

E: [REDACTED]

[REDACTED]
Head of Strategy & Analysis
Environmental Standards Scotland
Thistle House
91 Haymarket Terrace
Edinburgh
EH12 5HD

Your ref:
Our ref:
7th May 2024

Dear [REDACTED]

Particulate Matter in Scotland Report

The Scottish Government welcomes Environmental Standards Scotland's analytical report on particulate matter which was published earlier this year, and I am writing to set out our response to the report's four recommendations. I appreciate ESS's engagement on air quality and the productive discussions with my team on the measures we are putting in place to drive forward improvements.

The Scottish Government's improvement plan, issued in response to ESS's improvement report following its investigation into nitrogen dioxide, committed to implementing the six recommendations included in that report in a measured and proportionate way which was endorsed by ESS. We are taking a similar approach with the analytical report recommendations.

Recommendation 1: The Scottish Government should, as soon as possible, bring forward proposals for new statutory standards for particulate matter currently set as limits under the Air Quality Standards (Scotland) Regulations 2010 (as amended), in recognition of the WHO Air Quality Guidelines updated in 2021. Specifically, this revision should include:

- **introducing a new target for a 24-hour limit value for PM2.5**
- **raising ambition on the current annual mean limit value for PM2.5**
- **raising ambition on the 24-hour and annual mean limit value for PM10**
- **introducing an exposure reduction target to replace the expired UK one.**

The Scottish Government will consider the current air quality objectives in light of the updated WHO guidelines, in line with our commitment to EU alignment and the general principle of continuous improvement. This will be taken forward as part of proposals to develop a new air quality strategy to succeed the Cleaner Air for Scotland 2 strategy, which expires in 2026. The European Parliament and Council have recently agreed to strengthen air quality targets at EU level, and the outcomes of this process will form a key part of our considerations. Development of the Scottish Government's proposals is at an early stage and will be progressed in consultation with the Ministerial Working Group and wider stakeholder engagement. Further information on this will be made publicly available in due course.

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.

The Scottish Government engages regularly with SEPA and local authorities to ensure that the Scottish air quality monitoring network remains fit for purpose. All sites in the monitoring network are subject to quality assurance and quality control procedures which follow internationally agreed standards. This guarantees data quality and ensures comparability of results.

Monitoring sites in Scotland are located in line with the requirements of the ambient air quality Directive 2008/50/ec (for central government sites) and Local Air Quality Management technical guidance TG(22) (for local authority sites).

We will continue to review our approach to monitoring as new evidence becomes available and in line with international practices.

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.

The Scottish Government will take forward its review of the Clean Air Act during 2024, working with SEPA and local authorities. We will then develop a timeline for any necessary amendments to the Act identified by the review.

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.

The Scottish Government is in the process of agreeing with Defra and the other devolved governments a joint UK replacement approach following revocation of Regulations 9 and 10 of the 2018 Regulations. We will provide further details to Environmental Standards Scotland once this process is completed.

I hope you find this information helpful.

Yours sincerely

[Redacted signature]

[Redacted name]
Deputy Director