STATUTORY RULES OF NORTHERN IRELAND

2010 No. 369

CLEAN AIR

The Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 2010

Made - - - -	*8th November 2010*
Coming into operation	*13th December 2010*

The Department of the Environment makes the following Regulations in exercise of the powers conferred by Article 17(7) of the Clean Air (Northern Ireland) Order 1981(**1**)

The Department is satisfied that the classes of fireplaces prescribed in column (1) of the Schedule can, subject to the conditions prescribed in column (2) of the Schedule, be used for burning fuel other than authorised fuels(**2**) without producing any smoke or a substantial quantity of smoke.

Citation and commencement

1. These Regulations may be cited as the Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 2010 and shall come into operation on 13th December 2010.

Exempted fireplaces

2. The classes of fireplace prescribed in column (1) of the Schedule shall, subject to the conditions prescribed in column (2) of the Schedule, be exempt from the provisions of Article 17 of the Clean Air (Northern Ireland) Order 1981.

Revocations

3. The following Regulations are revoked—

(a) The Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1999(**3**);

(b) The Smoke Control Areas (Exempted Fireplaces) (Amendment) Regulations (Northern Ireland) 2001(**4**);

(**1**) S.I. 1981/158 (N.I. 4)
(**2**) Fuels declared by the Department of the Environment to be authorised fuels for the purposes of Article 2(2) of the Clean Air (Northern Ireland) Order 1981 are specified in S.R. 2008 No. 415, as amended by S.R. 2010 No. 130
(**3**) S.R. 1999 No. 289
(**4**) S.R. 2001 No. 211

(c) The Smoke Control Areas (Exempted Fireplaces) (Amendment) Regulations (Northern Ireland) 2003(**5**);

(d) The Smoke Control Areas (Exempted Fireplaces) (Amendment) Regulations (Northern Ireland) 2007(**6**); and

(e) The Smoke Control Areas (Exempted Fireplaces) (Amendment) Regulations (Northern Ireland) 2009(**7**).

Sealed with the Official Seal of the Department of the Environment on 8th November 2010.

L.S.

Denis McMahon
A senior officer of the Department of the Environment

(**5**) S.R. 2003 No. 343
(**6**) S.R. 2007 No. 308
(**7**) S.R. 2009 No. 257

SCHEDULE

Regulation 2

(1) Class of Fireplace	*(2) Conditions*	
	The fireplace must be installed, maintained and operated in accordance with the following specifications:	Permitted fuels (other than authorised fuels):
Any fireplace specially designed or adapted for combustion of liquid fuel.		No fuel shall be used other than that for which the mechanical stoker was designed.
Any fireplace (other than a fireplace fired by pulverised fuel) constructed on or after 1st July 1965 and installed before 1st September 1970 and equipped with mechanical stokers, or adapted between those dates for use with such stokers.		No fuel shall be used other than that for which the mechanical stoker was designed.
Any fireplace designed to burn coal (other than a fireplace fired by pulverised coal) with a heating capacity exceeding 160 megajoules per hour constructed and installed on or after 1st July 1965 and equipped with mechanical stokers or adapted on or after that date for use with such stokers.		No fuel shall be used other than that for which the mechanical stoker was designed.
18i and 60i stoves manufactured by Jetmaster Fires Limited, 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.	Wood logs. The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
100SE Smoke Exempt Woodburning Stove manufactured by ESSE Engineering Limited, Long Ing, Barnoldswick, Lancashire. BB18 6BN.	The manufacturer's instruction manual dated March 2009, reference 100SE Issue 1. A permanent stop must be in place on the secondary air inlet to prevent closure beyond the 50% open position.	Untreated dry wood with a maximum moisture content of 20%, maximum length of 200mm and maximum width or diameter of 120mm. The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.

(1) Class of Fireplace	*(2) Conditions*	
Aarrow Signature 5 SC, Aarrow Ecoburn 5 SC, Hamlet Solution 5 SC and Villager Espirit 5 SC Stoves manufactured by Arada Limited, The Fire Works, Millwey Industrial Estate, Axminster, Devon. EX13 5HU.	Instruction manual references "Rev 02" dated April 2010. All the appliances will be fitted with a mechanical stop to prevent closure of the air control beyond 20mm from the closed position and 50mm beyond the fully open position.	Wood logs. The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
Apollo incinerator types 10, 25 and 50 manufactured by Apollo Incineration Systems Limited.	The incinerators shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 2nd November 1992 and bearing the reference "Apollo 10-25-50".	No fuel shall be used other than wood, wood shavings, cardboard and polythene.
Arimax Bio 300kW Arimax Bio 400kW Arimax Bio 500kW boilers Manufactured by Artierm Oy, PO Box 59, Fin – 43101, Saarijarvi.	Instruction manual references "INSTALLATION AND OPERATION MANUAL Arimax Bio 120-3000kW" dated 30/03/2010.	6-8mm Wood pellets with a moisture content less than 10%. The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
B9 Energy Wood Chip Gasifer Unit manufactured by B9 Energy Biomass Limited.	The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 2002 and bearing the reference "001/B9ENERGY BIOMASS".	No fuel shall be used other than untreated wood chips, shredded wood or small untreated pieces of wood.
Barbas Unilux-3 40, 5kW wood burning insert and Barbas ECO 40, 5kW wood burning roomheater manufactured by Interfocos BV, Hallenstraat 17, NL-5531, AB, BLADEL, Netherlands.	The Unilux-3 40 Instruction Manual, document Version 01-326587 dated August 2009. The ECO 40 Instruction Manual, document Version 01-327332 dated October 2009.	Wood logs. The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
Beech Wood Fired Pizza Oven manufactured by Beech Wood Fired Ovens, Brisbane, Australia.	The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 3rd March 2000 and bearing the reference "BBP236UK".	No fuel shall be used other than untreated dry hardwood.
Binder Wood Fired Boiler models RRK 22-49 (49 kW output), manufactured by Binder Gesellschaft mit	The manufacturer's and Wood Energy Limited's instructions entitled "Binder Equipment Installation, Commissioning and Maintenance" dated 17th May	Wood pellets or wood chips. The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment

(1) Class of Fireplace	*(2) Conditions*	
beschrankter Haftung (GmbH) of Austria.	2005, and bearing the reference WELBinderManualrev0.doc, revision 0.	with wood preservatives or coatings.
Binder Wood Fired Boiler models RRK 80-175 (75-149 kW output) with cyclone models ZA 80-175, manufactured by Binder Gesellschaft mit beschrankter Haftung (GmbH) of Austria.	The manufacturer's and Wood Energy Limited's instructions entitled "Binder Equipment Installation, Commissioning and Maintenance" dated 17th May 2005 reference WELBinderManualrev0.doc, revision 0.	Wood pellets or wood chips. The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
Binder Wood Fired Boiler model RRK 130-250 (185-230 kW output), RRK 200-350 (250-300 kW output), RRK 400-600 (350-500 kW output) and RRK 640-850 (650-840 kW output) with cyclone model type ZA, manufactured by Binder Gesellschaft mit beschränkter Haftung (GmbH) of Austria.	The manufacturer's and Wood Energy Limited's instructions "Binder Equipment Installation, Commissioning and Maintenance" dated 17th May 2005, reference WELBinderManualrev0.doc, revision 0.	Wood pellets or wood chips. The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
Binder Wood Fired Boiler model RRK 1000 (1200 kW output), with multi-cyclone model MZA, manufactured by Binder Gesellschaft mit beschränkter Haftung (GmbH) of Austria.	The manufacturer's and Wood Energy Limited's instructions "Binder Equipment Installation, Commissioning and Maintenance" dated 17th May 2005, reference WELBinderManualrev0.doc, revision 0.	Wood pellets or wood chips. The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
Binder Wood Fired Boiler model RRK 1200-1650 with Binder model MZA multicyclone and automatic ignition manufactured by Binder Gesellschaft mit beschränkter Haftung (GmbH) of Austria.	Wood Energy Limited's operating instructions for Binder Appliances referenced: 2009 July Binder O&M revision8.doc Operation and Maintenance Manual, Revision 8, dated 15 July 2009.	Wood pellets or wood chips. The fuel must not contain halegonated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
Binder Wood Fired Boiler model RRK 1800-2300 Binder model MZA multicyclone and automatic ignition manufactured by Binder Gesellschaft mit beschänkter Haftung (GmbH) of Austria.	Wood Energy Limited's operating instructions for Binder appliances referenced: 2009 July Binder O&M revision8.doc Operation and Maintenance Manual, Revision 8, dated 15 July 2009.	Wood pellets or wood chips. The fuel must not contain halegonated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
Binder Wood Fired Boiler model RRK 2500-3000 Binder model MZA multicyclone	Wood Energy Limited's operating instructions for Binder appliances referenced: 2009 July Binder	Wood pellets or wood chips. The fuel must not contain halegonated organic