WELSH STATUTORY INSTRUMENTS

2013 No. 562 (W.65)

CLEAN AIR, WALES

The Smoke Control Areas (Authorised Fuels) (Wales) (Amendment) Regulations 2013

Made - - - -	*11 March 2013*
Laid before the National Assembly for Wales - -	*13 March 2013*
Coming into force - -	*3 April 2013*

The Welsh Ministers make the following Regulations in exercise of the powers conferred upon the Secretary of State by section 20(6) of the Clean Air Act 1993(**1**) and now vested in the Welsh Ministers(**2**) so far as exercisable in relation to Wales:

Title, commencement and application

1.—(1) The title of these Regulations is the Smoke Control Areas (Authorised Fuels) (Wales) (Amendment) Regulations 2013 and they come into force on 3 April 2013.

(2) These Regulations apply in relation to Wales.

Amendments

2. In the Schedule (Authorised Fuels) to the Smoke Control Areas (Authorised Fuels) (Wales) Regulations 2008(**3**)—

(a) after paragraph 11, insert—

"**11A.** Coalite Ovals briquettes, manufactured by Maxibrite Limited at Mwyndy Industrial Estate, Llantrisant, Rhondda Cynon Taf which—

(a) comprise 10 to 15 per cent bituminous coal, 10 to 15 per cent petroleum coke, 70 to 80 per cent anthracite duff and starch binder (as to the remaining weight);

(**1**) 1993 (c. 11).

(**2**) The relevant functions of the Secretary of State were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by virtue of article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). Those functions are now exercisable by the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

(**3**) S.I. 2008/3100 (W. 274) as amended by S.I. 2009/3225 (W. 279), S.I. 2011/2909 (W. 313).

(b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 260ºC;

(c) are unmarked pillow-shaped briquettes approximately 84.2 millimetres in length and 61.5 millimetres x 37.8 millimetres;

(d) have an average weight of 118 grams per briquette; and

(e) have a sulphur content not exceeding 1.9 per cent sulphur on a dry basis."

(b) after paragraph 17, insert—

"**17A.** Ecoal 50 briquettes, manufactured by Coal Products Limited at Immingham Briquetting Works, Immingham, North East Lincolnshire which—

(a) comprise anthracite fines (as to approximately 30 to 55 per cent of the total weight), biomass (as to approximately 25 to 35 per cent of the total weight), petroleum coke (as to approximately 10 to 40 per cent of the total weight), bituminous coal (as to approximately 0 to 5 per cent of the total weight) and natural organic binder (as to the remaining weight);

(b) were manufactured from those constituents by a process involving roll pressing followed by heat treatment at a temperature of approximately 300ºC in a controlled, reduced oxygen environment;

(c) are hexagonal-shaped briquettes with a single stripe on one side across the flats;

(d) have an average weight of 135 grams per briquette; and

(e) have a sulphur content not exceeding 2 per cent of the total weight."

(c) after paragraph 18A, insert—

"**18B.** Excel+ briquettes, manufactured by Oxbow Coal B.V. at Newfield Works, Bishop Auckland, County Durham, which—

(a) comprise petroleum coke (as to 65 to 70 per cent of the total weight) and anthracite (as to 25 per cent of the total weight) together with a cold setting resin binder, hardener and low temperature stabiliser as to the remaining weight;

(b) are produced at ambient temperature by a process involving roll pressing and cold curing;

(c) are unmarked square pillow-shaped briquettes;

(d) have an average weight per briquette of 100 grams; and

(e) have a sulphur content not exceeding 1.9 per cent of the total weight."

(d) after paragraph 23, insert—

"**23A.** Hot Drops, manufactured by EU Zeme Limited at Riga, Eksporta Street 15, LV-1045, Latvia which—

(a) comprise crushed anthracite (as to approximately 73 per cent of the total weight), bituminous coal (as to approximately 18 per cent of the total weight) and a molasses and orthophosphoric acid binder (as to the remaining weight);

(b) were manufactured from those constituents by a process involving roll pressing followed by heat treatment at a temperature of approximately 250 to 280ºC;

(c) are almost round pillow-shaped briquettes that are 40 millimetres in diameter and approximately 21 millimetres thick at the centre of the briquette;