
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 289

CLEAN AIR

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

Made - - - - 24th June 1999

Coming into operation 2nd August 1999

The Department of the Environment, in exercise of the powers conferred on it by Article 17(7) of the Clean Air (Northern Ireland) Order 1981(1) (hereinafter referred to as “the Order”) and of every other power enabling it in that behalf, being 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 a substantial quantity of smoke, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1999 and shall come into operation on 2nd August 1999.

Exempted fireplaces

2. The classes of fireplace prescribed in column (1) of Schedule 1 shall, subject to the conditions prescribed in column (2) thereof, be exempted from the provisions of Article 17 of the Order (which makes it an offence to emit smoke from a chimney in a smoke control area).

Revocations and savings

3.—(1) Fireplaces which—

- (a) were manufactured before 2nd August 1999;
- (b) immediately before that date were exempted fireplaces; and
- (c) comply with the prescribed conditions,

shall continue to be exempted from the provisions of Article 17 of the Order.

(2) Except as provided in paragraph (1) the Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1992(2) are hereby revoked.

(1) [S.I. 1981/158 \(N.I. 4\)](#)
(2) [S.R. 1992 No. 538](#)

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(3) In this regulation—

- (a) “exempted fireplaces” means fireplaces of a class prescribed under Article 17(7) of the Order;
- (b) “the prescribed conditions” means conditions prescribed under the said Article 17(7).

Sealed with the Official Seal of the Department of the Environment on

24th June 1999.

R. W. Rogers
Assistant Secretary

SCHEDULE 1

Regulation 2

(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
1. Any fireplace specially designed or adapted for combustion of liquid fuel.	
2. 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.
3. 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.
4. The Apollo incinerator types 10, 25 and 50 manufactured by Apollo Incineration Systems Limited.	<ul style="list-style-type: none"> (a) (a) The fireplaces 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"; (b) No fuel shall be used other than wood, wood shavings, cardboard and polythene. or softwood offcuts, chipboard or plastic coated chipboard;
5. The CBR Flexifuel Heater, models 300, 400 and 600 manufactured by CBR Engineers Limited.	<ul style="list-style-type: none"> (a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturers, instructions published in 1987 and bearing the reference "FF/ CBR Flexifuel 87"; (b) No fuel shall be used other than hardwood or softwood offcuts, chipboard or plastic coated chipboard; (c) The fireplaces shall not be used to burn sawdust in bulk or plastic materials other than plastic coated chipboard.
6. The CBR Turbo Heat, models 200, 300, 400, 500, 600 and 800 manufactured by CBR Engineers Limited.	(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturers, instructions published in 1988 and

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(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
	bearing the reference “FF/CBR Turbo Heat 88”; (b) No fuel shall be used other than hardwood or softwood offcuts, chipboard or plastic coated chipboard; (c) The fireplaces shall not be used to burn sawdust in bulk or plastic materials other than plastic coated chipboard.
7. The CBR Flexifuel Heater, models 150 and 200 manufactured by CBR Engineers Limited.	(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturers, instructions published in 1989 and bearing the reference “FF/CBR Flexifuel 150/200/1989”; (b) No fuel shall be used other than hardwood or softwood offcuts, chipboard or plastic coated chipboard; (c) The fireplaces shall not be used to burn sawdust in bulk or plastic materials other than plastic coated chipboard.
8. The Turbo Heat, models 1,000 and 1,200 manufactured by CBR Engineers Limited.	
(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturers, instructions published in 1990 and bearing the reference “FF/CBR Turbo Heat 1,200 1990”; (b) No fuel shall be used other than hardwood or softwood offcuts, chipboard or plastic coated chipboard;	9. The Spacewarmer B200, manufactured by Clearair Limited. (a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer’s instructions published December 1983 and bearing the reference “B200/DEC 83”; (b) No fuel shall be used other than hardwood or softwood offcuts, a mixture of offcuts (hardwood or softwood) and sandwich with no more than 50 per cent. of the mixture being sawdust, chipboard offcuts or plastic coated chipboard offcuts; (c) The fireplace shall not be used to burn chipboard or plastic coated chipboard unless an afterburner supplied by the manufacturer of the fireplace and capable of producing 50

(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
	megajoules of heat per hour has been fitted to the fireplace.
10. The Spacewarmer B500, manufactured by Clearair Limited.	(a) (a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions published in December 1983 and bearing the reference "B500/DEC 83"; (b) No fuel shall be used other than hardwood or softwood offcuts.
11. The Clearview models 650 and 750 and the Vision 500 model, manufactured by Clearview Stoves Limited.	(a) (a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 1 January 1993 and in the case of the Clearview models 650 and 750, bearing the reference "1/42" and in the case of Vision 500 model, bearing the reference "V1/42"; (b) No fuel shall be used other than firewood which has been split, stacked and air dried.
12. The Cronspisen stove, using the 5 channel chimney system, manufactured by Cronspisen Produktion AB.	(a) (a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions bearing the reference "January 1992 Serial No. UM 351B"; (b) No fuel shall be used other than firewood which has been split, stacked and air-dried.
13. The Dovre woodstove models 500G and 700G manufactured by Dovre Castings Limited.	(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated October 1995 bearing the following reference— (i) model 500G: "500G"; (ii) model 700G: "700G". (b) No fuel shall be used other than wood.
14. The Nordist Waste Fired System, models 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 manufactured in part by Nordfab A/S and in part by Danstoker A/S.	(a) (a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 9th December 1988 and bearing the reference "P.S. 501 9/12/88".
15. The Jotul catalyst stove models 8TDIC and 12TDIC manufactured by Jotul Limited.	(a) (a) The appliances shall be installed, maintained and operated in

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(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
	<p>accordance with the manufacturer's instructions dated November 1995 bearing the following reference—</p> <ul style="list-style-type: none"> (i) model 8TDIC: "JT8/001" and "J/S/001"; (ii) model 12TDIC: "JT12/001" and "JT/S/001" <p>(b) No fuel should be used other than wood.</p>
<p>16. The Jansen Design stove using the 5 channel system, manufactured by Kakkelovnsmakeriet A/S.</p>	<ul style="list-style-type: none"> (a) (a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions bearing the reference "CSC-JDS-01" dated 21/10/91; (b) No fuel should be used other than wood.
<p>17. The Eclipse Junior, Standard, Senior Jumbo 30 and Jumbo 50 incinerators, manufactured by Northern Incinerators Limited.</p>	<ul style="list-style-type: none"> (a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 21 June 1988 and bearing the reference "NORCIN TECH 88"; (b) No fuel shall be used, other than fuel consisting of paper, cardboard cartons, scrap wood, foliage, combustible floor sweepings and other waste from domestic, commercial and industrial activities containing no more than 20 per cent of restaurant and cafeteria waste and containing less than 5 per cent by weight of coated papers, plastic or rubber waste.
<p>18. The Farm 2000 boiler models HT60, HT70, HT80 and BB154/2V manufactured by Farm 2000 Limited.</p>	<ul style="list-style-type: none"> (a) (a) The boilers shall be installed, maintained and operated in accordance with the manufacturer's instructions which in the case of models HT60, HT70 and HT80, are dated 1st July 1993 and bear the reference "HT60/70/80", and in the case of model BB154/2V are dated 1st September 1993 and bear the reference "9/93"; (b) No fuel shall be used other than cereal straw.
<p>19. The Farm 2000 boiler models BB154, BB154A and BB154/2 (when used with</p>	<ul style="list-style-type: none"> (a) (a) The boiler shall be installed with the manufacturer's instructions

(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
the Farm 2000 conversion kit BB154/2Vcx), manufactured by Farm 2000 Limited.	dated May 1994 bearing the reference “BB154/2VC”, and maintained and operated in accordance with the manufacturer’s instructions dated September 1993 bearing the reference “BB154/2V”;
20. The Farm 2000 model HT6 (when used with the Farm 2000 conversion kit HT60cx), the HT6PLUS and HT600 (when each is used with the Farm 2000 conversion kit HT70cx), and the HT7 and HT8 (when each is used with the Farm 2000 conversion kit HT80cx), manufactured by Farm 2000 Limited.	(b) No fuel shall be used other than cereal straw. (a) (a) The boilers shall be installed in accordance with the manufacturer’s instructions dated May 1994 bearing the references “HT6780”, and “HT6781” and maintained and operated in accordance with the manufacturer’s instructions dated 1st July 1993 bearing the reference “HT60/70/80”;
21. The RanHeat Boiler Type RHA 20, manufactured by RanHeat Energy A/S.	(b) No fuel shall be used other than cereal straw. (a) (a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer’s instructions dated 30th March 1988 and bearing the reference “RHGBEA 30388”;
22. The RanHeat appliances models MSU150, MSU300, MSU500, WA150, WA300 and WA500, manufactured by RanHeat Energy Limited.	(b) No fuel shall be used other than hardwood and softwood shavings. (a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer’s instructions dated July 1994 bearing the following reference— (i) models MSU150, MSU300 and MSU500: “MSU150/5001994”; (ii) models WA150, WA300 and WA500: “WA150/5001994”;
23. The RanHeat Boiler Types RHA 160, 200 and 250, manufactured by RanHeat Energy GB Limited.	(b) No fuel shall be used other than chipboard, wood offcuts, softwood or hardwood, fibre board, melamine coated shavings or dust. (a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer’s instructions dated 30th March 1988 and bearing the reference “RHGBEA 30388”;

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(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
24. The Silent Glow Incinerator, models CCD 450, 600 and 750 manufactured by Silent Glow Incinerators Limited.	<p>(b) No fuel shall be used other than hardwood and softwood shavings.</p> <p>(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated May 1989;</p> <p>(b) No fuel shall be used other than solid waste of the type specified in the manufacturer's instructions dated May 1989.</p>
25. The Talbott T5-1M Automatic Heater, manufactured by Talbott's Heating Limited.	<p>(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions published in January 1989 and bearing the reference "Jan. 89, T5-A-1-89";</p> <p>(b) No fuel shall be used other than softwood shavings, hardwood shavings or chipboard dust.</p>
26. The Talbott's Energy Saving Wood Waste Burning Automatic Warm Air Heaters models T1.5/A, T3/A, T5/A and TM/A manufactured by Talbott's Heating Limited.	<p>(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions published in January 1990 and bearing the reference "T/A JANUARY 1990";</p> <p>(b) No fuel shall be used other than hardwood or softwood shavings or sawdust.</p>
27. The Talbott Project P150 Heater manufactured by Talbott's Heating Limited.	<p>(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated February 1987 and bearing the reference "No. P150-2.87";</p> <p>(b) No fuel shall be used other than hardwood or softwood offcuts, chipboard or plastic coated chipboard;</p> <p>(c) When the fireplace is used to burn chipboard and plastic coated chipboard an afterburner which is supplied with the fireplace and which must be capable of continuously producing 20 megajoules of heat per hour shall be used;</p> <p>(d) The fireplace shall not be used to burn sawdust in bulk or plastic</p>

(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
28. The Talbott Pirojet P300 Heater manufactured by Talbott's Heating Limited.	<p>materials other than plastic coated chipboard.</p> <p>(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated February 1987 and bearing the reference "No. P300-2-87";</p> <p>(b) No other fuel shall be used other than hardwood or softwood offcuts, chipboard or plastic coated chipboard;</p> <p>(c) When the fireplace is used to burn chipboard and plastic coated chipboard an afterburner which is supplied with the fireplace and which must be capable of continuously producing 40 megajoules of heat per hour shall be used;</p> <p>(d) The fireplace shall not be used to burn sawdust in bulk or plastic materials other than plastic coated chipboard.</p>
29. The Talbott Pirojet P600 Heater manufactured by Talbott's Heating Limited.	<p>(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated December 1986 and bearing the reference "No. P600-12.86";</p> <p>(b) No fuel shall be used other than hardwood or softwood offcuts or chipboard or plastic coated chipboard;</p> <p>(c) When the fireplace is used to burn chipboard and plastic coated chipboard an afterburner which is supplied with the fireplace and which must be capable of continuously producing 75 megajoules of heat per hour shall be used;</p> <p>(d) The fireplace shall not be used to burn sawdust in bulk or plastic materials other than plastic coated chipboard.</p>
30. The Talbott Down Firing range of warm air heaters, models D250, D500 and D700 manufactured by Talbott's Heating Limited.	<p>(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's</p>

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(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
<p>31. The Talbott’s Energy Saving Wood Waste Burning Automatic Hot Water Heaters, models T1.5/AB, T3/AB, T5/AB and TM/AB, manufactured by Talbott’s Heating Limited.</p>	<p>instructions bearing the reference “May 1991 Ref No. D257”;</p> <p>(b) No fuel shall be used other than chipboard, plastic coated chipboard or cardboard.</p> <p>(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer’s instructions dated October 1993 and bearing the reference “Issue: A1001”;</p> <p>(b) No fuel shall be used other than hardwood or softwood shavings or sawdust.</p>
<p>32. The Talbott’s Combustion Units models CM1, CM2, CM3 and CM4 manufactured by Talbott’s Heating Limited.</p>	<p>(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer’s instructions dated August 1997 and bearing the reference “Issue: CM897”;</p> <p>(b) No fuel shall be used other than woodwaste, pallets, medium density fibreboard, melamine faced chipboard, cardboard, paper or untreated and airdried wood offcuts.</p>
<p>33. The Talbott’s combustion unit models C1, C2, C3 and C4 manufactured by Talbott’s Heating Limited.</p>	<p>(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer’s instructions dated August 1995 bearing the reference “Issue: C10000/C/Range”;</p> <p>(b) No fuel shall be used other than chipboard or wood shavings, forestry chips or paper briquettes.</p>
<p>34. The Talbott’s Heating models T75, T150, T300, D250B, D500B and D700B, manufactured by Talbott’s Heating Limited.</p>	<p>(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer’s instructions dated 1st January 1995 bearing the following reference—</p> <p>(i) models T75, T150 and T300: “gen/sttech”;</p> <p>(ii) models D250B, D500B and D700B: “Gen/Tech”;</p> <p>(b) No fuel shall be used other than the following—</p> <p>(i) models T75, T150 and T300: wood offcuts, woodwaste pallets, chipboard, plastic</p>

(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
	coated chipboard, cardboard or paper; (ii) models D250B, D500B and D700B: hardwood or softwood offcuts, chipboard, plastic coated chipboard or cardboard.
35. The Triancomatic 90 boiler manufactured by Trianco Redfyre Limited.	(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated July 1987 and which— (i) in the case of installation instructions bear the reference "No. 46576"; and (ii) in the case of the user instructions bear the reference "No. 46574"; (b) No fuel shall be used other than the washed coals recommended in the manufacturer's instructions.
36. The Triancomatic 140 boiler manufactured by Trianco Redfyre Limited.	(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated November 1986 and which— (i) in the case of the installation instructions bear the reference "No. 48375"; and (ii) in the case of the user instructions bear the reference "No. 48374"; (b) No fuel shall be used other than the washed coals recommended in the manufacturer's user instructions.
37. The Resolute Acclaim woodstove manufactured by VCW International Limited.	(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions bearing the reference "AMENDED NO. 200 – 0908 UK OCTOBER 1991"; (b) No fuel shall be used other than 400 millimetre firewood that has been split, stacked and air-dried.
38. The Intrepid II woodstove manufactured by VCW International Limited.	(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's

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(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
<p>39. The Defiant Enfore manufactured by VCW International Limited.</p>	<p>instructions bearing the reference “AMENDED NO. 20917C UK MAY 1990”;</p> <p>(b) No fuel shall be used other than 400 millimetre firewood that has been split, stacked and air-dried.</p> <p>(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer’s instructions dated November 1991 and bearing the reference “200-8632”;</p> <p>(b) No fuel shall be used other than firewood that has been split, stacked and air-dried.</p>
<p>40. The Haat LD, MD and HD Incinerators manufactured by Waste Management Limited.</p>	<p>(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer’s instructions dated March 1988 and bearing the reference “HAAT/1/CAA”;</p> <p>(b) No fuel shall be used other than fuel consisting of paper, cardboard cartons, scrap wood, foilage, combustible floor sweepings and other waste from domestic, commercial and industrial activities containing no more than 20 per cent. of restaurant and cafeteria waste and containing less than 5 per cent by weight of coated papers, plastic or rubber waste.</p>
<p>41. The Haat Pioneer AB1 Incinerators models 12, 20, 28 and 36 manufactured by Waste Management Limited.</p>	<p>(a) (a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer’s instructions published in October 1989 and bearing the reference “HAAT/2/CAA/10/.89”;</p> <p>(b) No fuel shall be used other than the following fuels used in the mixtures by volume recommended in Appendix A of the manufacturer’s instructions—</p> <p>paper, cardboard, corrugated paper, office or domestic waste, wood, polythene sheet or foam, polypropylene, nylon, polyethylene, rubber foam backed carpet, polystyrene,</p>

(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
42. The Worcester Centair 40 Solid Fuel Warm Air Heater manufactured by Worcester Engineering Co. Limited.	polyurethane and glass fibre reinforced plastics.
(a) The fireplace shall be installed, maintained and operated so as to minimise the emission of smoke at all times and in accordance with the manufacturer's instructions which— <ul style="list-style-type: none"><li data-bbox="384 770 790 864">(i) in the case of installation instructions bear the reference "BC40.1.2 July 1983"; and<li data-bbox="384 875 790 1003">(ii) in the case of operating and maintenance instructions bear the reference "BC40.OM2 July 1983"; and, for the purposes of this condition, Union Coal Briketts, manufactured by Rheinbraun AG of Germany and comprising lignite compressed into briquettes of approximately 15 centimetres in length with square ends and with a sulphur content not exceeding one per cent. shall be treated as a fuel which may be used in accordance with those manufacturer's instructions.	

EXPLANATORY NOTE

(This note is not part of the Regulations.)

Paragraph (1) of Article 17 of the Clean Air (Northern Ireland) Order 1981 ("the 1981 Order") empowers district councils to declare the whole or any part of their district to be a smoke control area in which the emission of smoke from a building is, generally, an offence under paragraph (2) of that Article.

Paragraph (7) of Article 17 of the 1981 Order empowers the Department to prescribe, subject to conditions, classes of fireplace which may be used, in a smoke control area, for burning fuel other than an authorised fuel, without producing any smoke or a substantial quantity of smoke.

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These Regulations which prescribe classes of exempted fireplaces revoke and replace with amendments, the Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1992 (S.R. 1992 No. 538).

Fireplaces which are manufactured before 2nd August 1999 and which were authorised by regulations may be used notwithstanding the revocation (regulation 3).