
WELSH STATUTORY INSTRUMENTS

2006 No. 2979 (W.270)

CLEAN AIR, WALES

The Smoke Control Areas (Authorised Fuels) (Wales) Regulations 2006

Made - - - - 14 November 2006

Coming into force - - 24 November 2006

The National Assembly for Wales (“the National Assembly”) 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 National Assembly⁽²⁾ hereby makes the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Smoke Control Areas (Authorised Fuels) (Wales) Regulations 2006 and they come into force on 24 November 2006.

(2) These Regulations apply in relation to Wales.

Authorised fuels for the purposes of Part III of the Clean Air Act 1993

2. Anthracite, semi-anthracite, electricity, gas, low volatile steam coals and the fuels described in Schedule 1 are declared to be authorised fuels for the purposes of Part III of the Clean Air Act 1993.

Revocations and savings

3.—(1) The Regulations listed in Schedule 2 are revoked.

(2) Any fuel manufactured before the coming into force of these Regulations which was an authorised fuel when it was manufactured will continue to be an authorised fuel notwithstanding the revocation of the Regulations listed in Schedule 2.

(1) 1993 c. 11.

(2) The relevant powers of the Secretary of State were transferred to the National Assembly by Article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

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Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(3)

14 November 2006

D. Elis-Thomas
The Presiding Officer of the National Assembly

SCHEDULE 1

Regulation 2

AUTHORISED FUELS

1. Aimcor Excel briquettes, manufactured by Applied Industrial Materials UK Limited at Newfield, County Durham, which—
 - (a) comprise petroleum coke (as to 60 to 75 per cent of the total weight), low volatile coal and reactive coke (as to 20 to 25 per cent of the total weight) and cold-setting resin binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing;
 - (c) are unmarked pillow-shaped briquettes and have an average weight of 73 grammes; and
 - (d) have a sulphur content not exceeding 2 per cent of the total weight.
2. Aimcor Pureheat briquettes, manufactured by Applied Industrial Materials UK Limited at Immingham, North East Lincolnshire, which—
 - (a) comprise anthracite (as to approximately 60 per cent of the total weight), petroleum coke (as to approximately 25 per cent of the total weight) and binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 250° C;
 - (c) are pillow-shaped briquettes with a single line indentation on one side and a double line indentation on the reverse side and have an average weight of 75 grammes; and
 - (d) have a sulphur content not exceeding 2 per cent of the total weight.
3. Ancit briquettes, manufactured by Coal Products Limited at Immingham Briquetting Works, Immingham, North East Lincolnshire, which—
 - (a) comprise anthracite (as to approximately 60 to 95 per cent of the total weight), petroleum coke (up to approximately 30 per cent of the total weight), bituminous coal (up to approximately 15 per cent of the total weight) and a molasses and phosphoric acid binder or an organic binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 300° C;
 - (c) are unmarked cushion-shaped briquettes with an average weight of 48 grammes; and
 - (d) have a sulphur content not exceeding 2 per cent of the total weight.
4. Black Diamond Gem briquettes, manufactured by Coal Products Limited at Immingham Briquetting Works, Immingham, North East Lincolnshire, which—
 - (a) comprise anthracite duff (as to 20 to 30 per cent of the total weight), petroleum coke (as to 40 to 45 per cent of the total weight), bituminous coal (as to 12 to 22 per cent of the total weight) and molasses and phosphoric acid binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 300° C;
 - (c) are pillow-shaped briquettes marked with two parallel indented lines running latitudinally around the briquette and have an average weight of 160 grammes; and
 - (d) have a sulphur content not exceeding 1.5 per cent of the total weight.
5. Bord na Móna Firelogs, manufactured by Bord na Móna Fuels Limited, Newbridge, County Kildare, Republic of Ireland, which—
 - (a) comprise slack wax (as to approximately 55 per cent of the total weight) and hardwood sawdust (as to approximately 45 per cent of the total weight);

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- (b) were manufactured from those constituents by a process of heat treatment and extrusion;
 - (c) are firelogs, approximately 255 millimetres in length and 75 millimetres in diameter, and with grooves along one longitudinal face, and have an average weight of 1.3 kilogrammes (net); and
 - (d) have a sulphur content not exceeding 0.1 per cent of the total weight.
6. Bord na Móna Firepak briquettes (also marketed as Arigna Special coal briquettes), manufactured by Bord na Móna Fuels Limited, Newbridge, County Kildare, Republic of Ireland, which—
- (a) comprise anthracite (as to approximately 50 per cent of the total weight), petroleum coke (as to 20 to 40 per cent of the total weight), bituminous coal (as to 10 to 30 percent of the total weight) and starch based binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment;
 - (c) are unmarked pillow-shaped briquettes and have an average weight of 50 grammes; and
 - (d) have a sulphur content not exceeding 1.5 per cent of the total weight.
7. Briteflame briquettes, manufactured by Maxibrite Limited at Mwyndy Industrial Estate, Llantrisant, Rhondda Cynon Taff, 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);
 - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 260o degrees C;
 - (c) are unmarked pillow-shaped briquettes and have an average weight of 140 grammes per briquette; and
 - (d) have a sulphur content not exceeding 1.9 per cent sulphur on a dry basis.
8. Bryant and May Firelogs manufactured by Swedish Match at Kostenetz, Bulgaria, which—
- (a) comprise paraffin wax (as to approximately 50 per cent of the total weight), ground poplar wood (as to approximately 25 per cent of the total weight), wheatflour (as to approximately 15 per cent of the total weight), ignitable solids dispersed in gelled paraffin wax (as to approximately 1 per cent of the total weight) and water, swelling agents and preservative (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving extrusion;
 - (c) are of quadrant cross sections with a radius of approximately 80 millimetres, and length approximately 265 millimeteres with an ignition strip along one edge, and having an approximate weight of 1.15 kilogrammes; and
 - (d) have a sulphur content not exceeding 0.1 per cent of the total weight.
9. Charglow briquettes, manufactured by Polchar Spolka z organiczona odpowiedzialnoscia, Police, Zachodniopomorskie, Poland, which—
- (a) comprise bituminous coal char (as to approximately 45 per cent to 95 per cent of the total weight), anthracite (as to approximately 0 per cent to 20 per cent of the total weight), petroleum coke (as to approximately 0 per cent to 20 per cent of the total weight), bituminous coal (as to approximately 0 per cent to 10 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 and heat treatment at about 110° C;
 - (c) are unmarked pillow-shaped briquettes and have an average weight of 100 grammes; and

- (d) have a sulphur content not exceeding 1.5 per cent of the total weight.
- 10.** Coalite manufactured by Coalite Products Limited at Bolsover, near Chesterfield, Derbyshire and at Grimethorpe, South Yorkshire using a low temperature carbonisation process.
- 11.** Coke manufactured by—
- (a) Coal Products Limited at Cwm Coking Works, Llantwit Fardre, Pontypridd, Rhondda Cynon Taff, and sold as “Sunbrite”;
 - (b) Monckton Coke & Chemical Company Limited at Royston, near Barnsley, South Yorkshire and sold as “Sunbrite” or “Monckton Boiler Beans”;
 - (c) Corus UK Limited at Teesside Works, Redcar & Cleveland and sold as “Redcar Coke Nuts (Doubles)”;
 - (d) Coal Products Limited at Cwm Coking Works, Llantwit Fardre, Pontypridd, Rhondda Cynon Taff and sold as “Cwm Coke Doubles”.
- 12.** Cosycoke (also marketed as Lionheart Crusader or Sunbrite Plus) manufactured by Monckton Coke & Chemical Company Limited at Royston, near Barnsley, South Yorkshire and Aimcor Supercoke (also marketed as Supercoke), manufactured by M & G Fuels Limited at Hartlepool Docks, Hartlepool, which in each case—
- (a) comprise sized hard coke (as to approximately 45 to 65 per cent of the total weight) and sized petroleum coke (as to the remaining weight);
 - (b) were manufactured from those constituents by blending;
 - (c) are unmarked random shapes; and
 - (d) have a sulphur content not exceeding 2 per cent of the total weight.
- 13.** Dragonbrite briquettes, manufactured by Tower Colliery Limited at Aberdare, Rhondda Cynon Taff which—
- (a) comprise tower duff (as to approximately 95 per cent of the total weight) and a resin-based binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving cold cure roll pressing;
 - (c) are pillow-shaped briquettes marked with the letter “T” on one side and have an average weight of 50 grammes; and
 - (d) have a sulphur content not exceeding 1 per cent of the total weight.
- 14.** Dragonglow briquettes, manufactured by Tower Colliery Limited at Aberdare, Rhondda Cynon Taf, which—
- (a) comprise tower duff (as to approximately 95 per cent of the total weight) and a resin-based binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving cold cure roll pressing;
 - (c) are unmarked pillow-shaped briquettes and have an average weight of 100 grammes; and
 - (d) have a sulphur content not exceeding 1 per cent of the total weight.
- 15.** Duraflame Firelogs, manufactured by Paramelt B.V., Costerstraat 18, PO Box 86, 1700 AB Heerhugowaard, The Netherlands, which—
- (a) comprise mineral-based petroleum wax (as to approximately 55 per cent of the total weight) and ground hardwood fibre (as to approximately 45 per cent of the total weight);
 - (b) were manufactured from those constituents by a process of heat treatment and extrusion;
 - (c) are firelogs approximately 320 millimetres in length, 90 millimetres high and 85 millimetres wide and have an average weight of 1.45 kilogrammes per firelog; and

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- (d) have a sulphur content not exceeding 0.1 per cent of the total weight.
- 16.** Ecobrite briquettes, manufactured by Arigna Fuels Limited at Arigna, Carrick-on-Shannon, County Roscommon, Republic of Ireland, which—
- (a) comprise anthracite fines (as to approximately 96 per cent of the total weight) and starch as binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 250° C;
 - (c) are unmarked pillow-shaped briquettes in two sizes having an average weight of 37 grammes for the smaller size and 48 grammes for the larger size; and
 - (d) have a sulphur content not exceeding 1.5 per cent of the total weight.
- 17.** Extracite briquettes, manufactured by Sophia-Jacoba Handelsgesellschaft mbH at Hückelhoven, Germany, which—
- (a) comprise anthracite duff (as to approximately 95.5 per cent of the total weight) and ammonium lignosulphonate lye as binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 260° C;
 - (c) are cushion-shaped briquettes with a silvery appearance and are marked with the letters “S” and “J” and have an average weight of 40 grammes; and
 - (d) have a sulphur content of approximately 1.2 per cent of the total weight.
- 18.** Fireglo briquettes, manufactured by Les Combustibles de Normandie at Caen, France, and by La Société Rouennaise de Défumage at Rouen, France, which—
- (a) comprise washed Welsh duffs (as to approximately 92 per cent of the total weight) and coal pitch binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 330° C;
 - (c) are ovoids with three lines on one side and are smooth on the other side and have an average weight of 30 grammes; and
 - (d) have a sulphur content not exceeding 0.8 per cent of the total weight.
- 19.** Homefire briquettes, manufactured by Coal Products Limited at Immingham Briquetting Works, Immingham, North East Lincolnshire, which—
- (a) comprise anthracite fines (as to approximately 40 to 70 per cent of the total weight), petroleum coke (as to approximately 20 to 45 per cent of the total weight), char (as to approximately 0 to 10 per cent of the total weight), bituminous coal (as to approximately 5 to 30 per cent of the total weight) and an organic binder or a molasses and phosphoric acid binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing;
 - (c) have a volatile matter content in the finished briquette of neither less than 9 nor more than 15 per cent of the total weight on a dry basis;
 - (d) are unmarked hexagonal briquettes and have an average weight of 140 grammes; and
 - (e) have a sulphur content not exceeding 2 per cent of the total weight.
- 20.** Homefire ovals, manufactured by Coal Products Limited at Immingham Briquetting Works, Immingham, North East Lincolnshire, which—
- (a) comprise anthracite duff (as to approximately 57 per cent of the total weight), petroleum coke (as to approximately 17 per cent of the total weight), bituminous coal (as to

approximately 13 per cent of the total weight) and molasses and phosphoric acid as binder (as to the remaining weight);

- (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 300° C;
- (c) are pillow-shaped briquettes with two parallel indented lines running latitudinally around the briquette and have an average weight of 135 grammes; and
- (d) have a sulphur content not exceeding 2 per cent of the total weight.

21. Homefire Ovals (R), manufactured by Coal Products Limited at Immingham Briquetting Works, Immingham, North East Lincolnshire, which—

- (a) comprise anthracite fines (as to approximately 50 to 75 per cent of the total weight), petroleum coke (as to approximately 20 to 45 per cent of the total weight), bituminous coal (as to approximately 5 to 17 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 pillow-shaped briquettes with two parallel indented lines running latitudinally around the briquette and have an average weight of 130 grammes; and
- (d) have a sulphur content not exceeding 2 per cent of the total weight.

22. Island Lump and Island Nuts, manufactured by Unocal Refinery, California, the United States of America, which—

- (a) comprise petroleum coke;
- (b) were manufactured from the petroleum coke by a process involving heat treatment and steam injection;
- (c) are unmarked random shapes and have an average weight of 80 grammes (Island Lump) or 30 grammes (Island Nuts); and
- (d) have a sulphur content not exceeding 2 per cent of the total weight.

23. Jewel briquettes, manufactured by Eldon Colliery Limited at Newfield Works, Bishop Auckland, County Durham, which—

- (a) comprise anthracite (as to approximately 30 to 50 per cent of the total weight) and Long Beach petroleum coke (as to approximately 50 to 70 per cent of the total weight) and a carbohydrate binder (as to the remaining weight);
- (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 150° C;
- (c) are unmarked pillow-shaped briquettes and have an average weight of 33 grammes; and
- (d) have a sulphur content not exceeding 1.5 per cent of the total weight.

24. Long Beach Lump nuts (otherwise known as LBL nuts), manufactured by Aimcor Carbon Corporation at Long Beach, California, the United States of America, which—

- (a) comprise petroleum coke (as to approximately 85 to 100 per cent of the total weight), limestone (as to approximately 0 to 10 per cent of the total weight) and coal tar pitch (as to the remaining weight);
- (b) were manufactured from those constituents by a process involving heat treatment and steam injection;
- (c) are unmarked random shapes; and
- (d) have a sulphur content not exceeding 2 per cent of the total weight.

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25. Maxibrite briquettes, manufactured by Maxibrite Limited at Llantrisant, Rhondda Cynon Taff, which—

- (a) comprise anthracite fines (as to approximately 84 per cent of the total weight), petroleum coke (as to approximately 12 per cent of the total weight) and starch as binder (as to the remaining weight);
- (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at 250° C;
- (c) are cushion-shaped briquettes marked with the letter “M” and have an average weight of 35 grammes; and
- (d) have a sulphur content not exceeding 2 per cent of the total weight.

26. Multiheat briquettes, manufactured by Coal Products Limited at Immingham Briquetting Works, Immingham, North East Lincolnshire, which—

- (a) comprise anthracite (as to approximately 60 to 80 per cent of the total weight), petroleum coke (as to approximately 10 to 30 per cent of the total weight) and a molasses and phosphoric acid binder (as to the remaining weight);
- (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 300°C;
- (c) are unmarked pillow-shaped briquettes and have average weights per briquette of either 55 or 80 grammes; and
- (d) have a sulphur content not exceeding 2 per cent of the total weight.

27. Newflame briquettes, manufactured by Maxibrite Limited at Llantrisant, Rhondda Cynon Taff, which—

- (a) comprise anthracite fines (as to approximately 84 per cent of the total weight), petroleum coke (as to approximately 12 per cent of the total weight) and starch as binder (as to the remaining weight);
- (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 260° C;
- (c) are unmarked pillow-shaped briquettes and have an average weight of 78 grammes; and
- (d) have a sulphur content not exceeding 2 per cent of the total weight.

28. Phurnacite briquettes, manufactured by Coal Products Limited at Immingham Briquetting Works, Immingham, North East Lincolnshire, which—

- (a) comprise anthracite duff (as to approximately 65 to 85 per cent of the total weight), petroleum coke (as to approximately 20 per cent of the total weight) and a molasses and phosphoric acid binder (as to the remaining weight);
- (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 300° C;
- (c) are ovoid-shaped briquettes with two parallel indented lines running longitudinally around the briquette and have an average weight of 40 grammes; and
- (d) have a sulphur content not exceeding 2 per cent of the total weight.

29. Safelight Firelogs, manufactured by Advanced Natural Fuels Limited, at Pocklington, East Riding of Yorkshire, which—

- (a) comprise woodchip (as to approximately 40 to 55 per cent of the total weight) and palm wax binder (as to approximately 45 to 60 per cent of the total weight);
- (b) were manufactured from those constituents by a process involving pressing of the mixed ingredients at about 40° C to 50° C;

- (c) are rectangular hard finish Firelogs with two deep overlapping slots in the top surface, a single continuous slot in the base surface, and have an average weight of 1.8 kilogrammes; and
 - (d) have a sulphur content not exceeding 2 per cent of the total weight.
- 30.** Sovereign briquettes, manufactured by Monckton Coke & Chemical Company Limited at Royston, near Barnsley, South Yorkshire which—
- (a) comprise anthracite (as to approximately 75 per cent of the total weight), coal and reactive coke (as to approximately 21 per cent of the total weight) and cold-setting resin binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving extrusion;
 - (c) are unmarked hexagonal briquettes and have an average weight of 130 grammes; and
 - (d) have a sulphur content not exceeding 2 per cent of the total weight.
- 31.** Stoveheat Premium briquettes, manufactured by Coal Products Limited at Immingham Briquetting Works, Immingham, North East Lincolnshire, which—
- (a) comprise anthracite duff (as to approximately 65 to 85 per cent of the total weight), petroleum coke (as to approximately 20 per cent of the total weight) and a molasses and phosphoric acid binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll pressing and heat treatment at about 300°C;
 - (c) are unmarked ovoid-shaped briquettes and have an average weight of 40 grammes per briquette; and
 - (d) have a sulphur content not exceeding 2 per cent of the total weight.
- 32.** Supabrite Coke Doubles, manufactured by H. J. Banks and Company Limited at Inkerman Road Depot, Tow Law, County Durham, which—
- (a) comprise metallurgical coke (as to approximately 40 to 60 per cent of the total weight) and petroleum coke (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving blending and screening;
 - (c) are unmarked random shapes; and
 - (d) have a sulphur content not exceeding 1.95 per cent of the total weight.
- 33.** Supacite briquettes, manufactured by Maxibrite Limited at Llantrisant, Rhondda Cynon Taff, which—
- (a) comprise anthracite fines (as to approximately 84 per cent of the total weight), petroleum coke (as to approximately 12 per cent of the total weight) and starch as binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 240° C;
 - (c) are unmarked ovoids and have an average weight of 45 grammes; and
 - (d) have a sulphur content not exceeding 2 per cent of the total weight.
- 34.** Supertherm briquettes, manufactured by Coal Products Limited at Immingham Briquetting Works, Immingham, North East Lincolnshire, which—
- (a) comprise a blend (in the proportion of 19:1) of anthracite and medium volatile coal (as to approximately 93 per cent of the total weight) and cold-setting organic binder or a molasses and phosphoric acid binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing;

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- (c) are unmarked ovoids and have an average weight of 160 grammes; and
 - (d) have a sulphur content not exceeding 1.5 per cent of the total weight.
- 35.** Supertherm II briquettes, manufactured by Coal Products Limited at Immingham Briquetting Works, Immingham, North East Lincolnshire, which—
- (a) comprise anthracite (as to approximately 36 to 51 per cent of the total weight), petroleum coke (as to approximately 40 to 55 per cent of the total weight) and an organic binder or a molasses and phosphoric acid binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing;
 - (c) are unmarked ovoids and have an average weight of 140 grammes; and
 - (d) have a sulphur content not exceeding 2 per cent of the total weight.
- 36.** Taybrite briquettes (otherwise known as Surefire briquettes), manufactured by Coal Products Limited at Immingham Briquetting Works, Immingham, North East Lincolnshire, which—
- (a) comprise anthracite (as to approximately 60 to 80 per cent of the total weight), petroleum coke (as to approximately 10 to 30 per cent of the total weight) and a molasses and phosphoric acid binder (as to the remaining weight);
 - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 300° C;
 - (c) are pillow-shaped briquettes marked with a single indented line running longitudinally along each face offset from its counterpart by 10 millimetres, or unmarked, and in either case have an average weight of 80 grammes; and
 - (d) have a sulphur content not exceeding 2 per cent of the total weight.
- 37.** Thermac briquettes, manufactured by Coal Products Limited at Immingham Briquetting Works, Immingham, North East Lincolnshire, which—
- (a) comprise anthracite (as to approximately 90 per cent of the total weight) and cold-setting 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 and have an average weight of 48 grammes; and
 - (d) have a sulphur content not exceeding 1.5 per cent of the total weight.
- 38.** ZIP Cracklelog firelogs, ZIP Crackle-log firelogs and ZIP Crackling Log firelogs, manufactured by Allspan B.V., Macroweg 4, 5804 CL Venray, The Netherlands, which—
- (a) comprise slack wax (as to approximately 55 per cent of the total weight), hardwood sawdust (as to approximately 42 per cent of the total weight) and crackle seeds (as to approximately 3.2 per cent of the total weight);
 - (b) were manufactured from those constituents by a process of heat treatment and extrusion;
 - (c) are firelogs approximately 235 millimetres in length and 80 millimetres in diameter, with grooves along the faces and have an average weight of 1.1 kilogrammes per firelog; and
 - (d) have a sulphur content not exceeding 0.1 per cent of the total weight.
- 39.** ZIP Firelogs, manufactured by Allspan B.V., Macroweg 4, 5804 CL Venray, The Netherlands, which—
- (a) comprise slack wax (as to approximately 58 to 59 per cent of the total weight) and hardwood sawdust (as to approximately 41 to 42 per cent of the total weight);
 - (b) were manufactured from those constituents by a process of heat treatment and extrusion;
 - (c) are firelogs approximately 265 millimetres in length and 80 millimetres in depth, with grooves along the faces and have an average weight of 1.3 kilogrammes per firelog; and

(d) have a sulphur content not exceeding 0.1 per cent of the total weight.

40. ZIP Firelogs, manufactured by Woodflame Moerdijk B.V., Apolloweg 4, Harbour No: M189A, 4782 SB Moerdijk, The Netherlands, which—

- (a) comprise slack wax (as to approximately 55 to 60 per cent of the total weight) and hardwood sawdust (as to approximately 40 to 45 per cent of the total weight);
- (b) were manufactured from those constituents by a process of heat treatment and extrusion;
- (c) are firelogs approximately 255 millimetres in length and 75 millimetres in diameter, with grooves along one longitudinal face and have an average weight of 1.3 kilogrammes per firelog; and
- (d) have a sulphur content not exceeding 0.1 per cent of the total weight.

SCHEDULE 2

Regulation 3(1)

REVOCATIONS

Regulations revoked:—

The Smoke Control Areas (Authorised Fuels) (Wales) Regulations 2001 ([S.I. 2001/3762 \(W.311\)](#))

The Smoke Control Areas (Authorised Fuels) (Amendment) (Wales) Regulations 2001 ([S.I. 2001/3996 \(W.327\)](#))

The Smoke Control Areas (Authorised Fuels) (Amendment) (Wales) Regulations 2002 ([S.I. 2002/3160 \(W.295\)](#))

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 20 of the Clean Air Act 1993 (“the 1993 Act”) provides that where a chimney is either—

- (a) a chimney of a building; or
- (b) a chimney serving the furnace of a fixed boiler or industrial plant,

then the occupier of the building or (as the case may be) the person having possession of the boiler or plant is guilty of an offence if the chimney is in a smoke control area and emits smoke. However, it is a defence to prove that the alleged emission was caused solely by the use of an authorised fuel.

In Wales, an authorised fuel means a fuel declared to be authorised by Regulations made by the National Assembly for Wales.

These regulations specify all fuels which are currently authorised for use in Wales for the purposes of Section 20 of the 1993 Act. They consolidate and replace the Smoke Control Areas (Authorised Fuels) (Wales) Regulations 2001 ([SI 2001/3762 \(W.311\)](#)), Smoke Control Areas (Authorised Fuels) (Amendment) (Wales) Regulations 2001 ([SI 2001/3996 \(W.327\)](#)) and Smoke Control Areas (Authorised Fuels) (Amendment) (Wales) Regulations 2002 ([SI 2002/3160 \(W.295\)](#)).

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Most of the fuels in these Regulations have previously been authorised fuels. However, the description of Ancit briquettes, Phurnacite briquettes and Taybright briquettes has been revised to reflect changes in their manufacture.

Briteflame briquettes, Duraflame Firelogs, Multiheat briquettes, Stoveheat Premium briquettes, ZIP Cracklelog firelogs, ZIP Crackle-log firelogs, ZIP Crackling Log firelogs, and ZIP Firelogs manufactured by Allspan B.V. and Woodflame Moerdijk B.V. are authorised for use for the first time.

A savings provision (see Regulation 3(2)) ensures that stocks of authorised fuels manufactured before these Regulations came into force will continue to be authorised fuels. Use of such fuels will therefore continue to provide a defence to any allegation of an unlawful emission of smoke contrary to Section 20 of the 1993 Act.