeda 10

Reference methods for the assessment of
concentrations of group A pollutants,
group B pollutants and ozone

A. Reference measurement methods

1. *Reference method for the sampling and analysis of arsenic, cadmium and nickel in ambient air.*

The reference method for the measurement of arsenic, cadmium and nickel concentrations in ambient air is described in EN 12341:2014. The reference method for the measurement of arsenic, cadmium and nickel in ambient air is that described in EN 14902:2005 ‘Ambient air quality - Standard method for the measurement of Pb, Cd, As, and Ni in the PM₁₀ fraction of suspended particulate matter’.

2. *Reference method for the sampling of benzene*

The reference method for the measurement of benzene is that described in EN 14662:2005, parts 1, 2 and 3 ‘Ambient air quality - Standard method for measurement of benzene concentrations’.

3. *Reference method for the measurement of carbon monoxide*

The reference method for the measurement of carbon monoxide is that described in EN 14626:2012 ‘Ambient Air - Standard method for the measurement of the concentration of carbon monoxide by non-dispersive infrared spectroscopy’.

4. Reference method for the measurement of lead

The reference method for the sampling of lead is that described in section A(8) of this schedule. The reference method for the measurement of lead is that described in EN 14902:2005 ‘Standard method for measurement of Pb/Cd/As/Ni in the PM₁₀ fraction of suspended matter’.

5. *Reference method for the sampling and analysis of mercury*

The reference method for the measurement of total gaseous mercury concentrations is that described in EN 15852:2010 “Ambient air quality - Standard method for the determination of total gaseous mercury”.

6. *Reference method for the measurement of nitrogen dioxide and oxides of nitrogen*

The reference method for the measurement of nitrogen dioxide and oxides of nitrogen is that described in EN 14211:2012 ‘Ambient Air - Standard method for the measurement of the concentration of nitrogen dioxide and nitrogen monoxide by chemiluminescence’.

7. *Reference method for measurement of ozone*

The reference method for the measurement of ozone is that described in EN 14625:2012 ‘Ambient Air - Standard method for the measurement of the concentration of ozone by ultraviolet photometry’.

8. *Reference method for the sampling and measurement of PM₁₀*

The reference method for the sampling and measurement of PM₁₀ is that described in EN 12341:2014 ‘Ambient Air - standard gravimetric measurement for the determination of the PM₁₀ or PM_{2,5} mass concentration of suspended particulate matter’.

9. *Reference method for the sampling and measurement of PM_{2,5}*

The reference method for the sampling and measurement of PM₁₀ is that described in EN 12341:2014 ‘Ambient Air – standard gravimetric measurement for the determination of the PM₁₀ or PM_{2,5} mass concentration of suspended particulate matter’.

10. *Reference method for the sampling and analysis of polycyclic aromatic hydrocarbons*

The reference method for the measurement of polycyclic aromatic hydrocarbons in ambient air is described EN 12341:2014. The reference method for the measurement of benzo(a)pyrene in ambient air is that described in EN 15549:2008 “Air quality - Standard method for the measurement of concentration of benzo[a]pyrene in ambient air”. In the absence of a CEN standard method, for the other polycyclic aromatic hydrocarbons (group C pollutants excluding benzo[a]pyrene), an ISO standard method such as ISO 12884 or any national standard method from any of the EU Member States can be used.

11. *Reference method for the measurement of sulphur dioxide*

The reference method for the measurement of sulphur dioxide is that described in EN 14212:2012 ‘Ambient Air - Standard method for the measurement of the concentration of sulphur dioxide by fluorescence’.

12. *Reference method for the sampling and analysis of the deposition rates of group B pollutants*

The reference method for the determination of the deposition of arsenic, cadmium and nickel is that described in EN 15841:2009 “Ambient air quality - Standard method for the determination of arsenic, cadmium, lead and nickel in atmospheric deposition”.

The reference method for the determination of the deposition of mercury is that described in EN 15853:2010 “Ambient air quality - Standard method for determination of mercury deposition”.

The reference method for the determination of the deposition of benzo[a]pyrene and the other polycyclic hydrocarbons referred to in regulation 13 is that described in EN 15980:2011 “Air Quality. Determination of the deposition of benz[a]anthracene, benzo[b]fluoranthene, benzo[j]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, dibenzo[a,h]anthracene and indeno[1,2,3-cd]pyrene”.

B. Demonstration of equivalence

It is possible to use any other method which be shown to give results which are equivalent to any of the methods referred to in Section A, or in the case of particulate matter, any other method which displays a consistent relationship to the reference method. In that event results achieved by that method must be corrected to produce results equivalent to those that would have been achieved by using the reference method.

2. Whenever possible the correction factor should also be applied retroactively to past measurement data in order to achieve better data comparability.

C. Standardisation

For gaseous pollutants the volume must be standardised at a temperature of 293 K and an atmospheric pressure of 101.3 kPa. For particulate matter and substances to be analysed in particulate matter (e.g. lead) the sampling volume refers to ambient conditions in terms of temperature and atmospheric pressure at the date of measurements.

D. Mutual recognition of data

When demonstrating that the equipment meets the performance requirements of the reference methods listed in Section A of this Schedule, the competent authority pursuant to regulation 3 shall accept test reports issued in other European Union Member States provided that the test laboratories are accredited to the relevant harmonised standard for testing and calibration laboratories.

The detailed test reports and all the results of the tests shall be available to other competent authorities or their designated bodies. Test reports shall demonstrate that the equipment meets all the performance requirements including where some environmental and site conditions are specific to a EU Member State and are outside the conditions for which the equipment has been already tested and type approved in another EU Member State.

*Sostitwita:
A.L. 415 tal-2016.*

Skeda 11

Information to be included in the national air quality
plans for improvement in ambient air quality

Information to be provided under regulation 29(2)

1. *Localisation of excess pollution*

(a) City (map)

(b) Measuring station (map, geographical coordinates).

2. *General information*

- (a) Type of zone (city, industrial or rural area);
- (b) Estimate of the polluted area (km²) and of the population exposed to the pollution;
- (c) Useful climatic data;
- (d) Relevant data on topography;
- (e) Sufficient information on the type of targets requiring protection in the zone.

3. *Responsible authorities*

Names and address of persons responsible for the development and implementation of improvement plans.

4. *Nature and assessment of pollution*

- (a) concentrations observed over previous years (before the implementation of the improvement measures);
- (b) concentrations measured since the beginning of the project;
- (c) techniques for the assessment

5. *Origin of pollution*

- (a) List the main emission sources responsible for pollution (map);
- (b) Total quantity of emissions from these sources (tonnes/year);
- (c) Information on pollution imported from other regions.

6. *Analysis of situation*

- (a) Details of those factors responsible for the exceedance (e.g. transport, including cross-border transport, formation of secondary pollutants in the atmosphere);
- (b) Details of possible measures for the improvement of air quality.

7. *Details of those measures or projects for improvements which existed prior to 11 June 2008, i.e.:*

- (a) National, international measures
- (b) Observed effects of these measures.

8. *Details of those measure or projects adopted with a view to reducing pollution following the entry into force of this regulation:*

- (a) Listing and description of all the measures set out in the project;
- (b) Timetable for implementation;
- (c) Estimate of the improvement of air quality planned and of the expected time required to attain these objectives.

9. *Details of the measures or projects planned or being researched for the long term.*10. *List of publications, documents, work, etc. used to supplement information required under this Schedule.*

*Sostitwita:
A.L. 415 tal-2016.*

Skeda 12
Public Information

1. Up-to-date information on ambient concentrations of the pollutants covered by these regulations shall be routinely made available to the public.
2. Ambient concentrations provided shall be presented as average values according to the appropriate averaging period as laid down in Schedule 7. The information shall at least indicate any levels exceeding air quality objectives including limit values, target values, alert thresholds, information thresholds or long term objectives of the regulated pollutant. It shall also provide a short assessment in relation to the air quality objectives of the regulated pollutant. It shall also provide a short assessment in relation to the air quality objectives and appropriate information regarding effects on health, or, where appropriate, vegetation.
3. Information on ambient concentrations of sulphur dioxide, nitrogen dioxide, particulate matter (at least PM₁₀), ozone and carbon monoxide shall be updated on at least a daily basis, and, wherever practicable, information shall be updated on an hourly basis. Information on ambient concentrations of lead and benzene, presented as an average value for the last 12 months, shall be updated on a three-monthly basis, and on a monthly basis, wherever practicable.
4. Timely information about actual or predicted exceedances of alert thresholds and any information threshold is provided to the public. The details supplied shall include at least the following information:
 - (a) Information on observed exceedance(s):
 - Location or area of the exceedance,
 - Type of threshold exceeded (information or alert),
 - Start time and duration of the exceedance,
 - Highest one hour concentration and in addition highest eight hour mean concentration in the case of ozone:
 - (b) Forecast for the following afternoon/day(s):
 - Geographical area of expected exceedances of information and/or alert threshold,
 - Expected changes in pollution (improvement, stabilisation or deterioration), together with reasons for those changes;
 - (c) Information on the type of population concerned, possible health effects and recommended behaviour:
 - Information on population groups at risk,
 - Description of likely symptoms,
 - Recommended precautions to be taken by the population concerned,
 - Where to find further information;
 - (d) Information on preventive action to reduce pollution and/or exposure to it: indication of main source sectors; recommendations for action to reduce emissions;
 - (e) In case of predicted exceedances, steps shall be taken to ensure that such details are supplied to the extent practicable.

Skeda 13
Air Quality Management Order

*Sostitwita:
A.L. 415 tal-2016.*

Air Quality Regulations 2010
Regulation 32

The Minister for the Environment acting on the advice of the Environment and Resources Authority, in exercise of the powers conferred upon him/her by regulation 32 of the Air Quality Regulations, 2010, hereby makes the following Order.

This Order may be cited/referred to as the [name of Local Council] Air Quality Management Area [No.] and shall come into effect on [date].

The shaded area shown on the attached map within the confines of the [name of Local Council] Local Council. The area in question is bound by the following coordinates* 4[xx,xxx], 3,9[xx,xxx] at its northernmost point, 4[xx,xxx], 3,9[xx,xxx] at its southernmost point, 4[xx,xxx], 3,9[xx,xxx] at its westernmost point and 4[xx,xxx], 3,9[xx,xxx] at its easternmost point. The map may be viewed at the Local Council's office in [address] and shall be published on the Gazette.

The Area is designated in relation to a likely exceedance of the [name of pollutant] [limit value/target value/long-term objective] as specified in the Air Quality Regulations 2010.

This Order shall remain in force until it is revoked by a subsequent order.

Signature

The Onor. [Name of the Minister]

Minister for the Environment

* Zone 33s, datum ED 50, ellipsoid – Hayford International