



08 July 2024

  
Head of Strategy & Analysis  
Environmental Standards Scotland

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SEPA will continue to provide technical support to the Scottish Government in their consideration of the existing domestic air quality legislation and Local Air Quality Management (LAQM) system in response to the revised 2021 World Health Organisation (WHO) Global Air Quality Guidelines and update to the EU Directive on ambient air and cleaner air for Europe (2008/50/EC) due to be published later in 2024.

SEPA will continue to provide technical support for the development and implementation of any future Scottish Government proposals in this area.

**Recommendation 2: The Scottish Government and the Scottish Environment Protection Agency (SEPA) should work with local authorities to consider how to make the Scottish PM monitoring network more responsive to the changing pattern of emissions sources. Specifically:**

- **ensuring modelling and monitoring continues to be internationally comparable**

**while**

- **making independent assessments of emerging areas and sectors of concern that do not depend on where current monitoring infrastructure is located (including: industrial processes, industrial combustion, residential and other combustion and agriculture)**

**and**


- **considering where the most vulnerable people in society are spending their time.**

SEPA routinely assesses local authority air quality monitoring for appropriateness and to ensure that monitoring sites are sited, operated and provide representative data which fulfil the requirements of the EU Directive on ambient air and cleaner air for Europe (2008/50/EC) and domestic air quality guidance for the UK, LAQM TG.22.

During the Local Air Quality Management (LAQM) Annual Progress Report (APR) consultation process SEPA regularly requests that local authorities review and update their monitoring networks to ensure spatial representativeness within their authority area. SEPA will be conducting the latest round of air quality monitoring assessments and providing comments to local authorities as they submit their APRs for 2023 (due in June 2024).

SEPA will continue to assess the air quality monitoring network in accordance with existing guidance and legal requirements. SEPA will also assist Scottish Government in the consideration, development and implementation of any revised or new requirements for the air quality monitoring network in Scotland for particulate matter and other air pollutants.

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**Recommendation 3: The Scottish Government should clarify when it will conduct and publish its planned review of the Clean Air Act 1993. ESS expects this to cover Smoke Control Areas (given the need for more focus on emissions from residential and other combustion) and to clarify when it will legislate for updated objectives.**

SEPA is providing regulatory experience to inform the Scottish Government's review of the Clean Air Act 1993 as part of the actions under CAFS2.


**Recommendation 4: The Scottish Government should consider how best to fill the gap left by the UK Government's revocation of Regulations 9 and 10 of the National Emissions Ceiling Regulations 2018. Any replacement should ensure appropriate public scrutiny of Scotland's planned policies to address future emissions projection needs. Any replacement must also include a robust mechanism for delivering a proportionate contribution to UK emissions reductions.**

SEPA will support the Scottish Government through the provision of advice and technical expertise in the consideration, implementation and delivery of any replacement scheme which is developed to fulfil the previous requirements of Regulations 9 and 10 of the National Emissions Ceiling Regulations 2018.

Please let me know if you have any questions regarding this statement.

Yours sincerely



  
Head of Environmental & Regulatory Legal