CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2000 Rhif 3156 (Cy. 205)

AER GLÂN, CYMRU

Rheoliadau Ardaloedd Rheoli Mwg (Tanwyddau Awdurdodedig) (Diwygio) (Cymru) 2000

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Pan fydd mwg yn cael ei ollwng o simnai mewn ardal rheoli mwg a bod y simnai honno naill ai -

(a) yn simnai adeilad; neu

(b) yn simnai sy'n gwasanaethu ffwrnais bwyler sefydlog neu beiriannau diwydiannol (heb fod yn simnai adeilad),

mae adran 20 o Ddeddf Aer Glân 1993 yn darparu bod meddiannydd yr adeilad, neu yn ôl fel y digwydd, y person sy'n meddu ar y bwyler neu'r peiriannau, yn euog o dramgwydd. Mae'n amddiffyniad os gellir dangos mai drwy ddefnyddio tanwydd awdurdodedig yn unig yr achoswyd y gollyngiad honedig.

Mae'r Rheoliadau hyn, sy'n gymwys i Gymru yn unig, yn diwygio Rheoliadau Rheoli Mwg (Tanwyddau Awdurdodedig) 1991 fel bod Aimcor Supercoke (sy'n cael ei farchnata hefyd fel Supercoke) a Supabrite Coke Doubles yn danwyddau awdurdodedig.

Mae'r Rheoliadau yn diwygio Rheoliadau 1991 hefyd i gymryd y newidiadau canlynol i ystyriaeth -

(a) nid yw Beacon Beans yn cael eu gweithgynhyrchu mwyach;

(b) mae'r man lle mae Sunbrite yn cael ei weithgynhyrchu yn wahanol bellach;

(c) Coal Products Limited yw gweithgynhyrchydd brics glo Supertherm, Supertherm II a Thermac bellach;

(ch) mae brics glo Taybrite hefyd yn cael eu gweithgynhyrchu bellach heb unrhyw farciau.

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2000 No. 3156 (W. 205)

CLEAN AIR, WALES

The Smoke Control Areas (Authorised Fuels) (Amendment) (Wales) Regulations 2000

EXPLANATORY NOTE

(This note does not form 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 extend to Wales only, amend the Smoke Control (Authorised Fuels) Regulations 1991 so that Aimcor Supercoke (also marketed as Supercoke) and Supabrite Coke Doubles are authorised fuels.

The Regulations also amend the 1991 Regulations to take account of the following changes -

(a) Beacon Beans are no longer manufactured;

(b) the place of manufacture of Sunbrite is now different;

(c) Coal Products Limited is now the manufacturer of Supertherm, Supertherm II and Thermac briquettes;

(d) Taybrite briquettes are now also manufactured without any markings.

OFFERYNNAU STATUDOL

2000 Rhif 3156 (Cy. 205)

AER GLÂN, CYMRU

Rheoliadau Ardaloedd Rheoli Mwg (Tanwyddau Awdurdodedig) (Diwygio) (Cymru) 2000

Wedi'u gwneud 28 Tachwedd 2000

Yn dod i rym 1 Rhagfyr 2000

Mae Cynulliad Cenedlaethol Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd iddo gan adrannau 20(6) a 63(1) o Ddeddf Aer Glân 1993(**a**) a phob pŵer arall sy'n ei alluogi yn y cyswllt hwnnw.

Enwi, cychwyn a chymhwyso

1.-(1) Enw'r Rheoliadau hyn yw Rheoliadau Ardaloedd Rheoli Mwg (Tanwyddau Awdurdodedig) (Diwygio) (Cymru) 2000 a deuant i rym ar 1 Rhagfyr 2000.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru yn unig.

Tanwyddau awdurdodedig at ddibenion Deddf Aer Glân 1993

2.-(1) Diwygir Atodlen 1 i Reoliadau Rheoli Mwg (Tanwyddau Awdurdodedig) 1991(**b**) fel a ganlyn:

(2) Yn lle paragraff 8(a) rhowch -

"(a) Coal Products Limited at Cwm Coking Works, Llantwit Fardre, Pontypridd, Mid Glamorgan and sold as "Sunbrite",".

(3) Ym mharagraff 8AA(**c**), yn lle ", which" rhowch "and Aimcor Supercoke (also marketed as Supercoke), manufactured by M & G Fuels Limited at Hartlepool Docks, Hartlepool, Cleveland, which (in each case)".

(a) 1993 p.11. Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 20(6) o Ddeddf Aer Glân 1993 i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S 1999/672).

(b) O.S. 1991/1282, a ddiwygiwyd gan O.S. 1992/72, 3148, 1993/2499, 1996/1145, 1997/2658, 1998/2154 a 3096.

(c) Mewnosodwyd paragraff 8AA gan reoliad 2(c) o O.S. 1998/3096.

STATUTORY INSTRUMENTS

2000 No. 3156 (W. 205)

CLEAN AIR, WALES

The Smoke Control Areas (Authorised Fuels) (Amendment) (Wales) Regulations 2000

Made 28th November 2000

Coming into force 1st December 2000

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on it by sections 20(6) and 63(1) of the Clean Air Act 1993(**a**) and of all other powers enabling it in that behalf.

Citation, commencement and application

1.-(1) These Regulations may be cited as the Smoke Control Areas (Authorised Fuels) (Amendment) (Wales) Regulations 2000 and shall come into force on 1st December 2000.

(2) These Regulations apply to Wales only.

Authorised Fuels for the purposes of the Clean Air Act 1993

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

(2) For paragraph 8(a) substitute -

"(a) Coal Products Limited at Cwm Coking Works, Llantwit Fardre, Pontypridd, Mid Glamorgan and sold as "Sunbrite",".

(3) In paragraph 8AA(**c**), for ", which" substitute "and Aimcor Supercoke (also marketed as Supercoke), manufactured by M & G Fuels Limited at Hartlepool Docks, Hartlepool, Cleveland, which (in each case)".

(a) 1993 c.11.The functions of the Secretary of State under section 20(6) of the Clean Air Act 1993 were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(b) S.I. 1991/1282, amended by S.I. 1992/72, 3148, 1993/2499, 1996/1145, 1997/2658, 1998/2154 and 3096.

(c) Paragraph 8AA was inserted by regulation 2(c) of S.I. 1998/3096.

(4) Ar ôl paragraff 17A(**a**) mewnosodwch:-

"17AB. Supabrite Coke Doubles, manufactured by H.J. Banks & Company Limited at Inkerman Road Depot, Tow Law, County Durham, which -

(a) comprise metallurgical coke (as to approximately 40 to 60 per cent of the total weight) and petroleum coke (as to the remaining weight);

(b) were manufactured from those constituents by a process involving blending and screening;

(c) are unmarked random shapes; and

(d) have a sulphur content not exceeding 1.95 per cent of the total weight.".

(5) Ym mharagraffau 18, 18A(**b**) a 19, yn lle "Thermac Fuels Limited" ym mhob man y ceir yr enw rhowch "Coal Products Limited".

(6) Yn lle paragraff 18B(c)(**c**) rhowch -

"(c) are pillow-shaped briquettes marked with a single indented line running longitudinally along each face, offset from its counterpart by 10 millimetres or unmarked, and in either case have an average weight of 75 grammes; and".

Eithriadau

3. Er gwaethaf y diwygiadau a wneir gan reoliad 2(2) a (5), bydd golosg Sunbrite a Beacon Beans a weithgynhyrchwyd cyn i'r Rheoliadau yma ddod i rym yn Avenue Coking and Chemical Works, Wingerworth, ger Chesterfield, Swydd Derby a brics glo Supertherm, Supertherm II a Thermac a weithgynhyrchwyd cyn y dyddiad hwnnw gan Thermac Fuels Limited yn dal i fod yn danwyddau awdurdodedig.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(**ch**).

28 Tachwedd 2000

Dafydd Elis Thomas

Llywydd y Cynulliad Cenedlaethol

(4) After paragraph 17A(**a**) insert -

"17AB. Supabrite Coke Doubles, manufactured by H.J. Banks & Company Limited at Inkerman Road Depot, Tow Law, County Durham, which -

(a) comprise metallurgical coke (as to approximately 40 to 60 per cent of the total weight) and petroleum coke (as to the remaining weight);

(b) were manufactured from those constituents by a process involving blending and screening;

(c) are unmarked random shapes; and

(d) have a sulphur content not exceeding 1.95 per cent of the total weight.".

(5) In paragraphs 18, 18A(**b**) and 19, for "Thermac Fuels Limited" in each place substitute "Coal Products Limited".

(6) For paragraph 18B(c)(**c**) substitute -

"(c) are pillow-shaped briquettes marked with a single indented line running longitudinally along each face, offset from its counterpart by 10 millimetres or unmarked, and in either case have an average weight of 75 grammes; and".

Savings

3. Notwithstanding the amendments made by regulation 2(2) and (5), Sunbrite and Beacon Beans coke manufactured before the coming into force of these Regulations at Avenue Coking and Chemical Works, Wingerworth, near Chesterfield, Derbyshire and Supertherm, Supertherm II and Thermac briquettes manufactured before that date by Thermac Fuels Limited shall continue to be authorised fuels.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**d**).

28th November 2000

The Presiding Officer of the National Assembly

(a) Mewnosodwyd paragraff 17A gan reoliad 2(9) o O.S. 1993/2499.

(b) Mewnosodwyd paragraff 18A gan reoliad 2(9) o O.S. 1996/1145.

(c) Mewnosodwyd paragraff 18B(c) gan reoliad 2(c) o O.S. 1997/2658.

(ch) 1998 p.38.

(a) Paragraph 17A was inserted by regulation 2(9) of S.I. 1993/2499.

(b) Paragraph 18A was inserted by regulation 2(9) of S.I. 1996/1145.

(c) Paragraph 18B(c) was inserted by regulation 2(c) of S.I. 1997/2658.

(d) 1998 c.38.

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Rheoliadau Ardaloedd Rheoli Mwg (Tanwyddau Awdurdodedig) (Diwygio) (Cymru) 2000

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Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 0-11-090142-8

9 780110 901428

£1.75

W/162/12/00 ON