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STATUTORY INSTRUMENTS

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**1996 No. 1145**

**CLEAN AIR**

**The Smoke Control Areas (Authorised Fuels) (Amendment) Regulations 1996**

<i>Made</i>	- - - -	<i>18th April 1996</i>
<i>Laid before Parliament</i>		<i>29th April 1996</i>
<i>Coming into force</i>	- -	<i>20th May 1996</i>

The Secretary of State for the Environment as respects England and Wales and the Secretary of State for Scotland as respects Scotland, in exercise of the powers conferred on them by sections 20(6) and 63(1) of the Clean Air Act 1993<sup>(1)</sup> and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Smoke Control Areas (Authorised Fuels) (Amendment) Regulations 1996 and shall come into force on 20th May 1996.

**Authorised fuels for the purposes of the Clean Air Act 1993**

2.—(1) Schedule 1 to the Smoke Control Areas (Authorised Fuels) Regulations 1991<sup>(2)</sup> shall be amended as follows.

(2) After paragraph 4B<sup>(3)</sup> there shall be inserted—

“**4C.** Blue Flame briquettes, manufactured by Eldon Colliery Limited at Newfield Works, Bishop Auckland, County Durham, which—

- (a) comprise anthracite (as to approximately 30 per cent to 50 per cent of the total weight) and Long Beach petroleum coke (as to approximately 50 per cent 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

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(1) 1993 c. 11.

(2) S.I.1991/1282, amended by S.I. 1992/72, 3148, 1993/2499.

(3) Paragraph 4B was inserted by paragraph 2(3) of S.I. 1993/2499.

- (d) have a sulphur content not exceeding 1.5 per cent of the total weight.”
- (3) In paragraph 6, for the words “Taybrite Limited” there shall be substituted “NSM Mining (South Wales) Limited” .
- (4) In paragraph 8(4), at the end there shall be inserted—
- “(f) British Steel plc at Teesside Works, Redcar, Cleveland and sold as “Redcar Coke Nuts (Doubles)” ;
- (g) Coal Products Limited at Cwm Coking Works, Pontypridd, South Wales and sold as “Cwm Coke Doubles”.”
- (5) After paragraph 12 there shall be inserted—
- “**12AAA.** Homefire Ovals (R), manufactured by Coal Products Limited at Chesterfield, Derbyshire, which—
- (a) comprise anthracite fines (as to approximately 50 per cent to 75 per cent of the total weight), petroleum coke (as to approximately 20 per cent to 45 per cent of the total weight), bituminous coal (as to approximately 5 per cent 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 1.5 per cent of the total weight.
- 12AAB.** Homefire (Improved) briquettes, manufactured by Coal Products Limited at Coventry, Warwickshire, which—
- (a) comprise anthracite fines (as to approximately 40 per cent to 70 per cent of the total weight), petroleum coke (as to approximately 20 per cent to 45 per cent of the total weight), char (as to approximately 0 per cent to 10 per cent of the total weight), bituminous coal (as to approximately 5 per cent to 30 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) have a volatile matter content in the finished briquette of not less than 9 per cent 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 1.5 per cent of the total weight.”
- (6) After paragraph 13A(5) there shall be inserted—
- “**13BB.** Natura briquettes, manufactured by NSM Mining (South Wales) Limited at Taybrite Plant, Llanelli, Dyfed, which—
- (a) comprise anthracite fines (as to approximately 90 per cent of the total weight) and molasses and phosphoric 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 cushion-shaped briquettes with a red coating having a central line running latitudinally around the briquette and have an average weight of 48 grammes; and
- (d) have a sulphur content not exceeding 1.5 per cent of the total weight.”

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(4) Paragraph 8 was amended by regulation 2(3) of S.I. [1992/3148](#) and regulation 2(4) of S.I. [1993/2499](#).

(5) Paragraph 13A was inserted by regulation 2(3) of S.I. [1992/72](#).

(7) In paragraph 14, for the words “Ryan Mining Limited”<sup>(6)</sup> there shall be substituted “NSM Mining (South Wales) Limited” .

(8) After paragraph 17A<sup>(7)</sup> there shall be inserted—

“**17B.** Supacite briquettes, manufactured by Maxibrite Limited at Llantrisant, Mid Glamorgan, which—

- (a) comprise anthracite (as to approximately 95 per cent of the total weight) and starch and catalyst 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 1.5 per cent of the total weight.”

(9) After paragraph 18 there shall be inserted—

“**18A.** Supertherm II briquettes, manufactured by Thermac Fuels Limited at Shildon, County Durham, which—

- (a) comprise anthracite (as to approximately 36 per cent to 51 per cent of the total weight), petroleum coke (as to approximately 40 per cent to 55 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 at the ambient temperature;
- (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.”

### Savings

3. Notwithstanding the amendments made by regulation 2(3) and (7) above, the following fuels shall continue to be authorised fuels—

- (a) Clean Flame briquettes manufactured before the coming into force of these Regulations by Taybrite Limited; and
- (b) New Taybrite briquettes manufactured before the coming into force of these Regulations by Ryan Mining Limited.

Signed by authority of the Secretary of State

16th April 1996

*Robert Jones*  
Minister of State,  
Department of the Environment

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<sup>(6)</sup> Substituted by regulation 2(7) of S.I. 1993/2499.

<sup>(7)</sup> Paragraph 17A was inserted by regulation 2(9) of S.I. 1993/2499.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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18th April 1996

*Lindsay*  
Parliamentary Under Secretary of State, Scottish  
Office

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Section 20 of the Clean Air Act 1993 provides that where smoke is emitted from a chimney in a smoke control area, and that chimney is either

- (a) a chimney of a building, or
- (b) a chimney serving the furnace of a fixed boiler or industrial plant (not being a chimney of a building),

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. It is a defence to show that the alleged emission was caused solely by the use of an authorised fuel.

These Regulations, which apply to Great Britain, amend the Smoke Control (Authorised Fuels) Regulations 1991 so that the following additional fuels are now authorised—

- (a) Blue Flame briquettes;
- (b) Cwm Coke Doubles;
- (c) Homefire Ovals (R);
- (d) Homefire (Improved) briquettes;
- (e) Natura briquettes;
- (f) Redcar Coke Nuts (Doubles);
- (g) Supacite briquettes; and
- (h) Supertherm II briquettes.

The Regulations also amend the 1991 Regulations to take account of the fact that the authorised fuels Clean Flame briquettes and New Taybrite Briquettes are now manufactured by NSM Mining (South Wales) Limited.