STATUTORY RULES OF NORTHERN IRELAND

2009 No. 257

CLEAN AIR

The Smoke Control Areas (Exempted Fireplaces) (Amendment) Regulations (Northern Ireland) 2009

Made - - - -	*6th July 2009*
Coming into operation	*10th August 2009*

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 fireplace prescribed in column (1) of the Schedule can be used for burning fuel other than authorised fuels without producing any smoke or a substantial quantity of smoke.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Smoke Control Areas (Exempted Fireplaces) (Amendment) Regulations (Northern Ireland) 2009 and shall come into operation on 10th August 2009.

(2) In these Regulations "the Principal Regulations" means the Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1999(**2**)

Amendment to the Principal Regulations

2. The classes of fireplace specified in column (1) of the table in the Schedule shall be added to the table in Schedule 1 to the Principal Regulations together with the conditions corresponding to each of those classes of fireplace and specified in column (2) of the table in the Schedule and those classes of fireplaces shall be numbered as entries 67 to 125 in the table in Schedule 1 to the Principal Regulations.

Revocation

3. The Smoke Control Areas (Exempted Fireplaces) (Amendment) Regulations (Northern Ireland) 2008 (**3**) are revoked.

(**1**) S.I. 1981/158 (N.I. 4)
(**2**) S.R. 1999 No. 289 as amended by S.R. 2001 No. 211, S.R. 2003 No. 343, S.R. 2007 No. 308 and S.R.2008 No. 282
(**3**) S.R. 2008 No. 282

Sealed with the Official Seal of the Department of the Environment on 6th July 2009.

L.S.

Wesley Shannon
A senior officer of the Department of the Environment

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):*
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 200 mm and maximum width or diameter of 120 mm. The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
Biomatic 220 and 250 fitted with Zyklovent 220–250 cyclone separator manufactured by HERZ Armaturen Ges.m.b.H, Geschäftsbereich HERZ, Feuerungstechnik, A–8272 Sebersdorf 138, Austria	The manufacturer's instructions dated April 2005, reference Bedienungsanleitung Englisch v2.0 doc	Chipped wood, wood pellets or planed wood shavings. The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
Biomatic 300, 350, 400 and 500 fitted with Zyklovent 300-500 cyclone separator manufactured by HERZ Armaturen Ges.m.b.H, Geschäftsbereich HERZ, Feuerungstechnik, A-8272 Sebersdorf 138, Austria	The manufacturer's instructions dated April 2005, reference Bedienungsanleitung Englisch v2.0 doc	Chipped wood, wood pellets or planed wood shavings. The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
Broag-Gilles HPK-RA 13 kW, 15 kW, 20 kW, 25 kW, 30 kW, 35 kW, 40 kW, 45 kW, 49 kW, 60 kW, 70 kW, 75 kW, 85 kW, 95 kW, 100 kW, 120 kW and 145 kW, all manufactured by GILLES Energie- und Umwelttechnik GmbH, Koaserbauer Str. 16 A-4810 Gmunden, Austria	The manufacturer's operating instructions dated January 2007, reference Broag-Gilles/0–145/1	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.
Broag-Gilles HPK USK 150 kW, 180 kW, 240 kW and 300 kW, manufactured by GILLES	The manufacturer's operating instructions dated January 2007,	Wood pellets or wood chips. The fuel must not contain halogenated organic

(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):*
Energie- und Umwelttechnik GmbH, Koaserbauer Str. 16 A-4810 Gmunden, Austria	reference Broag-Gilles/150–300/1	compounds or heavy metals as a result of treatment with wood preservatives or coatings.
Broag-Gilles HPK USK 360kW, manufactured by GILLES Energie- und Umwelttechnik GmbH, Koaserbauer Str.16 A-4810 Gmunden, Austria	The manufacturer's operating instructions dated January 2008, reference Broag-Gilles 360/1	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.
CTC Ecoflex 15 and 20 manufactured by Enertech AB, Box 313, S-341 26 Ljungby, Sweden	The manufacturer's instructions dated 20th February 2007, reference 161 505 27 06/1	Wood pellets. The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
Dovre 250 (model DV-250) manufactured by Dovre NV, Nijverheidsstraat 18, BE-2381 Weelde, Belgium	The manufacturer's instructions, reference PM 250 Issue 1 A permanent stop must be in place on the secondary air inlet to prevent closure beyond the 75% open position	Untreated dry wood. The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Dunsley Yorkshire Stove, manufactured by Dunsley Heat Limited	The manufacturer's instructions dated 5th August 1998, reference A/22160 as amended by those dated 4th December 2004, reference D13	Untreated dry wood. The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings. Peat or peat briquettes with, in either case, less than 25% moisture. Union Coal Briketts, manufactured by Rheinbraun AG of Germany comprising lignite compressed into briquettes of approximately 15cm in length with square ends and with a sulphur content not exceeding 1% of the total weight.

(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):*
		CPL Wildfire, manufactured by Coal Products Limited, Immingham, which comprise bituminous coal with a volatile content of 32% to 36% (as to approximately 96% of the total weight) and a cold cure resin binder (as to the remaining weight); are manufactured from those constituents by a process involving roll-pressing; have an average weight of either 80-90 grams or 160-170 grams; and have a sulphur content not exceeding 1.8% of the total weight.
The Dunsley Yorkshire Multifuel Stove manufactured by Dunsley Heat Limited	The manufacturer's instructions dated 5th August 1998, reference A/22160 as amended by those dated 4th December 2004, reference D13	Untreated dry wood. The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings. Peat or peat briquettes, with, in either case, less than 25% moisture. Union Coal Briketts, manufactured by Rheinbraun AG of Germany comprising lignite compressed into briquettes of approximately 15cm in length with square ends and with a sulphur content not exceeding 1% of the total weight. CPL Wildfire, manufactured by Coal Products Limited, Immingham, which comprise bituminous coal with a volatile content of 32-36% (as to approximately 96% of the total weight) and a coal cure resin binder (as to