
STATUTORY INSTRUMENTS

2009 No. 449

CLEAN AIR, ENGLAND

**The Smoke Control Areas (Exempted
Fireplaces) (England) Order 2009**

<i>Made</i>	- - - -	<i>2nd March 2009</i>
<i>Laid before Parliament</i>		<i>6th March 2009</i>
<i>Coming into force</i>	- -	<i>6th April 2009</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⁾.

The Secretary of State is satisfied that the fireplaces exempted by this Order can be used for burning fuel other than authorised fuels⁽²⁾ without producing any smoke or substantial quantity of smoke.

Citation, application and commencement

1. This Order—
 - (a) may be cited as the Smoke Control Areas (Exempted Fireplaces) (England) Order 2009;
 - (b) applies in England; and
 - (c) comes into force on 6th April 2009.

Fireplaces exempted from the provisions of section 20 of the Clean Air Act 1993

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

Revocation

3. The Smoke Control Areas (Exempted Fireplaces) (England) (No. 2) Order 2008⁽³⁾ is revoked.

(1) 1993 c. 11.

(2) Fuels declared by the Secretary of State to be authorised fuels for the purposes of Part III of the Clean Air Act 1993 under section 20(6) of that Act are specified in [S.I. 2008/514](#), as amended by [S.I. 2008/2342](#).

(3) [S.I. 2008/2343](#).

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2nd March 2009

Phil Hunt
Minister 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 fuels (other than authorised fuels):</i>
100SE Smoke Exempt Woodburning Stove manufactured by ESSE Engineering Limited, Long Ing, Barnoldswick, Lancashire, BB18 6BN	The manufacturer's instruction manual dated February 2009, reference 100SE Issue 1 A permanent stop must be in place on the secondary air inlet to prevent closure beyond the 50% open position	Untreated dry wood with a maximum moisture content of 20%, maximum length of 200 mm and maximum width or diameter of 120 mm ⁽¹⁾
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 ⁽¹⁾
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 ⁽¹⁾
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 ⁽¹⁾
The Binder Wood Fired Boiler model RRK 1000 (1200 kW output) with multi-cyclone	The manufacturer's and Wood Energy Limited's instructions 'Binder Equipment	Wood pellets or wood chips ⁽¹⁾

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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 fuels (other than authorised fuels):</i>
model MZA manufactured by Binder Gesellschaft mit beschränkter Haftung (GmbH) of Austria	Installation, Commissioning and Maintenance' dated 17th May 2005, reference WELBinderManualrev0.doc, revision 0	
Biomatic 220 and 250 fitted with Zyklovent 220–250 cyclone separator manufactured by HERZ Armaturen Ges.m.b.H, Geschäftsbereich HERZ, Feuerungstechnik, A–8272 Sebersdorf 138, Austria	The manufacturer's instructions dated April 2005, reference Bedienungsanleitung Englisch v2.0 doc	Chipped wood, wood pellets or planed wood shavings ⁽¹⁾
Biomatic 300, 350, 400 and 500 fitted with Zyklovent 300-500 cyclone separator manufactured by HERZ Armaturen Ges.m.b.H, Geschäftsbereich HERZ, Feuerungstechnik, A-8272 Sebersdorf 138, Austria	The manufacturer's instructions dated April 2005, reference Bedienungsanleitung Englisch v2.0 doc	Chipped wood, wood pellets or planed wood shavings ⁽¹⁾
CTC Ecoflex 15 and 20 manufactured by Enertech AB, Box 313, S-341 26 Ljungby, Sweden	The manufacturer's instructions dated 20th February 2007, reference 161 505 27 06/1	Wood pellets ⁽¹⁾
The Clearview Pioneer 400, Solution 400 and Pioneer Oven wood burning stoves fitted with a tamperproof mechanical stop on the air slide/damper manufactured by Clearview Stoves of More Works, Bishops Castle, Shropshire, SY9 5HH	The manufacturer's instructions 'Operating Instructions Clearview Vision/Vision Inset/ Pioneer & Solution' dated 1st July 2006, reference V1/42, stamped and signed "Smoke Control"	Air-dried wood logs ⁽¹⁾
Dovre 250 (model DV-250) manufactured by Dovre NV, Nijverheidsstraat 18, BE-2381 Weelde, Belgium	The manufacturer's instructions, reference PM 250 Issue 1 A permanent stop must be in place on the secondary air inlet to prevent closure beyond the 75% open position	Untreated dry wood ⁽¹⁾
The Dunsley Yorkshire Stove, manufactured by Dunsley Heat Limited	The manufacturer's instructions dated 5th August 1998, reference A/22160 as amended by those	Untreated dry wood ⁽¹⁾

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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 fuels (other than authorised fuels):</i>
	dated 4th December 2004, reference D13	<p>Peat or peat briquettes with, in either case, less than 25% moisture</p> <p>Union Coal Briketts, manufactured by Rheinbraun AG of Germany comprising lignite compressed into briquettes of approximately 15 cm in length with square ends and with a sulphur content not exceeding 1% of the total weight</p> <p>CPL Wildfire, manufactured by Coal Products Limited, Immingham, which — comprise bituminous coal with a volatile content of 32-36% (as to approximately 96% of the total weight) and a cold cure resin binder (as to the remaining weight); are manufactured from those constituents by a process involving roll-pressing; have an average weight of either 80-90 grams or 160-170 grams; and have a sulphur content not exceeding 1.8% of the total weight</p>
The Dunsley Yorkshire Multifuel Stove manufactured by Dunsley Heat Limited	The manufacturer’s instructions dated 5th August 1998, reference A/22160 as amended by those dated 4th December 2004, reference D13	<p>Untreated dry wood⁽¹⁾</p> <p>Peat or peat briquettes with, in either case, less than 25% moisture</p> <p>Union Coal Briketts, manufactured by Rheinbraun AG of Germany comprising lignite compressed into</p>

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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 fuels (other than authorised fuels):</i>
		<p>briquettes of approximately 15 cm in length with square ends and with a sulphur content not exceeding 1% of the total weight</p> <p>CPL Wildfire, manufactured by Coal Products Limited, Immingham, which —comprise bituminous coal with a volatile content of 32-36% (as to approximately 96% of the total weight) and a cold cure resin binder (as to the remaining weight); are manufactured from those constituents by a process involving roll-pressing; have an average weight of either 80-90 grams or 160-170 grams; and have a sulphur content not exceeding 1.8% of the total weight</p>
<p>The Dunsley Yorkshire Multifuel Stove and Boiler manufactured by Dunsley Heat Limited</p>	<p>The manufacturer’s instructions dated 5th August 1998, reference A/22160, as amended by those dated 4th October 2004, reference GHD/DUN4B/1</p>	<p>Untreated dry wood⁽¹⁾</p> <p>Peat or peat briquettes with, in either case, less than 25% moisture</p> <p>Union Coal Briketts, manufactured by Rheinbraun AG of Germany and comprising lignite compressed into briquettes of approximately 15 cm in length with square ends and with a sulphur content not exceeding 1% of the total weight</p>

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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 fuels (other than authorised fuels):</i>
		CPL Wildfire, manufactured by Coal Products Limited, Immingham, which comprise bituminous coal with a volatile content of 32-36% (as to approximately 96% of the total weight) and a cold cure resin binder (as to the remaining weight); are manufactured from those constituents by a process involving roll-pressing; have an average weight of between 80-90 grams or between 160-170 grams; and have a sulphur content not exceeding 1.8% of the total weight
The Dunsley Yorkshire Woodburning Stove manufactured by Dunsley Heat Limited	The manufacturer's instructions dated 4th December 2004, reference D13W	Untreated dry wood ⁽¹⁾
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 ⁽¹⁾
The Extraflame: Babyfiamma, Bella and Bella Lux, Clementina, Comfort Maxi, Contessa, Divina, Divina Plus and Divina Steel, Duchessa and Duchessa Steel, Ecologica, Esmeralda and Esmeralda Crystal, Falò 1CP, Falò 2CP and Falò 1XP, Isabella, Karolina, and Preziosa, all of which are manufactured by Extraflame S.p.a in Montecchio Precalcino (Vicenza), Italy	The manufacturer's operating instructions dated 5th March 2007, reference 004275101 011	Wood pellets ⁽¹⁾
The Extraflame Comfort Mini manufactured by Extraflame	The manufacturer's operating instructions dated 2nd October	Wood pellets ⁽¹⁾

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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 fuels (other than authorised fuels):</i>
S.p.a in Montecchio Precalcino (Vicenza), Italy	2006, reference 004275115 REV 005	
The Extraflame Idro manufactured by Extraflame S.p.a in Montecchio Precalcino (Vicenza), Italy	The manufacturer's operating instructions dated 28th August 2006, reference 004275128 REV 002	Wood pellets ⁽¹⁾
The Extraflame Lucrezia Idro and Lucrezia Steel manufactured by Extraflame S.p.a in Montecchio Precalcino (Vicenza), Italy	The manufacturer's operating instructions dated 12th July 2006, reference 004275110 REV 011	Wood pellets ⁽¹⁾
Firematic 25, 50, 90 and 150 manufactured by HERZ Armaturen Ges.m.b.H, Geschäftsbereich HERZ, Feuerungstechnik, A-8272 Sebersdorf 138, Austria	The manufacturer's instructions dated June 2005, reference Bedienungsanleitung Firematic V 1.1 ENG doc	Chipped wood, wood pellets or planed wood shavings ⁽¹⁾
Fröling Turbomatic 28, 35, 48 and 55 manufactured by Fröling Heizkessel- und Behälterbau Ges.m.b.H, Industriestraße 12, A-4710 Grieskirchen, Austria	The manufacturer's installation manual dated November 2003, reference M 060 01 03 The manufacturer's operating manual dated August 2002, reference 99229a	Wood chip less than 35% moisture content and meeting ÖNORM(4) M 7133: 1998 size class G30 ⁽¹⁾ Wood pellets of 6 mm diameter and a moisture content below 10% ⁽¹⁾
Fröling Turbomatic 85, 100 and 110 manufactured by Fröling Heizkessel- und Behälterbau Ges.m.b.H, Industriestraße 12, A-4710 Grieskirchen, Austria	The manufacturer's instruction manual dated November 2003, reference M 060 01 03 The manufacturer's operating manual dated August 2002, reference 99229a	Wood chip less than 35% moisture content and meeting ÖNORM M 7133: 1998 of either size class G30 or G50 ⁽¹⁾ Wood pellets of 6 mm diameter and a moisture content below 10% ⁽¹⁾
Fröling Turbomat 150 and 220 manufactured by Fröling Heizkessel- und Behälterbau Ges.m.b.H, Industriestraße 12, A-4710 Grieskirchen, Austria	The manufacturer's operating instructions dated August 2003, reference B0310003	Wood pellets or wood chips ⁽¹⁾

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(4) Österreichisches Normungsinstitut (Austrian Standards Institute).

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	<i>The fireplace must be installed, maintained and operated in accordance with the following specifications:</i>	<i>Permitted fuels (other than authorised fuels):</i>
Fröling Turbomat 320 and 500 manufactured by Fröling Heizkessel- und Behälterbau Ges.m.b.H, Industriestraße 12, A-4710 Grieskirchen, Austria	The manufacturer's operating instructions dated November 2004, reference B0340004	Wood pellets or wood chips ⁽¹⁾
Gilles HPK-RA 13 kW, 15 kW, 20 kW, 25 kW, 30 kW, 35 kW, 40 kW, 45 kW, 49 kW, 60 kW, 70 kW, 75 kW, 85 kW, 95 kW, 100 kW, 120 kW and 145 kW manufactured by GILLES Energie- und Umwelttechnik GmbH, Koaserbauer Str. 16 A-4810 Gmunden, Austria	Operating instructions dated January 2007, reference Gilles/0–145/1	Wood pellets or wood chips ⁽¹⁾
Gilles HPK USK 150 kW, 180 kW, 240 kW and 300 kW manufactured by GILLES Energie- und Umwelttechnik GmbH, Koaserbauer Str. 16 A-4810 Gmunden, Austria	Operating instructions dated January 2007, reference Gilles/150–300/1	Wood pellets or wood chips ⁽¹⁾
Gilles HPK USK 360 kW manufactured by GILLES Energie- und Umwelttechnik GmbH, Koaserbauer Str. 16 A-4810 Gmunden, Austria	Operating instructions dated January 2008, reference Gilles/360/1	Wood pellets or wood chips ⁽¹⁾
Gilles UTSK 450 kW, 550 kW boilers manufactured by GILLES Energie- und Umwelttechnik GmbH, Koaserbauer Str. 16 A-4810 Gmunden, Austria	Operating instructions dated January 2008, reference Gilles/360/1	Wood pellets or wood chips ⁽¹⁾
Gilles UTSK 700 kW, 900 kW boilers manufactured by GILLES Energie- und Umwelttechnik GmbH, Koaserbauer Str. 16 A-4810 Gmunden, Austria	Operating instructions dated January 2008, reference Gilles/360/1	Wood pellets ⁽¹⁾
Gilles UTSK 1200 kW, 1600 kW boilers manufactured by GILLES Energie- und Umwelttechnik GmbH,	Operating instructions dated January 2008, reference Gilles/360/1	Wood pellets or wood chips ⁽¹⁾

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	<i>The fireplace must be installed, maintained and operated in accordance with the following specifications:</i>	<i>Permitted fuels (other than authorised fuels):</i>
Koaserbauer Str. 16 A-4810 Gmunden, Austria		
The Hoval BioLyt 50 Wood Pellet Boiler (49 kW thermal output) manufactured in Slovakia by Hoval AG, Austrasse 70, 9490 Vaduz, Liechtenstein	The manufacturer's technical information and installation instructions dated October 2005, reference 4 204794/00 and operating instructions dated January 2006, reference 4 204 793/01	Wood pellets ⁽¹⁾
The Hoval BioLyt 50 and 70 models manufactured by Hoval AG, Austrasse 70, 9490 Vaduz, Liechtenstein	Installation and operation manual dated June 2007, reference 4 204 794/01 and 4 204 793/02	6 mm diameter wood pellets ⁽¹⁾
The Hoval AgroLyt 20, 25, 35, 45, and 50 manufactured by Hoval AG, Austrasse 70, 9490 Vaduz, Liechtenstein	Installation and operation manuals dated January 2006, reference 4 205/ 194/00, and June 2006, reference 205 193/00	Wood logs with less than 20% moisture ⁽¹⁾
The Hoval STU 150, 200, 250, 300, 350, 425 and 500 manufactured by Hoval UK Ltd, Northgate, Newark-on-Trent, Nottinghamshire, NG24 1JN	Installation and operation manual dated November 2007, reference STU/man/01, or dated June 2008, reference STU/man/01/1	6 mm diameter wood pellets ⁽¹⁾
The Hoval STU 600, 800 and 1000 manufactured by Hoval UK Ltd, Northgate, Newark-on-Trent, Nottinghamshire, NG24 1JN	Installation and operation manual dated June 2008, reference STU/man/01/1	6 mm diameter wood pellets ⁽¹⁾
Huntingdon 25 clear door (model number 7057) and Huntingdon 25 tracery door (model number 7058) manufactured by Stovax Limited, Falcon Road, Sowton Industrial Estate, Exeter, Devon, EX 2 7LF	The manufacturer's instruction manual reference PM 249 Issue 1 A permanent stop must be in place on the secondary air inlet to prevent closure beyond the 75% open position	Untreated dry wood ⁽¹⁾
The Hwam Beethoven and Hwam Beethoven H (4.5 kW nominal thermal output) fitted with mechanism to prevent closure of the air wash/secondary air control	Euroheat Distributors (HBS) Limited's operational instructions dated November 2006, reference IN1141 Ed B	Untreated dry wood ⁽¹⁾

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	<i>The fireplace must be installed, maintained and operated in accordance with the following specifications:</i>	<i>Permitted fuels (other than authorised fuels):</i>
manufactured by HWAM Heat Design AS Nydamsvej 53, 8362 Hørning, Denmark		
The Hwam Mozart (4.5 kW nominal thermal output) fitted with mechanism to prevent closure of the air wash/secondary air control manufactured by HWAM Heat Design AS Nydamsvej 53, 8362 Hørning, Denmark	Euroheat Distributors (HBS) Limited's operational instructions dated November 2006, reference IN1141 Ed B	Untreated dry wood ⁽¹⁾
The Hwam Ravel (4.5 kW nominal thermal output) fitted with mechanism to prevent closure of the air wash/secondary air control manufactured by HWAM Heat Design AS Nydamsvej 53, 8362 Hørning, Denmark	Euroheat Distributors (HBS) Limited's operational instructions dated November 2006, reference IN1141 Ed B	Untreated dry wood ⁽¹⁾
The Hwam Vivaldi (4.5 kW nominal thermal output) fitted with mechanism to prevent closure of the air wash/secondary air control manufactured by HWAM Heat Design AS Nydamsvej 53, 8362 Hørning, Denmark	Euroheat Distributors (HBS) Limited's operational instructions dated November 2006, reference IN1141 Ed B	Untreated dry wood ⁽¹⁾
The Hwam 30 (4.5 kW nominal thermal output) fitted with mechanism to prevent closure of the air wash/secondary air control manufactured by HWAM Heat Design AS Nydamsvej 53, 8362 Hørning, Denmark	Euroheat Distributors (HBS) Limited's operational instructions dated November 2006, reference IN1141 Ed B	Untreated dry wood ⁽¹⁾
KWB TDS Powerfire 130, 240 and 300 manufactured by KWB – Kraft und Wärme aus Biomasse Gesellschaft mit Beschränkter Haftung (GmbH) of Industriestrasse 235, A-8321 St. Margarethen an der Raab	The manufacturer's instructions dated 14th May 2008, reference BA TDS-05.2008, including specification of recommended fuels	Wood pellets or wood chips ⁽¹⁾

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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 fuels (other than authorised fuels):</i>
KWB TDS Powerfire 150 manufactured by KWB – Kraft und Wärme aus Biomasse Gesellschaft mit Beschränkter Haftung (GmbH) of Industriestrasse 235, A-8321 St. Margarethen an der Raab	The manufacturer’s instructions dated August 2005, reference BA TDS–0805	Wood pellets or wood chips ⁽¹⁾
The Little Thurlow wood burning stove manufactured by Town and Country Fires Pickering, North Yorkshire	The manufacturer’s instructions dated 30th June 2007, issue No 3	Seasoned logs of less than 20% moisture and of a maximum length of 350 mm ⁽¹⁾
Little Wenlock Classic Wood Fuel Stove manufactured by Aga, Station Road, Ketley, Telford, Shropshire, TF1 5AQ	Operating instructions dated 19th December 2008, reference N00471AXX Rev 001 DP081219	Dry and split wood logs of a maximum length of 25 cm and a maximum diameter of 10 cm ⁽¹⁾
The Løvenholm manufactured by Hunter Stoves Limited, Unit 6, Old Mill Industrial Estate, Stoke Canon, Exeter, Devon, EX5 4RJ	Løvenholm Multifuel stove installation and operation manual version 07/08	Untreated wood with a moisture content below 20% ⁽¹⁾
The Morsø 1400 series consisting of the 1412 and 1442 manufactured by Morsø Jernstøberi A/S DK-7900 Nykøbing, Mors, Denmark	Installation and operation manual dated 10th January 2008, reference 72146800	Wood logs with less than 20% moisture ⁽¹⁾
The Morsø 3100 series consisting of the 3112 and 3142 models manufactured by Morsø Jernstøberi A/S DK-7900 Nykøbing, Mors, Denmark	Installation and operation manual dated 4th February 2008, reference 72311200	Wood logs with less than 20% moisture ⁽¹⁾
The Morsø 6140 and 6148 manufactured by Morsø Jernstøberi A/S DK-7900 Nykøbing, Mors, Denmark	Installation and operation manual dated 4th September 2007, reference 72610400	Wood logs with less than 20% moisture ⁽¹⁾
The Morsø Owl 3410, 3420 and 3440 for wood burning manufactured by manufactured by Morsø Jernstøberi A/S	The manufacturer’s instructions dated 1st January 2000, reference 72345600	Untreated dry wood which has been split, stacked and air dried, or air dried wood briquettes ⁽¹⁾

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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 fuels (other than authorised fuels):</i>
DK-7900 Nykøbing, Mors, Denmark		
The Nestor Martin Harmony Multi-Fuel Stove H13 (3.5 kW nominal thermal output) and H33 (8 kW nominal thermal output) manufactured by Nestor Martin, S A Finuick Nv, Voie Axiale 5, B-5660 Couvin, Belgium	Euroheat Distributors (HBS) Limited's operational instructions dated January 2007, reference IN1116 Edition D	Untreated dry wood ⁽¹⁾
The Nestor Martin Harmony Multi-Fuel Stove H23 (6 kW nominal thermal output) manufactured by Nestor Martin, S A Finuick Nv, Voie Axiale 5, B-5660 Couvin, Belgium	Euroheat Distributors (HBS) Limited's operational instructions dated November 2006, reference IN1141 Ed B	Untreated dry wood ⁽¹⁾
The Nestor Martin Stanford Multi-Fuel Stove S13, S23 and SP23 (6 kW nominal thermal output) manufactured by Nestor Martin, S A Finuick Nv, Voie Axiale 5, B-5660 Couvin, Belgium	Euroheat Distributors (HBS) Limited's operational instructions dated November 2006, reference IN1141 Ed B	Untreated dry wood ⁽¹⁾
The Nestor Martin Stanford Multi-Fuel Stove S13 (3.5 kW nominal thermal output), S33 and SP33 (8 kW nominal thermal output) manufactured by Nestor Martin, S A Finuick Nv, Voie Axiale 5, B-5660 Couvin, Belgium	Euroheat Distributors (HBS) Limited's operational instructions dated January 2007, reference IN1116 Edition D	Untreated dry wood ⁽¹⁾
The Nestor Martin R23 Stove (6 kW nominal thermal output) manufactured by Nestor Martin, S A Finuick Nv, Voie Axiale 5, B-5660 Couvin, Belgium	Euroheat Distributors (HBS) Limited's operational instructions dated November 2006, reference IN1141 Ed B	Untreated dry wood ⁽¹⁾
The Nestor Martin Multi-fuel Stove IT 13 (3.5 kW nominal thermal output) manufactured by Nestor Martin, S A Finuick	Euroheat Distributors (HBS) Limited's operational instructions dated April 2007, reference IN1180 Edition C	Untreated dry wood ⁽¹⁾

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	<i>The fireplace must be installed, maintained and operated in accordance with the following specifications:</i>	<i>Permitted fuels (other than authorised fuels):</i>
Nv, Voie Axiale 5, B-5660 Couvin, Belgium		
The Nestor Martin Multi-fuel Stove R33 and D33 (8 kW nominal thermal output) manufactured by Nestor Martin, S A Finuick Nv, Voie Axiale 5, B-5660 Couvin, Belgium	Euroheat Distributors (HBS) Limited's operational instructions dated January 2007, reference IN1116 Edition D	Untreated dry wood ⁽¹⁾
<p>ÖkoFEN Pellematic PE08, PE12, PE16, PE20, PE25, PE32, PEK12, PEK16, PEK20, PEK25, PEK32, PES12, PES16, PES20, PES25, PES32, PESK12, PESK16, PESK20, PESK25 and PESK32 manufactured by</p> <p>ÖkoFEN Forschungs- und Entwicklungs Ges.m.b.H of Gewerbepark 1, 4133 Niederkappel, Austria</p>	ÖkoFEN operation instructions dated February 2007, reference PE/HB/001.E	Wood pellets of maximum diameter 6 mm and maximum length 4 cm ⁽¹⁾
<p>ÖkoFEN Pellematic PE36, PE48, PE56, PESK36, PESK48, PESK56, PEK36, PEK48, PEK56, PES36, PES48 and PES56 manufactured by ÖkoFEN Forschungs- und Entwicklungs Ges.m.b.H of Gewerbepark 1, 4133 Niederkappel, Austria</p>	ÖkoFEN operation instructions reference PBV 2000 CMP 1.4 (V2.31) and with revision dated March 2008	Wood pellets of maximum diameter 6 mm and maximum length 4 cm ⁽¹⁾

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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 fuels (other than authorised fuels):</i>
The Orchard Ovens models: FVR Speciale 80, 100, 110, 110 x 160 and 120; TOP Superiore 100 and 120; GR 100, 120, 140, 120 x 160, 140 x 160, 140 x 180 and 180; OT 100, 120, 140, 120 x 160, 140 x 160, 140 x 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: Instruction Model OOLinst. 1 FVR 80 OOLinst. 2 FVR 100 OOLinst. 3 FVR 110 OOLinst. 4 FVR 120 OOLinst. 5 FVR 110 x 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 x 160 and OT 120 x 160 OOLinst. 12 GR 140 x 160 and OT 140 x 160 OOLinst. 13 GR 140 x 180 and OT 140 x 180 OOLinst. 14 GR 180 and OT 180 OOLinst. 15 Valoriani Piccolo	Untreated dry wood ⁽¹⁾
Pelletstar 10, 20, 30, 45 and 60 manufactured by HERZ Armaturen Ges.m.b.H, Geschäftsbereich HERZ Feuerungstechnik,	Operating instructions dated November 2007, reference V2.2	Wood pellets corresponding to ÖNORM M7135 of 6 mm diameter ⁽¹⁾

(1) 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 fuels (other than authorised fuels):</i>
A-8272 Sebersdorf 138, Austria		
Redfyre Kensal 20 Flat top (product code RF-EN20M), Redfyre Kensal 33 Flat top (product code RF-KEN33M and RF-KEN33W) manufactured by Redfyre Cookers, Osprey Road, Sowton Industrial Estate, Exeter, Devon, EX2 7JG	The manufacturer's instruction manual dated July 2008, reference PM 247 Issue 1, and instruction manual dated January 2009, reference PM280 Issue 1 A permanent stop must be in place on the secondary air inlet to prevent closure beyond the 50% open position	Untreated dry wood ⁽¹⁾
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 x 10.16 cm x 5.08 cm ⁽¹⁾
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 x 10.16 cm x 5.08 cm ⁽¹⁾
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 x 10.16 cm x 10.16 cm ⁽¹⁾
Scan Andersen 4-5 manufactured by Krog Iversen & Co. A/S DK-5492 Vissenbjerg, Denmark	The manufacturer's Instruction manual dated 15th November 2007 entitled "Scan Andersen 4-5", reference Edition 09/05-GB	Untreated dry wood ⁽¹⁾

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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 fuels (other than authorised fuels):</i>
	A permanent stop must be in place on the secondary air inlet to prevent closure beyond 20mm	
Stockton 3 Flat top (product code 7118), Stockton 4 Flat top (product code 7101 and 7102), Stockton 5 Flat top (product code 7127) Stockton 5 midline (product code 7130), Stockton 6 Flat top (product codes 7100 and 7162), Stockton 6 Highline (product code 7117) and Stockton 7 Flat top (product codes 7120 and 7163) manufactured by Stovax Limited, Falcon Road, Sowton Industrial Estate, Exeter, Devon, EX2 7LF	The manufacturer's instruction manual dated July 2008, reference PM227 ENG Issue 2, and instruction manual dated January 2009, reference PM271 Issue 2 A permanent stop must be in place on the secondary air inlet to prevent closure beyond the 50% open position	Untreated dry wood ⁽¹⁾
Stockton 5 Flat top (model number 7119), Stockton 5 Canopy (model number 7160) and Stockton 5 Midline (model number 7133) manufactured by Stovax Limited, Falcon Road, Sowton Industrial Estate, Exeter, Devon, EX2 7LF	The manufacturer's instruction manual reference PM 176 – Issue 4 A permanent stop must be in place on the secondary air inlet to prevent closure beyond the 50% open position	Untreated dry wood ⁽¹⁾
Stockton 7 Inset Convectur (product codes 7125F and 7125C) manufactured by Stovax Limited, Falcon Road, Sowton Industrial Estate, Exeter, Devon, EX2 7LF	Manufacturer's instruction manual dated May 2008, reference PM230 Issue 1, and instruction manual dated January 2009, reference PM281 Issue 1 A permanent stop must be in place on the secondary air inlet to prevent closure beyond the 50% open position	Untreated dry wood ⁽¹⁾
Twin Heat CS150i manufactured by TWIN HEAT A/S, Nørrevangen 7, DK-9631 Gedsted, Denmark	Operating instructions dated 17th December 2008, reference Version 6.0.03	Wood pellets of a maximum length of 30 mm and diameter of 6 mm and conforming to CEN/TS 14961:2005 ⁽¹⁾

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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 fuels (other than authorised fuels):</i>
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 ⁽¹⁾
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 ⁽¹⁾
Westfire Uniq 15, 16 and 20 (also known as WF UNIQ 15, 16 and 20) manufactured by Westfire Tømrervej 3 DK-6800 Varde, Denmark	Installation and operating instructions dated 2007, reference WF15–WF16–WF20, together with supplementary instructions dated 2007, reference 01wfuk.2007 A permanent stop must be in place on the secondary air inlet to prevent closure beyond 50mm	Untreated dry wood ⁽¹⁾
Windhager FireWin 90 and 120 manufactured by Windhager Zentralheizung GmbH, Anton-Windhager- Str. 20, A-5201 Seerkirchen bei Salzburg, Austria	The manufacturer’s instruction manual dated August 2008, reference 092125/00	Wood pellets ⁽¹⁾
Windhager BioWin 100, 150, 210 and 260 manufactured by Windhager Zentralheizung GmbH, Anton-Windhager- Str. 20, A-5201 Seerkirchen bei Salzburg, Austria	The manufacturer’s instruction manual dated May 2008, reference 0916197/00	Wood pellets ⁽¹⁾

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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 fuels (other than authorised fuels):</i>
The Wood Waste Technology Heater, models WT10 and WT15, manufactured by Wood Waste Technology Limited, Units 1 & 2, Drummond Road, Astonfields Industrial Estate, Stafford, Staffordshire ST16 3HJ	The manufacturer’s instructions dated 19th January 2005, reference WT10 and WT15	Hardwood and softwood offcuts ⁽¹⁾

(1) 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 with amendments the Smoke Control Areas (Exempted Fireplaces) (England) (No. 2) Order 2008 ([S.I. 2008/2343](#)). It exempts the fireplaces listed 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 set out in the Schedule. Several additional fireplaces have been exempted.

No impact assessment has been produced for this instrument as no impact on business, the private or voluntary sectors is foreseen.