WELSH STATUTORY INSTRUMENTS

2011 No. 2909 (W.313)

CLEAN AIR, WALES

The Smoke Control Areas (Authorised Fuels) (Wales) (Amendment) Regulations 2011

Made - - - -	*2 December 2011*
Laid before the National Assembly for Wales - -	*6 December 2011*
Coming into force - -	*31 December 2011*

The Welsh Ministers make the following regulations in exercise of the powers conferred upon the Secretary of State by sections 20(6) and 63(1) 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 2011 and they come into force on 31 December 2011.

(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 4, insert—

"(4A) Big K Restaurant Grade Charcoal, manufactured by Big K Products UK Limited at Parque Industrial Alvear, 2126 Alvear, Provincia de Santa Fe, Argentina, which—

(a) comprise pyrolised white quebracho wood;

(b) were manufactured using a kiln pyrolysis process at approximately 450°C;

(**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 2008/3100 (W.274), which has been amended by SI 2009/3225 (W.279).

(c) are unmarked charcoal pieces of between 30 millimetres to 150 millimetres; and

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

(b) after paragraph 8A, insert—

"(8B) Briteheat Plus briquettes, manufactured by Coal Products Limited at Immingham Briquetting Works, Immingham, North East Lincolnshire, which—

(a) comprise anthracite duff (as to approximately 75 to 95 per cent of the total weight), petroleum coke (up to approximately 20 per cent of the total weight) and an organic binder (as to the remaining weight);

(b) were manufactured from those constituents by a process involving roll-pressing;

(c) are unmarked pillow shaped briquettes;

(d) have an average weight of 80 grams per briquette; and

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

(c) after paragraph 18, insert—

"(18A) EDF Fuel Briquettes, manufactured by TheGreenFactory at the Laboratoire de Chimie Agro-industrielle UMR 1010 INRA/INP-ENSIACET AGROMAT, Site de l'ENIT 47, Avenue D'Azereiz, -BP 1629 65016 Tarbes Cedex, France, which

(a) comprise approximately 100 grams of unprocessed Miscanthus (as to approximately 45 per cent of the total weight), approximately 95 grams of Copra ester (as to approximately 43 per cent of the total weight), and approximately 25 grams of a binder produced from Miscanthus (processed with calcium oxide as to approximately 0.5 per cent of the total weight) as to the remaining weight;

(b) are manufactured from those constituents by a process involving Miscanthus processing, mixing, hot pressing and soaking in an ester bath;

(c) are unmarked cylinder-shaped briquettes of 120 millimetres height and 60 millimetres diameter with a star-shaped hole running centrally through the longer length of the briquette;

(d) have an average weight of 220 grams per briquette; and

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

(d) after paragraph 21, insert—

"(21A) Homefire Fire Logs, manufactured by De Lange B.V., Rustenbugerweg 3, 1646 WJ Ursem, the Netherlands, which—

(a) comprise slackwax (as to approximately 50 per cent of the total weight) and sawdust (as to approximately 50 per cent of the total weight);

(b) were manufactured from those constituents by a process of heat treatment and extrusion;

(c) are firelogs approximately 280 millimetres in length and 75 millimetres × 75 millimetres with a single groove running along each of the four 280 millimetre length faces;

(d) have an average weight of 1.1 kilograms per firelog; and

(e) have a sulphur content not exceeding 0.2 per cent of the total weight.".

(e) after paragraph 30, insert—