

Consultation on the Draft Air Quality Standards Regulations (Northern Ireland) 2010

Comments by

Northern Ireland Environment Link

31 March 2010

Northern Ireland Environment Link (NIEL) is the networking and forum body for non-statutory organisations concerned with the environment of Northern Ireland. Its 58 Full Members represent over 90,000 individuals, 262 subsidiary groups, have an annual turnover of £70 million and manage over 314,000 acres of land. Members are involved in environmental issues of all types and at all levels from the local community to the global environment. NIEL brings together a wide range of knowledge, experience and expertise which can be used to help develop policy, practice and implementation across a wide range of environmental fields.

These comments are agreed by Members, but some members may be providing independent comments as well. If you would like to discuss these comments further we would be delighted to do so.

Prof Sue Christie, Director
Northern Ireland Environment Link
89 Loopland Drive
Belfast, BT6 9DW
P: 028 9045 5770
E: Sue@nienvironmentlink.org
W: www.nienvironmentlink.org

Northern Ireland Environment Link is a Company limited by guarantee No NI034988 and a Charity registered with Inland Revenue No XR19598

Introduction

We welcome the opportunity to participate in the consultation process on the draft regulations transposing Council Directive 2008/50/EC on ambient air quality and cleaner air for Europe. The Directive consolidates into a single directive the Framework Directive and the first three daughter directives (1996/62/EC, 1999/30/EC, 2000/69/EC and 2002/3/EC). We are pleased to see that the draft Air Quality Standards Regulations (Northern Ireland) 2010 will also incorporate provisions of the fourth daughter directive relating to arsenic, cadmium, mercury, nickel and benzo(a)pyrene and other polycyclic aromatic hydrocarbons in ambient air and that the Regulations will include new controls for fine particulate matter (PM_{2.5}).

Air quality is important because poor air quality reduces human life expectancy in the UK by an average of 7-8 months, with equivalent health costs estimated at up to £20 billion a year. The UK Air Quality Strategy aims to reduce the effect on life expectancy to 5 months by 2020 and it is to be hoped that the new directive will help to ensure that the UK, including Northern Ireland, fully achieves this aim. NIEL is also concerned about the harmful impacts of poor air quality on the environment, including ecosystems and biodiversity, and we are not impressed by the fact that Defra's assessment of the impacts of transposing the Directive, as set out in their consultation Impact Assessment, does not value the impacts on the natural environment. Defra admit that this potentially understates the costs of transposition in their cost-benefit analysis. The potential underestimate of cost may not have any significant bearing on the overall conclusion in favour of transposition but the omission of environmental impacts without explanation in the Impact Assessment gives us some cause for concern.

Achievement and maintenance of good air quality should be an integral part of the Northern Ireland Sustainable Development Strategy and the Regional Transportation Strategy for Northern Ireland. We hope that the Department of the Environment for Northern Ireland will have adequate resources and will fully meet its obligations as the competent authority to assess air quality, approve measurement systems, ensure accuracy of measurements and ensure that the relevant Northern Ireland departments fully exercise their functions in assessing and maintaining ambient air quality.

Comments on specific sections of the Consultation Paper

The number of comments that we are making is limited to some extent by the fact that it is logical for Northern Ireland to join the other countries of the UK in transposing this legislation.

Chapter 1

1.6 New controls for PM_{2.5} are to be welcomed.

1.14 As far as we can see, the transposition should meet the minimum requirements of the Directive (2008/50/EC), the fourth Daughter Directive (2004/107/EC) and Council Decision (97/101/EC).

- 1.15 Defra's assessment of the impacts of transposing the Directive, as set out in their consultation Impact Assessment, is thoroughly considered except for the lack of consideration of environmental impacts. There is also no explanation for this omission, although reference is made to it and to the fact that it potentially underestimates the calculated costs of transposition.

Chapter 2

Air quality assessment

- 2.7 Clearly, the Directive makes provision for the UK to supplement monitoring data with modelling, with both the monitored and modelled data reported to the Commission. This can save costs by reducing the number of sampling points and it can increase the spatial resolution. However, the increase in spatial resolution is not a benefit if the modelled data are unreliable.

Postponement of attainment deadlines and exemption from the obligation to apply certain limit values

- 2.13 It is good that no exceedences of PM₁₀ have been reported since the limit values came into force.
- 2.14 It is good to see that the UK has been in compliance for benzene since 2007.

PM_{2.5} sources

- 2.17 There may be scope under the LAQM guidelines for Translink to conduct cost-benefit analysis for diesel fuelled buses and DRD Roads Service for diesel fuelled heavy duty vehicles to help control PM_{2.5} in urban areas in Northern Ireland. Air quality should also be a major factor in spatial planning by the Planning Service.

Natural sources of air pollutants

- 2.34 Although scientific evidence suggests that particulate pollution from sea salt is relatively harmless to human health the results are not conclusive and further research should be funded to provide more evidence.
- 2.38 Although the UK Impact Assessment for transposing the Directive estimated a total net benefit of £875 million between 2010 and 2030 with potential added cost benefit if time extensions are secured for meeting PM₁₀ and NO₂ limit values, these benefits are achieved at a high cost in terms of human health and with unknown effects on natural ecosystems. No explanation has been given for not valuing the effects of transposition on ecosystems and biodiversity.

Conclusions

In general, we welcome the new legislation and we hope that the Department will have adequate resources to fully meet their obligations as the competent authority in Northern Ireland. Ensuring that other government departments and relevant authorities play their full part is also key to successful monitoring and maintenance of good air quality for the benefit of human and environmental health.