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ACE Paper 1/2019
For discussion on 4 March 2019

Review of Air Quality Objectives (AQOs)

PURPOSE

This paper reports the review of the Air Quality Objectives (AQOs) and seeks Members' views on the recommendations and the way forward.

THE REVIEW

2. We briefed Members in April 2016 before setting up the AQO Review Working Group (the Working Group) to conduct the review pursuant to section 7A of the Air Pollution Control Ordinance (APCO) (Cap. 311). We also updated Members of the progress of the review in June 2017 through circulation (ACE Paper 12/2017).

3. The Government has completed the review in December 2018. The report on the review is at **Appendix 1**.

PROPOSED TIGHTENING OF AQOS

4. We propose that the AQOs of sulphur dioxide (SO₂) and fine suspended particulates (FSP/PM_{2.5}) be tightened, as follows (paragraph 26 of Appendix 1):

- (a) the 24-hour AQO for SO₂ be tightened from Interim Target-1 (IT-1) level (125µg/m³) of the World Health Organisation's (WHO) Air Quality Guidelines (AQGs) to Interim Target-2 (IT-2) level (50µg/m³) with the current number of exceedance allowed (three) remains unchanged and;
- (b) the annual AQO for FSP/PM_{2.5} be tightened from IT-1 (35µg/m³) to IT-2 (25µg/m³); and its 24-hr AQO from IT-1 (75µg/m³) to IT-2 (50µg/m³) with the number of exceedances allowed increased from the current nine to 35.

SUPPLEMENTARY ANALYSIS

5. As set out in paragraph 33 of Appendix 1, the Working Group has endorsed the findings regarding tightening of the AQOs (paragraph 26 of Appendix 1). On whether there would be scope to further tighten the AQOs for SO₂ and PM₁₀, the Working Group also asked that additional assessments should be conducted to supplement the available information and the assessment results should be provided to this Council for reference. The supplementary assessment results are summarised in **Appendix 2**. They provide further support that there is no scope to tighten the annual AQO for PM₁₀ and the 24-hour AQO for SO₂ beyond the proposals as set out in paragraph 4 above.

TRANSITIONAL ARRANGEMENT FOR INTERFACING BETWEEN NEW AQOS AND PROJECTS SUBJECT TO ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

6. Under the Environmental Impact Assessment Ordinance (EIAO) (Cap 499), approval of EIA reports and issue of environmental permits (EPs) have to make reference to the prevailing AQOs at the time when the decision is made by the Director of Environmental Protection on the EIA report. The introduction of new AQOs will create certain constraints on the ongoing projects that have already been granted with an EP based on the current AQOs. In the event that an amendment to the scope of such a project should warrant an application for variation of the EP (VEP), the application of the new AQOs may cause substantial changes to the original design of the project and have major cost and programming implications.

7. Having considered the need to provide regulatory certainty for designated projects with EPs already granted to preserve the integrity of EIA system as an ongoing mechanism, we propose to provide a transitional period of 36 months, as in the case when the current AQOs took effect from 1 January 2014. For designated projects with EPs granted before the commencement of the new AQOs, the new AQOs will not apply to an application for VEP submitted within 36 months of the commencement of the new AQOs.

8. To underscore the Government's continuous commitment to adopting the best practices, we have already suggested that Government projects for which EIA studies have not yet been commenced should endeavour to adopt the proposed AQOs as the benchmark for conducting air quality impact assessment under the EIA studies as far as practicable from the time when we announce the decision to update the AQOs by legislative amendment. The same practice was carried out in the last AQOs review.

WAY FORWARD

9. We will report the review findings and recommendations to the Panel on Environmental Affairs (EA Panel) of the Legislative Council (LegCo). A 3-month public consultation will then be launched to collect public views on the proposed tightening of the AQOs. After completing the public consultation, we shall consider views collected and consult the ACE and the EA Panel on the way forward. If the AQOs are to be tightened, we shall submit an amendment bill to the LegCo with a view to implementing the new AQOs as soon as possible.

ADVICE SOUGHT

10. Members are invited to comment on the recommendations set out in paragraphs 4 and 7 above.

**Environment Bureau /
Environmental Protection Department
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