
STATUTORY INSTRUMENTS

1998 No. 3096

CLEAN AIR

The Smoke Control Areas (Authorised Fuels) (Amendment No. 2) Regulations 1998

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| <i>Made</i> | - - - - | <i>8th December 1998</i> |
| <i>Laid before Parliament</i> | | <i>17th December 1998</i> |
| <i>Coming into force</i> | - - | <i>7th January 1999</i> |

The Secretary of State for the Environment, Transport and the Regions, 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⁽¹⁾ 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 No. 2) Regulations 1998 and shall come into force on 7th January 1999.

Authorised fuels for the purposes of the Clean Air Act 1993

2. Schedule 1 to the Smoke Control Areas (Authorised Fuels) Regulations 1991⁽²⁾ shall be amended as follows:

(a) after paragraph 1A⁽³⁾ there shall be inserted—

“**1B.** 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;

(1) 1993 c. 11.

(2) S.I.1991/1282, amended by S.I. 1992/72, 3148, 1993/2499, 1996/1145, 1997/2658 and 1998/2154.

(3) Paragraph 1A was inserted by regulation 2(a) of S.I. 1998/2154.

- (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.

1C. Ancit briquettes, manufactured by CPL Industries Limited at Immingham, North East Lincolnshire, which—

- (a) comprise anthracite (as to approximately 60 per cent to 85 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 (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 1.5 per cent of the total weight.”;

(b) in paragraph 4C(4), for “Blue Flame” there shall be substituted “Jewel”;

(c) after paragraph 8 there shall be inserted—

“**8AA.** Cosycoke (also marketed as Lionheart Crusader or Sunbrite Plus), manufactured by Monckton Coke & Chemical Company Limited at Royston, near Barnsley, South Yorkshire, which—

- (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.”;

(d) paragraph 16(5) shall be revoked.

Revocation and savings

3.—(1) Regulation 2(4) of the Smoke Control Areas (Authorised Fuels) (Amendment) Regulations 1992 is hereby revoked.

(2) Notwithstanding the amendment by regulation 2(b) of paragraph 4C of Schedule 1 to the Smoke Control Areas (Authorised Fuels) Regulations 1991, Blue Flame briquettes manufactured before the coming into force of these Regulations which were an authorised fuel by virtue of that paragraph before that amendment shall continue to be an authorised fuel.

(3) Notwithstanding the revocation by regulation 2(d) of paragraph 16 of Schedule 1 to the Smoke Control Areas (Authorised Fuels) Regulations 1991, Pureheat ovoids manufactured before the coming into force of these Regulations which were an authorised fuel by virtue of that paragraph before that revocation shall continue to be an authorised fuel.

(4) Paragraph 4C was inserted by regulation 2(2) of S.I. 1996/1145.

(5) Paragraph 16 was amended by regulation 2(4) of S.I. 1992/72.

Signed by authority of the Secretary of State for the Environment, Transport and the Regions

4th December 1998

Michael Meacher
Minister of State,
Department of the Environment, Transport and
the Regions

8th December 1998

Sewel
Parliamentary Under Secretary of State, Scottish
Office

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

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) Aimcor Pureheat briquettes;
- (b) Ancit briquettes;
- (c) Cosycoke (also marketed as Lionheart Crusader or Sunbrite Plus).

The Regulations also substitute the name “Jewel briquettes” for “Blue Flame briquettes” to take account of the change in name of that fuel and revoke the authorisation of Pureheat ovoids, which are no longer manufactured. A saving provision provides, however, that briquettes sold as Blue Flame briquettes before the re-naming of the fuel and existing stocks of Pureheat ovoids continue to be authorised and so can still be used in smoke control areas.