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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 437**

**CLEAN AIR**

**The Smoke Control Areas (Exempted Fireplaces)  
(Amendment) Regulations (Northern Ireland) 2005**

*Made - - - - 30th September 2005*

*Coming into operation 30th October 2005*

The Department of the Environment, in exercise of the power conferred upon it by Article 17(7) of the Clean Air (Northern Ireland) Order 1981(1) and of all other powers enabling it in that behalf, being satisfied that the classes of fireplace described 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, commencement and interpretation**

1.—(1) These Regulations may be cited as the Smoke Control Areas (Exempted Fireplaces) (Amendment) Regulations (Northern Ireland) 2005 and shall come into operation on 30th October 2005.

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

**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 43 to 51 in the table in Schedule 1 to the Principal Regulations.

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(1) S.I. 1981/158 (N.I. 4)  
(2) S.R. 1999 No. 289

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**Status:** This is the original version (as it was originally made).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

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Sealed with the Official Seal of the Department of the Environment on 30th September 2005.

L.S.

*Ian T Maye*  
A senior officer of the  
Department of the Environment

## SCHEDULE

## Regulation 2

<i>(1) Classes of fireplace</i>	<i>(2) Conditions</i>																										
The Quadra-Fire 2100 Millennium Freestanding Wood Burning Stove manufactured by Hearth & Home Technologies 1445 North Highway, Colville, WA 99114, USA.	<p>1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 9th October 2003 and bearing the reference 250-6931B.</p> <p>2. No fuel shall be used other than dry cured untreated wood of maximum size 38.1cm × 10.16cm × 5.08cm.</p>																										
The Quadra-Fire Yosemite Freestanding Wood Burning Stove manufactured by Hearth & Home Technologies 1445 North Highway, Colville, WA 99114, USA.	<p>1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 4th June 2003 and bearing the reference 7004-187.</p> <p>2. No fuel shall be used other than dry cured untreated wood of maximum size 38.1cm × 10.16cm × 10.16cm.</p>																										
The Quadra-Fire Cumberland Gap Freestanding Wood Burning Stove manufactured by Hearth & Home Technologies 1445 North Highway, Colville, WA 99114, USA.	<p>1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 8th July 2003 and bearing the reference 7006-186.</p> <p>2. No fuel shall be used other than dry cured untreated wood of maximum size 43.18cm × 10.16cm × 10.16cm.</p>																										
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.	<p>1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 25th October 2004 and bearing the references:</p> <table border="1"> <thead> <tr> <th><b>Instruction</b></th> <th><b>Model</b></th> </tr> </thead> <tbody> <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> <tr> <td>OOLinst.12</td> <td>GR 140 × 160 and</td> </tr> </tbody> </table>	<b>Instruction</b>	<b>Model</b>	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	OOLinst.12	GR 140 × 160 and
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<i>(1) Classes of fireplace</i>	<i>(2) Conditions</i>	
	<b>Instruction</b>	<b>Model</b>
		OT 140 × 160
	OOLinst.13	GR 140 × 180 and OT 140 × 180
	OOLinst.14	GR 180 and OT 180
	OOLinst.15	Valoriani Piccolo

The Dunsley Yorkshire Woodburning Stove manufactured by Dunsley Heat Limited.

2. No fuel shall be used other than untreated dry wood.

1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 4th December 2004 and bearing the reference D13W.

2. No fuel shall be used other than untreated dry wood.

The Dunsley Yorkshire Woodburning Stove and Boiler manufactured by Dunsley Heat Limited.

1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 4th December 2004 and bearing the reference D13W together with the manufacturer's instructions dated 4th October 2004 and bearing the reference GHD/DUN4B/1.

2. No fuel shall be used other than untreated dry wood.

The Wood Waste Technology Heater, models WT10 and WT15, manufactured by Wood Waste Technology.

1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's instructions dated 19th January 2005 and bearing the reference WT10 and WT15.

2. No fuel shall be used other than hardwood and softwood offcuts, but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood-preserved or coatings and, in particular, wood waste originating from construction and demolition waste.

The Binder Wood Fired Boiler models RRK 22 – 49 (49 kW output) manufactured by Binder Gesellschaft mit beschränkter Haftung (GmbH) of Austria.

1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer's and Wood Energy Limited's instructions entitled Binder Equipment Installation, Commissioning and Maintenance dated 17th May 2005 and bearing the reference WELBinderManualrev0.doc, revision 0.

2. No fuel shall be used other than wood pellets or wood chips, but excluding any

<i>(1) Classes of fireplace</i>	<i>(2) Conditions</i>
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.	<p>such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood-preservatives or coatings and, in particular, wood waste originating from construction and demolition waste.</p> <p>1. The fireplaces shall be installed, maintained and operated in accordance with the manufacturer’s and Wood Energy Limited’s instructions entitled “Binder Equipment Installation, Commissioning and Maintenance” dated 17th May 2005 and bearing the reference WELBinderManualrev0.doc, revision 0.</p> <p>2. No fuel shall be used other than wood pellets or wood chips, but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood-preservatives or coatings and, in particular, wood waste originating from construction and demolition waste.</p>

### EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

The Smoke Control Areas (Exempted Fireplaces) Regulations (Northern Ireland) 1999 (“the 1999 Regulations”) prescribed 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.