WELSH STATUTORY INSTRUMENTS

2012 No. 244 (W.38)

CLEAN AIR, WALES

The Smoke Control Areas (Exempted Fireplaces) (Wales) Order 2012

Made - - - -	*1 February 2012*
Laid before the National Assembly for Wales - -	*2 February 2012*
Coming into force - -	*27 February 2012*

The Welsh Ministers in exercise of the powers conferred upon the Secretary of State by section 21 of the Clean Air Act 1993(**1**) and now vested in the Welsh Ministers(**2**) so far as exercisable in relation to Wales, and being satisfied that the fireplaces exempted by this Order can be used for burning fuel other than authorised fuels without producing any smoke or a substantial quantity of smoke, hereby make the following Order:

Title, commencement and application

1.—(1) The title of this Order is the Smoke Control Areas (Exempted Fireplaces) (Wales) Order 2012 and it comes into force on 27 February 2012.

(2) This Order applies in relation to Wales.

Fireplaces exempted from section 20 of the Clean Air Act 1993

2. The fireplaces described in the Schedule are, subject to the conditions listed, exempted from the provisions of section 20 of the Clean Air Act 1993 (which prohibits smoke emissions in smoke control areas).

Revocation

3. The Smoke Control Areas (Exempted Fireplaces) (Wales) Order 2011(**3**) is revoked.

(**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**) SI 2011/38 (W.13)

John Griffiths
Minister for Environment and Sustainable Development, one of the Welsh Ministers

1 February 2012

SCHEDULE Article 2

EXEMPTED FIREPLACES

Fireplace	*Conditions* *The fireplace must be installed, maintained and operated in accordance with the following specifications:*	*No fuel is to be used in the fireplace other than authorised fuels and the following fuel or fuels:*
18i and 60i stoves. Manufactured by Jetmaster Fires Ltd, Unit 2 Peacock Trading Estate, Goodwood Road, Eastleigh, Hampshire, SO50 4NT.	Installation and use instruction manual reference: "Part No 106870 Issue No. 1" dated February 2010 and supplementary instruction manual reference: "Part No 106872 Issue No. 1" dated May 2010. The appliance must be fitted with a mechanical stop to prevent closure of the air control beyond the 40% open position.	Wood logs .
Aarrow Signature 5 SC; Aarrow Ecoburn 5 SC; Hamlet Solution 5 SC; Villager Espirit 5 SC. Manufactured by Arada Ltd, The Fire Works, Millwey Industrial Estate, Axminster, Devon, EX13 5HU.	Instruction manual reference "Rev 02" dated April 2010. All the appliances must be fitted with a mechanical stop to prevent closure of the air control beyond 20mm from the closed position and 50 mm beyond the fully open position.	Wood logs .
Aduro 3D, 8D, 10D, 11D and Asgård 1D, 2D and 7D wood burning stoves. Distributed by Pevex Enterprises Ltd, Unit 16 Seven Acres Business	Instruction manual reference "Pexex1001/AH/ ver1" and dated June 2011. It must be fitted with permanent stops to ensure that the primary and secondary air controls do not close beyond 95% and 50% respectively.	Dry wood logs .

a The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood-preservatives or coatings.

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Fireplace	*Conditions* *The fireplace must be installed, maintained and operated in accordance with the following specifications:*	*No fuel is to be used in the fireplace other than authorised fuels and the following fuel or fuels:*
Park, Waldringfield, Ipswich, IP12 4PS.		
Aduro 9D wood burning stove. Distributed by Pevex Enterprises Ltd, Unit 16 Seven Acres Business Park, Waldringfield, Ipswich, IP12 4PS.	Instruction manual reference “Pevex1002/AH/ver1” and dated June 2011. It must be fitted with permanent stops to ensure that ensure the primary and secondary air controls do not close beyond 95% and 50% respectively.	Dry wood logs .
Arimax Bio 300kW; Arimax Bio 400kW; Arimax Bio 500kW. Manufactured by Artierm Oy, Kimmo Kantalainen; PO Box 59; Fin - 43101; Saarijärvi, Finland.	Instruction manual reference “INSTALLATION AND OPERATION MANUAL Arimax Bio 120-3000 kW” dated 30/03/2010.	6—8mm wood pellets with a moisture content less than 10% .
Ashwell Green-Tec 150 boiler. Manufactured by Ashwell Biomass Ltd, Unit 12, 35 Pinfold Road, Thurmaston, Leicester, LE4 8AT.	Instruction manual reference “ASH-gt150/101 Version 1.2” dated 06/2009.	Wood pellets .
Ashwell Green-Tec 195 boiler. Manufactured by Ashwell Biomass Ltd,	Instruction manual reference “ASH-gt195/102 Version 1.2” dated 06/2009.	Wood pellets .

a The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood-preservatives or coatings.

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Fireplace	*Conditions* *The fireplace must be installed, maintained and operated in accordance with the following specifications:*	*No fuel is to be used in the fireplace other than authorised fuels and the following fuel or fuels:*
Unit 12, 35 Pinfold Road, Thurmaston, Leicester, LE4 8AT.		
Ashwell Green-Tec 300 boiler. Manufactured by Ashwell Biomass Ltd, Unit 12, 35 Pinfold Road, Thurmaston, Leicester, LE4 8AT.	Instruction manual reference “ASH-gt300/103 Version 1.2” dated 06/2009.	Wood pellets .
Barbas ECO 40, 5 kW wood burning roomheater. Manufactured by Interfocos BV; Hallenstraat 17, NL-5531 AB, BLADEL, Netherlands.	ECO 40 instruction manual, document Version 01-327332 dated October 2009.	Wood logs .
Barbas ECO 52 Stove. Manufactured by Interfocos, Hallenstraat 17, 5531 AB Bladel, The Netherlands.	Instruction manual reference “02 - 327332” dated March 2010.	Wood logs .
Barbas Unilux — 3 40, 5kW wood burning insert.	Unilux — 3 40 instruction manual, document Version 01 - 326587 dated August 2009.	Wood logs .

a The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood-preservatives or coatings.

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