

1992 No. 538

CLEAN AIR

**The Smoke Control Areas (Exempted Fireplaces)
Regulations (Northern Ireland) 1992**

Made 11th December 1992

Coming into operation 1st February 1993

The Department of the Environment, in exercise of the powers conferred on it by Article 17(7) of the Clean Air (Northern Ireland) Order 1981(a) (hereinafter referred to as "the Order") and of every other power enabling it in that behalf, being satisfied that the classes of fireplace prescribed in column (1) of the Schedule can be used for burning fuel other than authorised fuels without producing a substantial quantity of smoke, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1992 and shall come into operation on 1st February 1993.

Exempted fireplaces

2. The classes of fireplace prescribed in column (1) of Schedule 1 shall, subject to the conditions prescribed in column (2) thereof, be exempted from the provisions of Article 17 of the Order (which makes it an offence to emit smoke from a chimney in a smoke control area).

Revocations and savings

3.—(1) Fireplaces which—

- (a) were manufactured before 1st February 1993;
- (b) immediately before that date were exempted fireplaces; and
- (c) comply with the prescribed conditions,

shall continue to be exempted from the provisions of Article 17 of the Order.

(2) Except as provided in paragraph (1) the regulations listed in Schedule 2 are hereby revoked.

(3) In this regulation—

- (a) "exempted fireplaces" means fireplaces of a class prescribed under Article 17(7) of the Order;
- (b) "the prescribed conditions" means conditions prescribed under the said Article 17(7).

(a) S.I. 1981/158 (N.I. 4). See definitions of "the Department", and "prescribed" in Art. 2(2)

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Clean Air

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Sealed with the Official Seal of the Department of the Environment on
11th December 1992.

(L.S.)

R. W. Rogers

Assistant Secretary

(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
1. Any fireplace specially designed or adapted for combustion of liquid fuel.	
2. Any fireplace (other than a fireplace fired by pulverised fuel) constructed on or after 1st July 1965 and installed before 1st September 1970 and equipped with mechanical stokers, or adapted between those dates for use with such stokers.	No fuel shall be used other than that for which the mechanical stoker was designed.
3. Any fireplace designed to burn coal (other than a fireplace fired by pulverised coal) with a heating capacity exceeding 160 megajoules per hour constructed and installed on or after 1st July 1965 and equipped with mechanical stokers or adapted on or after that date for use with such stokers.	No fuel shall be used other than that for which the mechanical stoker was designed.
4. The CBR Flexifuel Heater, models 300, 400 and 600 manufactured by CBR Engineers Limited.	(a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions, published in 1987 and bearing the reference "FF/CBR Flexifuel 87".
	(b) No fuel shall be used other than hardwood or softwood offcuts, chipboard or plastic coated chipboard.
	(c) The fireplaces shall not be used to burn sawdust in bulk or plastic materials other than plastic coated chipboard.
5. The CBR Turbo Heat, models 200, 300, 400, 500, 600 and 800 manufactured by CBR Engineers Limited.	(a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions published in 1988 and bearing the reference "FF CBR Turbo Heat 88."
	(b) No fuel shall be used other than hardwood or softwood offcuts, chipboard or plastic coated chipboard.

(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
6. The CBR Flexifuel Heater, models 150 and 200 manufactured by CBR Engineers Limited.	<p>(c) The fireplaces shall not be used to burn sawdust in bulk or plastic materials other than plastic coated chipboard.</p>
7. The Turbo Heat, models 1,000 and 1,200 manufactured by CBR Engineers Limited.	<p>(a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions published in 1989 and bearing the reference "FF/CBR Flexifuel 150/200 1989."</p> <p>(b) No fuel shall be used other than hardwood or softwood offcuts, chipboard or plastic coated chipboard.</p> <p>(c) The fireplaces shall not be used to burn sawdust in bulk or plastic materials other than plastic coated chipboard.</p>
8. The Spacewarmer B200 manufactured by Clearair Limited.	<p>(a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions published in 1990 and bearing the reference "CBR Turbo Heat 1,000 to 1,200 1990".</p> <p>(b) No fuel shall be used other than hardwood or softwood offcuts, chipboard offcuts or plastic coated chipboard offcuts.</p>
	<p>(a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions published in December 1983 and bearing the reference "B200/DEC 83".</p> <p>(b) No fuel shall be used other than hardwood or softwood offcuts, a mixture of offcuts (hardwood or softwood) and sandwich with no more than 50 per cent. of the mixture being sawdust, chipboard offcuts or plastic coated chipboard offcuts.</p> <p>(c) The fireplace shall not be used to burn chipboard or plastic coated chipboard unless an afterburner supplied by the manufacturer of the fireplace and capable of producing 50 megajoules of heat per hour has been fitted to the fireplace.</p>

(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
9. The Spacewarmer B500 manufactured by Clearair Limited.	(a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions published in December 1983 and bearing the reference "B500/DEC 83". (b) No fuel shall be used other than hardwood or softwood offcuts.
10. The Cronspisen stove, using the 5 channel chimney system, manufactured by Cronspisen Produktion AB.	(a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions bearing the reference "January 1992 Serial No. UM 351B". (b) No fuel shall be used other than firewood that has been split, stacked and air-dried.
11. The Nordist Waste Fired System, models 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 manufactured in part by Nordfab A/S and in part by Danstoker A/S.	(a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 9th December 1988 and bearing the reference "P.S. 501 9/12/88". (b) No fuel other than softwood shavings, hardwood shavings or sawdust shall be used.
12. The Jansen Design stove using the 5 channel system, manufactured by Kakkelovnsmakeriet A/S.	(a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions bearing the reference "CSC-JDS-01" dated 21/10/91. (b) No fuel should be used other than wood.
13. The Eclipse Junior, Standard, Senior Jumbo 30 and Jumbo 50 incinerators, manufactured by Northern Incinerators Limited.	(a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 21st June 1988 and bearing the reference "NORCIN TECH 88".

(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
	(b) No fuel shall be used, other than fuel consisting of paper, cardboard cartons, scrap wood, foliage, combustible floor sweepings and other waste from domestic, commercial and industrial activities containing no more than 20 per cent. of restaurant and cafeteria waste and containing less than 5 per cent. by weight of coated papers, plastic or rubber waste.
14. The RanHeat Boiler Type RHA 20, manufactured by RanHeat Energy A/S.	(a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 30th March 1988 and bearing the reference "RHGBEA 30388". (b) No fuel shall be used other than hardwood and softwood shavings.
15. The RanHeat Boiler Types RHA 160, 200 and 250, manufactured by RanHeat Energy GB Limited.	(a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 30th March 1988 and bearing the reference "RHGBEA 30388". (b) No fuel shall be used other than hardwood and softwood shavings.
16. The Silent Glow Incinerator, models CCD 450, 600 and 750 manufactured by Silent Glow Incinerators Limited.	(a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated May 1989. (b) No fuel shall be used other than solid waste of the types specified in the manufacturer's instructions dated May 1989.
17. The Talbott T5-1M Automatic Heater manufactured by Talbott's Heating Limited.	(a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions published in January 1989 and bearing the reference "Jan. 89, T5-A-1-89". (b) No fuel shall be used other than softwood shavings, hardwood shavings or chipboard dust.

(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
18. The Talbott's Energy Saving Wood Waste Burning Automatic Warm Air Heaters models T1. 5/A, T3/A, T5/A and TM/A manufactured by Talbott's Heating Limited.	<p>(a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions published in January 1990 and bearing the reference "T/A JANUARY 1990".</p> <p>(b) No fuel shall be used other than hardwood or softwood shavings or sawdust.</p>
19. The Talbott Pirojet P150 Heater manufactured by Talbott's Heating Limited.	<p>(a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions dated February 1987 and bearing the reference "No. P150-2.87".</p> <p>(b) No fuel shall be used other than hardwood or softwood offcuts, chipboard or plastic coated chipboard.</p> <p>(c) When the fireplace is used to burn chipboard and plastic coated chipboard an afterburner which is supplied with the fireplace and which must be capable of continuously producing 20 megajoules of heat per hour shall be used.</p> <p>(d) The fireplace shall not be used to burn sawdust in bulk or plastic materials other than plastic coated chipboard.</p>
20. The Talbott Pirojet P300 Heater manufactured by Talbott's Heating Limited.	<p>(a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions dated February 1987 and bearing the reference "No. P300-2-87".</p> <p>(b) No fuel shall be used other than hardwood or softwood offcuts, chipboard or plastic coated chipboard.</p> <p>(c) When the fireplace is used to burn chipboard and plastic coated chipboard an afterburner which is supplied with the fireplace which must be capable of continuously producing 40 megajoules of heat per hour shall be used.</p>

(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
21. The Talbott Pirojet P600 Heater manufactured by Talbott's Heating Limited.	<p>(d) The fireplace shall not be used to burn sawdust in bulk or plastic materials other than plastic coated chipboard.</p> <p>(a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions dated December 1986 and bearing the reference "P600-12-86".</p> <p>(b) No fuel shall be used other than hardwood or softwood offcuts or chipboard or plastic coated chipboard.</p> <p>(c) When the fireplace is used to burn chipboard, and plastic coated chipboard an afterburner which is supplied with the fireplace and which must be capable of continuously producing 75 megajoules of heat per hour shall be used.</p> <p>(d) The fireplace shall not be used to burn sawdust in bulk or plastic materials other than plastic coated chipboard.</p>
22. The Talbott Down Firing range of warm air heaters, models D250, D500 and D700 manufactured by Talbott's Heating Limited.	<p>(a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions bearing the reference "May 1991 Ref No. D257".</p> <p>(b) No fuel shall be used other than chipboard, plastic coated chipboard, hardwood or softwood offcuts.</p>
23. The Triancomatic 90 boiler manufactured by Trianco Redfyre Limited.	<p>(a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions dated July 1987 and which—</p> <p>(i) in the case of the installation instructions bear the reference "No. 46576"; and</p> <p>(ii) in the case of the user instructions bear the reference "No. 46574".</p>

(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
24. The Triancomatic 140 boiler manufactured by Trianco Redfyre Limited.	<p>(b) No fuel shall be used other than the washed coals recommended in the manufacturer's user instructions.</p> <p>(a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions dated November 1986 and which—</p> <p>(i) in the case of the installation instructions bear the reference "No. 48375"; and</p> <p>(ii) in the case of the user instructions bear the reference "No. 48374".</p>
25. The Resolute Acclaim woodstove manufactured by VCW International Limited.	<p>(b) No fuel shall be used other than the washed coals recommended in the manufacturer's user instructions.</p> <p>(a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions bearing the reference "AMENDED No. 200-0908 U.K. OCTOBER 1991".</p> <p>(b) No fuel shall be used other than 400 millimetre firewood that has been split, stacked and air-dried.</p>
26. The Intrepid II woodstove manufactured by VCW International Limited.	<p>(a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions bearing the reference "AMENDED No. 20917C U.K. May 1990".</p> <p>(b) No fuel shall be used other than 400 millimetre firewood that has been split, stacked and air-dried.</p>
27. The Defiant Encore manufactured by VCW International Limited.	<p>(a) The fireplace shall be installed, maintained and operated in accordance with the manufacturer's instructions dated November 1991 and bearing the reference "200-8632".</p> <p>(b) No fuel shall be used other than firewood that has been split, stacked and air-dried.</p>

(1) <i>Class of Fireplace</i>	(2) <i>Conditions</i>
28. The Haat LD, MD and HD Incinerators manufactured by Waste Management Limited.	<p>(a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated March 1988 and bearing the reference "HAAT/1/CAA".</p> <p>(b) No fuel shall be used, other than fuel consisting of paper, cardboard cartons, scrap wood, foliage, combustible floor sweepings and other waste from domestic, commercial and industrial activities containing no more than 20 per cent. of restaurant and cafeteria waste and containing less than 5 per cent. by weight of coated papers, plastic or rubber waste.</p>
29. The Haat Pioneer AB1 Incinerators models 12, 20, 28 and 36 manufactured by Waste Management Limited.	<p>(a) The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions published in October 1989 and bearing the reference "HAAT/2/CAA/10/89".</p> <p>(b) No fuel shall be used other than the following fuels used in the mixtures by volume recommended in Appendix A of the manufacturer's instructions— paper, cardboard, corrugated paper, office or domestic waste, wood, polythene sheet or foam, polypropylene, nylon, polyethylene, rubber foam backed carpet, polystyrene, polyurethane and glass fibre reinforced plastics.</p>

- The Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1970(a).
- The Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1971(b).
- The Smoke Control Areas (Exempted Fireplaces) (No. 2) Regulations (Northern Ireland) 1971(c).
- The Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1972(d).
- The Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1974(e).
- The Smoke Control Areas (Exempted Fireplaces) (Variation) Regulations (Northern Ireland) 1974(f).
- The Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1977(g).
- The Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1983(h).
- The Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1985(i).

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- (a) S.R. & O. (N.I.) 1970 No. 222
(b) S.R. & O. (N.I.) 1971 No. 74
(c) S.R. & O. (N.I.) 1971 No. 330
(d) S.R. & O. (N.I.) 1972 No. 180
(e) S.R. 1974 No. 40
(f) S.R. 1974 No. 275
(g) S.R. 1977 No. 347
(h) S.R. 1983 No. 405
(i) S.R. 1985 No. 53

EXPLANATORY NOTE

(This note is not part of the Regulations.)

Paragraph (1) of Article 17 of the Clean Air (Northern Ireland) Order 1981 (“the 1981 Order”) empowers district councils to declare the whole or any part of their district to be a smoke control area in which the emission of smoke from a building is, generally, an offence under paragraph (2) of that Article.

Paragraph (7) of Article 17 of the 1981 Order empowers the Department to prescribe, subject to conditions, classes of fireplace which may be used, in a smoke control area, for burning fuel other than an authorised fuel, without producing any smoke or a substantial quantity of smoke.

These regulations which prescribe classes of exempted fireplaces revoke and replace with amendments, the existing regulations set out in Schedule 2 (regulations 2 and 3(2)).

Fireplaces which were manufactured before 1st February 1993 and which were authorised by regulations revoked by these regulations may be used notwithstanding the revocation (regulation 3(1) and (3)).