
STATUTORY INSTRUMENTS

2006 No. 2704

CLEAN AIR, ENGLAND

**The Smoke Control Areas (Exempted
Fireplaces) (England) (No. 2) Order 2006**

<i>Made</i>	- - - -	<i>11th October 2006</i>
<i>Laid before Parliament</i>		<i>17th October 2006</i>
<i>Coming into force</i>	- -	<i>10th November 2006</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 21 of the Clean Air Act 1993⁽¹⁾.

He is satisfied that the fireplaces exempted by this Order can be used for burning fuel other than authorised fuels without producing any smoke or a substantial quantity of smoke.

Citation, application and commencement

1. This Order may be cited as the Smoke Control Areas (Exempted Fireplaces) (England) (No. 2) Order 2006; it applies in England and comes into force on 10th November 2006.

Fireplaces exempted from section 20 of the Clean Air Act 1993

2. The fireplaces in the Schedule are exempt from the provisions of section 20 of the Clean Air Act 1993 (prohibition of smoke emissions in smoke control area) subject to the conditions in the Schedule.

Revocations

3. The following are revoked—
- (a) the Smoke Control Areas (Exempted Fireplaces) (England) Order 2005⁽²⁾; and
 - (b) the Smoke Control Areas (Exempted Fireplaces) (England) Order 2006⁽³⁾.

(1) 1993 c. 11.
(2) S. I. 2005/2304.
(3) S. I. 2006/1152.

Status: *This is the original version (as it was originally made).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

11th October 2006

Ben Bradshaw
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

SCHEDULE

Article 2

Exempted fireplaces

<i>Fireplace</i>	<i>Conditions</i>	
	<i>The fireplace must be installed, maintained and operated in accordance with the following specifications</i>	<i>Permitted fuel</i>
The Binder Wood Fired Boiler models RRK 22–49 (49 kW output) manufactured by Binder Gesellschaft mit beschränkter Haftung (GmbH) of Austria.	The manufacturer’s and Wood Energy Limited’s instructions ‘Binder Equipment Installation, Commissioning and Maintenance’ dated 17th May 2005, reference WELBinderManualrev0.doc, revision 0.	Wood pellets or wood chips ^(a) .
The Binder Wood Fired Boiler models RRK 80–175 (75–149 kW output) with cyclone models ZA 80–175 manufactured by Binder Gesellschaft mit beschränkter Haftung (GmbH) of Austria.	The manufacturer’s and Wood Energy Limited’s instructions ‘Binder Equipment Installation, Commissioning and Maintenance’ dated 17th May 2005, reference WELBinderManualrev0.doc, revision 0.	Wood pellets or wood chips ^(a) .
The Binder Wood Fired Boiler model RRK 130-250 (185-230 kW output), RRK 200-350 (250-300 kW output), RRK 400-600 (350-500 kW output) and RRK 640-850 (650-840 kW output) with cyclone model type ZA manufactured by Binder Gesellschaft mit beschränkter Haftung (GmbH) of Austria.	The manufacturer’s and Wood Energy Limited’s instructions ‘Binder Equipment Installation, Commissioning and Maintenance’ dated 17th May 2005, reference WELBinderManualrev0.doc, revision 0.	Wood pellets or wood chips ^(a) .
The Binder Wood Fired Boiler model RRK 1000 (1200 kW output) with multi-cyclone model MZA manufactured by Binder Gesellschaft mit beschränkter Haftung (GmbH) of Austria.	The manufacturer’s and Wood Energy Limited’s instructions ‘Binder Equipment Installation, Commissioning and Maintenance’ dated 17th May 2005, reference WELBinderManualrev0.doc, revision 0.	Wood pellets or wood chips ^(a) .
The Clearview Pioneer 400, Solution 400 and Pioneer Oven wood burning stoves	The manufacturer’s instructions ‘Operating Instructions Clearview Vision/	Air-dried wood logs ^(a) .

(a) The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood-preservatives or coatings.

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<i>Fireplace</i>	<i>Conditions</i>																									
	<i>The fireplace must be installed, maintained and operated in accordance with the following specifications</i>	<i>Permitted fuel</i>																								
fitted with a tamperproof mechanical stop on the air slide/damper manufactured by Clearview Stoves of More Works, Bishops Castle, Shropshire, SY9 5HH.	Vision Inset/Pioneer & Solution' dated 1st July 2006, reference V1/42, stamped and signed "Smoke Control".																									
The Dunsley Yorkshire Woodburning Stove manufactured by Dunsley Heat Limited.	The manufacturer's instructions dated 4th December 2004, reference D13W.	Untreated dry wood.																								
The Dunsley Yorkshire Woodburning Stove and Boiler manufactured by Dunsley Heat Limited.	The manufacturer's instructions dated 4th December 2004, reference D13W together with the manufacturer's instructions dated 4th October 2004 reference GHD/DUN4B/1.	Untreated dry wood.																								
The Orchard Ovens models: FVR Speciale 80, 100, 110, 110 × 160 and 120; TOP Superiore 100 and 120; GR 100, 120, 140, 120 × 160, 140 × 160, 140 × 180 and 180; OT 100, 120, 140, 120 × 160, 140 × 160, 140 × 180 and 180; the Valoriani Piccolo, all of which are manufactured by Valoriani of Via Caselli alla Fornace, 213, 50066 Reggello, Firenze, Italy.	The manufacturer's instructions dated 25th October 2004, references: <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Instruction</td> <td>Model</td> </tr> <tr> <td>OOLinst.1</td> <td>FVR 80</td> </tr> <tr> <td>OOLinst.2</td> <td>FVR 100</td> </tr> <tr> <td>OOLinst.3</td> <td>FVR 110</td> </tr> <tr> <td>OOLinst.4</td> <td>FVR 120</td> </tr> <tr> <td>OOLinst.5</td> <td>FVR 110 × 160</td> </tr> <tr> <td>OOLinst.6</td> <td>TOP 100</td> </tr> <tr> <td>OOLinst.7</td> <td>TOP 120</td> </tr> <tr> <td>OOLinst.8</td> <td>GR 100 and OT 100</td> </tr> <tr> <td>OOLinst.9</td> <td>GR 120 and OT 120</td> </tr> <tr> <td>OOLinst.10</td> <td>GR 140 and OT 140</td> </tr> <tr> <td>OOLinst.11</td> <td>GR 120 × 160 and OT 120 × 160</td> </tr> </table>	Instruction	Model	OOLinst.1	FVR 80	OOLinst.2	FVR 100	OOLinst.3	FVR 110	OOLinst.4	FVR 120	OOLinst.5	FVR 110 × 160	OOLinst.6	TOP 100	OOLinst.7	TOP 120	OOLinst.8	GR 100 and OT 100	OOLinst.9	GR 120 and OT 120	OOLinst.10	GR 140 and OT 140	OOLinst.11	GR 120 × 160 and OT 120 × 160	Untreated dry wood.
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OOLinst.1	FVR 80																									
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(a) The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood-preservatives or coatings.

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Fireplace	Conditions	
	<i>The fireplace must be installed, maintained and operated in accordance with the following specifications</i>	<i>Permitted fuel</i>
	OOLinst.12	GR 140 × 160 and OT 140 × 160
	OOLinst.13	GR 140 × 180 and OT 140 × 180
	OOLinst.14	GR 180 and OT 180
	OOLinst.15	Valoriani Piccolo.
The Quadra-Fire 2100 Millennium Freestanding Wood Burning Stove manufactured by Hearth & Home Technologies 1445 North Highway, Colville, WA 99114, USA.	The manufacturer's instructions dated 9th October 2003, reference 250–6931B.	Dry cured untreated wood of maximum size 38.1 cm × 10.16 cm × 5.08 cm.
The Quadra-Fire Yosemite Freestanding Wood Burning Stove manufactured by Hearth & Home Technologies 1445 North Highway, Colville, WA 99114, USA.	The manufacturer's instructions dated 4th June 2003, reference 7004–187.	Dry cured untreated wood of maximum size 38.1 cm × 10.16 cm × 5.08 cm.
The Quadra-Fire Cumberland Gap Freestanding Wood Burning Stove manufactured by Hearth & Home Technologies 1445 North Highway, Colville, WA 99114, USA.	The manufacturer's instructions dated 8th July 2003, reference 7006–186.	Dry cured untreated wood of maximum size 43.18 cm × 10.16 cm × 10.16 cm.
The Type USP wood pellet-fired boilers, model numbers USP-10, 15, 20, 25 and 30, manufactured by KWB – Kraft und Wärme aus Biomasse Gesellschaft mit beschränkter Haftung (GmbH) of Industriestrasse 235, A-8321 St. Margarethen an der Raab, Austria.	The manufacturer's instructions dated 28th July 2003, reference BA-USP 0703.	Wood pellets ^(a) .

(a) The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood-preservatives or coatings.

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	<i>Conditions</i>	
<i>Fireplace</i>	<i>The fireplace must be installed, maintained and operated in accordance with the following specifications</i>	<i>Permitted fuel</i>
The Type USV wood pellet- and wood chipfired boilers, model numbers USV-15, 25, 30, 40, 50, 60, 80 and 100, manufactured by KWB – Kraft und Wärme aus Biomasse Gesellschaft mit beschränkter Haftung (GmbH) of Industriestrasse 235, A-8321 St. Margarethen an der Raab, Austria.	The manufacturer's instructions dated August 2003, reference BA-USV 0803.	Wood pellets or wood chips ^(a) .
The Wood Waste Technology Heater, models WT10 and WT15, manufactured by Wood Waste Technology.	The manufacturer's instructions dated 19th January 2005, reference WT10 and WT15.	Hardwood and softwood offcuts ^(a) .

(a) The fuel must not contain halogenated organic compounds or heavy metals as a result of treatment with wood-preservatives or coatings.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes and replaces the Smoke Control Areas (Exempted Fireplaces) (England) Order 2005 and the Smoke Control Areas (Exempted Fireplaces) (England) Order 2006.

It exempts the fireplaces in the Schedule from the provisions of section 20 of the Clean Air Act 1993 (prohibition of smoke emissions in smoke control area) subject to the conditions in the Schedule.

A regulatory impact assessment has not been produced as the instrument has no impact on the costs of business.