



Transposition of Directive 2008/50/EC on air quality



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Directive 2008/50/EC – Introduction I

- **Directive 2008/50/EC consolidates four Directives which are already in force:**
- **Directive 1996/62/EC on ambient air quality assessment and management.**
- **Directive 1999/30/EC relating to limit values for sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead in ambient air.**
- **Directive 2000/69/EC relating to benzene and carbon monoxide in ambient air.**

and

- **Directive 2002/3/EC relating to ozone in ambient air.**



Directive 2008/50/EC – Introduction II part a

- **The following requirements arising from these 4 Directives were not altered:**
- **Establishment of zones and agglomerations throughout the Member States' territory for the purposes of air quality assessment and management.**
- **Classification of zones and agglomerations on the basis of assessment criteria. (same as for previous Directives).**
- **Location and number of sampling points.**
- **Obligation to make sure that levels of SO₂, PM₁₀, lead, CO, NO₂ and benzene limit values are not exceeded. Limit values were not altered.**



Directive 2008/50/EC – Introduction II part b

- **Obligation to take measures in case long term objective for ozone is exceeded. Long term objective was not altered.**
- **Obligation to prepare action plans in case limit values or target values are exceeded.**
- **Obligation to inform the public.**
- **Reporting obligations.**



Directive 2008/50/EC – Introduction IIc

- **On the other hand the following were changed:**
- **Margins of tolerance for the SO₂ hourly limit value, annual limit value for Pb, CO max 8 hr limit value and for the daily and annual PM₁₀ limit values.**
- **In all these cases this was supposed to be 0% by 01 Jan 2005. In the new directive a margin of tolerance has been retained.**
- **It also includes an additional requirement to measure and report ambient air concentrations of PM_{2.5} (Siting requirements & compliance with limit value).**
- **Data quality objectives now include requirements on traceability of measurements, established QA/QC vis-à-vis maintenance and accuracy of instruments and data collection and reporting**



Air Quality Regulations (for Malta)

- **Mepa opted for an *ex-novo* transposition.**
- **All ambient air quality legislation will be included in the transposition in order to streamline our air quality legislation in line with the EU's better regulation agenda.**
- **Including Directive 2004/107/EC relating to Arsenic, Cadmium, Nickel, Mercury and PAHs in ambient air, which was not included in Directive 2008/50/EC.**
- **The Air Quality Regulations include some features which were not included in Directive 2008/50/EC.**



Air Quality Regulations – New Features part I

- **Regulation includes the following features:**
- **Mepa shall publish:**
 - ✓ a Technical note which includes instructions on the calculation of minimum chimney heights, and emission limit values.
 - ✓ a guidance document on the conduction of air quality studies under all the legislation issued under the EPA.
- **Industrial combustion plants outside the scope of the Large Combustion Plants Regulations ($< 50 \text{ MW}_{\text{TH}}$ thermal input) will be subject to regulation/permitting.**
- **Combustion plants having a thermal input $\geq X \text{ MW}_{\text{TH}}$ but $< Y \text{ MW}_{\text{TH}}$ will be obliged to register with Mepa, comply with a number of GBRs and report annually on fuel use.**



Air Quality Regulations – New Features part II

- **Major development projects should not result in exceedances of the limit values.**
- **Industrial combustion plants subject to the permitting requirement will have to comply with emission limit values.**
- **Industrial combustion plants commissioned prior to the coming into force of these regulations will be required to prove that emission levels are as *per* manufacturer specs and will be given till the 2018 to comply with the emission limit values.**
- **The latter plants shall be decommissioned by 2018.**
- **If compliance with manufacturer specs is unachievable the plants shall be decommissioned by 2015.**



Air Quality Regulations – New Features part III

- **All combustion plants will not be allowed to use fuel having a sulphur content higher than 1% m/m for HFO or 0.1% m/m for gasoil (as per LN 44/2008).**
- **The use of fuels other than those for which the equipment was specifically designed shall be prohibited.**



Air Quality Regulations – New Features part IV

- **Minister shall be given the power to declare an AQM area if the limit values, target values or long term objectives for the pollutants covered by these regulations are not achieved.**
- **This shall be done through the issuing of an AQM order.**
- **Mepa is obliged to prepare an Air Quality Action Plan for the area in question.**
- **Regulations prescribe the information which is to be included in the plan as a minimum.**
- **Plan shall also include measures such as restriction/rerouting of traffic flows, temporary suspension of any commercial activity having an adverse effect on air quality, measures related to ships at berth in nearby ports, measures related to construction work.**



Air Quality Regulations – New Features part IV

- **Mepa shall be obliged to show, through the use of predictive modelling that the measures in question would enable compliance with the limit values etc.**
- **Mepa is obliged to prepare an Air Quality Action Plan for the area in question.**
- **An Air Quality Plan sub-committee shall be set up under the Air Quality Advisory Board (Regulations for the setting up of this board will be published soon).**
- **Air Quality Plan subcommittee will include various statutory and non-statutory consultees.**
- **Mepa shall consult with this sub-committee before issuing the Air Quality Action Plan.**



Thank you for your attention.