

**2008 No. 282**

**CLEAN AIR**

**The Smoke Control Areas (Exempted Fireplaces) (Amendment)  
Regulations (Northern Ireland) 2008**

*Made* - - - - - *2nd July 2008*

*Coming into operation* - *4th August 2008*

The Department of the Environment makes the following Regulations in exercise of the powers conferred by Article 17 (7) of the Clean Air (Northern Ireland) Order 1981(a).

The Department is 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 any smoke or a substantial quantity of smoke.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Smoke Control Areas (Exempted Fireplaces) (Amendment) Regulations (Northern Ireland) 2008 and shall come into operation on 4th August 2008.

(2) In these Regulations “the Principal Regulations” means the Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1999(b).

**Amendment to the Principal Regulations**

2. The classes of fireplace specified in column (1) of the table in the Schedule shall be added to the table in Schedule 1 to the Principal Regulations together with the conditions corresponding to each of those classes of fireplace and specified in column (2) of the table in the Schedule and those classes of fireplace shall be numbered as entries 67 to 99 in the table in Schedule 1 to the Principal Regulations.

Sealed with the Official Seal of the Department of the Environment on 2nd July 2008.



*Wesley Shannon*  
A senior officer of the Department of the Environment

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(a) S.I. 1981/158 (N.I. 4)  
(b) S.R. 1999 No. 289 as amended by S.R. 2001 No. 211, S.R. 2003 No. 343 and S.R. 2007 No. 308

## SCHEDULE

Regulation 2

| <i>(1)Classes of Fireplace</i>   | <i>(2)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>  |
| 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 <sup>(1)</sup>                              |
| 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 <sup>(1)</sup>                              |
| Broag-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, all manufactured by GILLES Energie- und Umwelttechnik GmbH, Koaserbauer Str. 16 A-4810 Gmunden, Austria | The manufacturer’s operating instructions dated January 2007, reference Broag-Gilles/0–145/1  | Wood pellets or wood chips <sup>(1)</sup>  |
| Broag-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  | The manufacturer’s operating instructions dated January 2007, reference Broag-Gilles/150–300/1                                      | Wood pellets or wood chips <sup>(1)</sup>  |
| Broag-Gilles HPK USK 360kW, manufactured by GILLES Energie- und Umwelttechnik GmbH,Koaserbauer Str.16 A-4810 Gmunden, Austria  | The manufacturer’s operating instructions dated January 2008, reference Broag-Gilles 360/1  | Wood pellets or wood chips <sup>(1)</sup>  |
| The Dunsley Yorkshire 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 | Untreated dry wood<br><br>Peat or peat briquettes with, in either case, less than 25% moisture |

| <i>(1)Classes of Fireplace</i>   | <i>(2)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>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</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 briquettes of approximately 15 cm in length with square ends and with a sulphur content not exceeding 1% of the total weight</p>  |

| <i>(1)Classes of Fireplace</i>  | <i>(2)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—<br>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 |
| The Dunsley Yorkshire Multifuel Stove and Boiler manufactured by Dunsley Heat Limited | The manufacturer's instructions dated 5th August 1998, reference A/22160, as amended by those dated 4th October 2004, reference GHD/DUN4B/1 | Untreated dry wood<br><br>Peat or peat briquettes with, in either case, less than 25% moisture<br><br>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   |

| <i>(1)Classes of Fireplace</i>   | <i>(2)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 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 <sup>(1)</sup>  |
| The Extraflame Comfort Mini manufactured by Extraflame S.p.a in Montecchio Precalcino (Vicenza), Italy   | The manufacturer's operating instructions dated 2nd October 2006, reference 004275115 REV 005                    | Wood pellets <sup>(1)</sup>  |
| 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 <sup>(1)</sup>  |
| 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 <sup>(1)</sup>  |
| 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 <sup>(1)</sup>  |

| <i>(1)Classes of Fireplace</i>  | <i>(2)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> |
| 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 <sup>(1)</sup>             |
| 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 <sup>(1)</sup>             |
| 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 <sup>(1)</sup>             |
| 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 <sup>(1)</sup>             |
| 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 <sup>(1)</sup>             |
| 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                            |
| 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 <sup>(1)</sup>  |
| 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 STUman/01  | 6 mm diameter wood pellets                            |

| <i>(1)Classes of Fireplace</i>  | <i>(2)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 <sup>(1)</sup>  |
| 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 <sup>(1)</sup>     |
| 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 <sup>(1)</sup>   |
| 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 <sup>(1)</sup>   |
| 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 <sup>(1)</sup>   |
| The Morsø Owl 3410, 3420 and 3440 for wood burning manufactured by Morsø Jernstøberi A/S DK-7900 Nykøbing, Mors, Denmark  | 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 |
| 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   |
| The Nestor Martin Stanford Multi-Fuel Stove S13 (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   |

| <i>(1)Classes of Fireplace</i>   | <i>(2)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 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                                    |
| The Nestor Martin Multi-fuel Stove IT 13 (3.5 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 April 2007, reference IN1180 Edition C   | Untreated dry wood                                    |
| 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                                    |
| 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<br>A permanent stop must be in place on the secondary air inlet to prevent closure beyond 50mm | Untreated dry wood <sup>(1)</sup>                     |

<sup>(1)</sup> 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 Regulations)*

The Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1999 (“the 1999 Regulations”) prescribe those fireplaces exempted from the provisions of Article 17 of the Clean Air (Northern Ireland) Order 1981.

These Regulations further amend the 1999 Regulations by prescribing additional classes of fireplaces in the Schedule which are exempted from the provisions of Article 17 of the Clean Air (Northern Ireland) Order 1981.

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