

2008 No. 296

CLEAN AIR

**The Smoke Control Areas (Exempt Fireplaces) (Scotland)
(No. 2) Order 2008**

Made - - - - - *3rd September 2008*

Laid before the Scottish Parliament *4th September 2008*

Coming into force - - - *1st October 2008*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 21 of the Clean Air Act 1993^(a) and of all other powers enabling them to do so.

In accordance with that section, they are satisfied that the classes of fireplace exempted by this Order can be used for burning fuel other than authorised fuels^(b) without producing any smoke or a substantial quantity of smoke.

Citation, commencement and extent

1.—(1) This Order may be cited as the Smoke Control Areas (Exempt Fireplaces) (Scotland) (No. 2) Order 2008 and comes into force on 1st October 2008.

(2) This Order extends to Scotland only.

Fireplaces exempted from section 20 of the Clean Air Act 1993

2. The fireplaces described in the Schedule which comply with the conditions specified in relation to each of them in that Schedule are exempt from the provisions of section 20 (prohibition on emission of smoke in smoke control area) of the Clean Air Act 1993.

(a) 1993 c.11. The functions of the Secretary of State under section 21 were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) Fuels declared by the Scottish Ministers 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.S.I. 2008/295.

Revocation

3. The Smoke Control Areas (Exempt Fireplaces) (Scotland) Order 2008(a) is revoked.

St Andrew's House,
Edinburgh
3rd September 2008

MICHAEL W RUSSELL
Authorised to sign by the Scottish Ministers

(a) S.S.I. 2008/157.

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>
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 ^(a) .
2. 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 ^(a) .
3. The Binder Wood Fired Boiler models 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 ^(a) .
4. The Binder Wood Fired Boiler model RRK 1000 (1200 kW output) with multi-cyclone model MZA 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 ^(a) .

<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>5. Biomatic 220 and 250 fitted with Zyklovent 220-250 cyclone separator manufactured by HERZ Armaturen GmbH, Geschäftsbereich HERZ, Feuerungstechnik, A-8272 Sebersdorf 138, Austria.</p>	<p>The manufacturer's instructions dated April 2005, reference Bedienungsanleitung Englisch v2.0 doc.</p>	<p>Chipped wood, wood pellets or planed wood shavings^(a).</p>
<p>6. Biomatic 300, 350, 400 and 500 fitted with Zyklovent 300-500 cyclone separator manufactured by HERZ Armaturen GmbH, Geschäftsbereich HERZ, Feuerungstechnik, A-8272 Sebersdorf 138, Austria.</p>	<p>The manufacturer's instructions dated April 2005, reference Bedienungsanleitung Englisch v2.0 doc.</p>	<p>Chipped wood, wood pellets or planed wood shavings^(a).</p>
<p>7. 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.</p>	<p>The manufacturer's operating instructions dated January 2007, reference Broag-Gilles/0-145/1.</p>	<p>Wood pellets or wood chips^(a).</p>
<p>8. 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.</p>	<p>The manufacturer's operating instructions dated January 2007, reference Broag-Gilles/150-300/1.</p>	<p>Wood pellets or wood chips^(a).</p>

<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>
9. 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 ^(a) .
10. CTC Ecoflex 15 and 20 manufactured by Enertech AB, Box 313, S-341 26 Ljungby, Sweden.	Instruction Manual referenced "161 505 27 06/1" and dated 20/02/2007.	Wood pellets ^(a) .
11. Dovre 250 (model number DV-250) manufactured by Dovre NV, Nijverheidsstraat 18, BE-2381 Weelde, Belgium.	Instruction manual reference "PM 250 Issue 1". A permanent stop must be in place on the secondary air inlet to prevent closure beyond the 75 per cent open position.	Untreated dry wood ^(a) .
12. 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. Peat or peat briquettes with, in either case, less than 25 per cent moisture. Union Coal Briquettes, 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 per cent of the total weight. CPL Wildfire, manufactured by Coal Products Limited, Immingham, which comprise bituminous coal with a volatile content of 32–36 per cent (as to approximately 96 per cent of the total weight)

<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>
		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 grammes or 160-170 grammes; and have a sulphur content not exceeding 1.8 per cent of the total weight.
13. 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 per cent moisture.</p> <p>Union Coal Briquettes, 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 per cent 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 per cent (as to approximately 96 per cent 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 grammes or 160-170 grammes; and have a sulphur content not exceeding 1.8 per cent of the total weight.</p>
14. 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.	<p>Untreated dry wood.</p> <p>Peat or peat briquettes with, in either case, less than 25 per cent moisture.</p>

<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>Union Coal Briquettes, 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 per cent 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 per cent (as to approximately 96 per cent 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 grammes or between 160-170 grammes; and have a sulphur content not exceeding 1.8 per cent of the total weight.</p>
15. The Dunsley Yorkshire Woodburning Stove manufactured by Dunsley Heat Limited.	The manufacturer's instructions dated 4th December 2004, reference D13W.	Untreated dry wood.
16. 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.
17. The Extraflame: Babyfiamma Bella and Bella Lux Clementina Comfort Maxi Contessa Divina, Divina Plus and Divina Steel	The manufacturer's operating instructions dated 5th March 2007, reference 004275101 011.	Wood pellets ^(a) .

<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>
Duchessa and Duchessa Steel Ecologica Esmeralda and Esmeralda Crystal Falò 1CP, Falò 2CP and Falò 1XP Isabella Karolina Preziosa, all of which are manufactured by Extraflame S.p.a. in Montecchio Precalcino (Vicenza), Italy.		
18. 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 ^(a) .
19. 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 ^(a) .
20. 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 ^(a) .
21. Firematic 25, 50, 90 and 150 manufactured by HERZ Armaturen GmbH, 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 ^(a) .

<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>
22. Fröling Turbomat 150 and 220 manufactured by Fröling Heizkessel- und Behälterbau GmbH, Industriestraße 12, A-4710 Grieskirchen, Austria.	The manufacturer's operating instructions dated November 2004, reference B0340004.	Wood pellets or wood chips ^(a) .
23. Fröling Turbomat 320 and 500 manufactured by Fröling Heizkessel- und Behälterbau GmbH, Industriestraße 12, A-4710 Grieskirchen, Austria.	The manufacturer's operating instructions referenced B0340004 and dated 11/2004.	Wood pellets or wood chips ^(a) .
24. 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 referenced Gilles/0-145/1 and dated January 2007.	Wood pellets or wood chips ^(a) .
25. 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 referenced Gilles/150-300/1 and dated January 2007.	Wood pellets or wood chips ^(a) .
26. Gilles HPK USK 360 kW manufactured by GILLES Energie- und Umwelttechnik GmbH, Koaserbauer Str. 16 A-4810 Gmunden, Austria.	Operating instructions referenced Gilles 360/1 and dated January 2008.	Wood pellets or wood chips ^(a) .

<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>
27. Gilles UTSK 450 kW and 550 kW boilers manufactured by GILLES Energie- und Umwelttechnik GmbH, Koaserbauer Str. 16 A-4810 Gmunden, Austria.	Operating instructions referenced Gilles/360/1 and dated January 2008.	Wood pellets or wood chips ^(a) .
28. Gilles UTSK 700 kW and 900 kW boilers manufactured by GILLES Energie- und Umwelttechnik GmbH, Koaserbauer Str. 16 A-4810 Gmunden, Austria.	Operating instructions referenced Gilles/360/1 and dated January 2008.	Wood pellets ^(a) .
29. Gilles UTSK 1200 kW and 1600 kW boilers manufactured by GILLES Energie- und Umwelttechnik GmbH, Koaserbauer Str. 16 A-4810 Gmunden, Austria.	Operating instructions referenced Gilles/360/1 and dated January 2008.	Wood pellets or wood chips ^(a) .
30. The Hoval AgroLyt 20, 25, 35, 45 and 50 manufactured by Hoval AG, Austrasse 70, 9490 Vaduz, Liechtenstein.	Installation and operation manual referenced 4 205/194/00 dated 01/06 and 4 205 193/00 dated 06/06.	Wood logs with less than 20 per cent moisture ^(a) .
31. The Hoval BioLyt 50 wood pellet fired boiler (49 kW thermal output) manufactured in Slovakia by Hoval of the Principality of Liechtenstein at Austrasse 70, FL-9490, Vaduz.	The manufacturer's technical information and installation instructions dated 10/05 reference 4 204 794/00 and operating instructions dated 01/06 reference 4 204 793/01.	Wood pellets ^(a) .
32. The Hoval BioLyt 50 and 70 models manufactured by Hoval AG, Austrasse 70, 9490 Vaduz, Liechtenstein.	Installation and operation manual referenced 4 204 794/01, 4 204 793/02 dated 06/07.	6mm diameter wood pellets.

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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>
33. 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 referenced STUman/01 dated 11/07 or the installation and operation manual referenced STU/man/01/1 dated 06/08.	6mm diameter wood pellets.
34. The Hoval STU 600, 800 and 1000 manufactured by Hoval UK Ltd, Northgate, Newark-on-Trent, Nottinghamshire, HG24 1JN	Installation and operation manual referenced STU/man/01/1 dated 06/08.	6mm diameter wood pellets.
35. Huntingdon 25 clear door (model number 7057) manufactured by Stovax Limited, Falcon Road, Sowerton Industrial Estate, Exeter, Devon, EX2 7LF.	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 per cent open position.	Untreated dry wood ^(a) .
36. Huntingdon 25 tracery door (model number 7058) manufactured by Stovax Limited, Falcon Road, Sowerton Industrial Estate, Exeter, Devon, EX2 7LF.	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 per cent open position.	Untreated dry wood ^(a) .
37. 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, manufactured by HWAM Heat Design AS Nydamsvej 53 8362 Hørning Denmark.	Euroheat Distributors (HBS) Limited's operation instructions referenced IN1141 Ed B and dated November 2006.	Untreated dry wood.

<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>38. 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.</p>	<p>Euroheat Distributors (HBS) Limited's operation instructions referenced IN1141 Ed B and dated November 2006.</p>	<p>Untreated dry wood.</p>
<p>39. 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.</p>	<p>Euroheat Distributors (HBS) Limited's operation instructions referenced IN1141 Ed B and dated November 2006.</p>	<p>Untreated dry wood.</p>
<p>40. 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.</p>	<p>Euroheat Distributors (HBS) Limited's operation instructions referenced IN1141 Ed B and dated November 2006.</p>	<p>Untreated dry wood.</p>

<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>41. 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.</p>	<p>Euroheat Distributors (HBS) Limited's operation instructions referenced IN1141 Ed B and dated November 2006.</p>	<p>Untreated dry wood.</p>
<p>42. 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.</p>	<p>KWB Instruction Manual referenced BA TDS- 05.2008 and dated 14th May 2008 including specification of recommended fuels.</p>	<p>Wood pellets or wood chips^(a).</p>
<p>43. 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, Austria.</p>	<p>The manufacturer's instructions dated August 2005, reference BA TDS-0805.</p>	<p>Wood pellets or wood chips^(a).</p>
<p>44. The Little Thurlow wood burning stove manufactured by Town and Country Fires Pickering, North Yorkshire.</p>	<p>The manufacturer's instructions dated 30th June 2007, issue No 3.</p>	<p>Seasoned logs of less than 20 per cent moisture and of a maximum length of 350mm^(a).</p>

<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>
45. 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 per cent.
46. 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.
47. The Morsø 1400 series consisting of the 1412, and 1442 models manufactured by Morsø Jernstøberi A/S DK-7900 Nykøbing, Mors, Denmark.	Installation and operation manual referenced 72146800 and dated 10.01.2008.	Wood logs with less than 20 per cent moisture ^(a) .
48. 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 referenced 72311200 and dated 04.02.2008.	Wood logs with less than 20 per cent moisture ^(a) .
49. The Morsø 6140 and 6148 models manufactured by Morsø Jernstøberi A/S DK-7900 Nykøbing, Mors, Denmark.	Installation and operation manual referenced 72610400 and dated 04.09.2007.	Wood logs with less than 20 per cent moisture ^(a) .
50. 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 referenced IN1141 Ed B and dated November 2006.	Untreated dry wood.

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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>
51. 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.
52. 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.
53. 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.
54. 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 referenced IN1141 Ed B and dated November 2006.	Untreated dry wood.
55. 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.

<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>
56. 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 referenced IN1141 Ed B and dated November 2006.	Untreated dry wood.
57. Ökofen Pellematic PE08, PE12, PE16, PE20, PE25 and PE32 manufactured by Ökofen of Auftragsbearbeitung Gewerbepark 1, 4133 Niederkappel, Austria.	Ökofen operation instructions referenced PE/HB/001.E and with revision date 02/2007.	Wood pellets ^(a) of maximum diameter 6mm and maximum length of 4cm.
58. Ökofen Pellematic PE36, PE48 and PE56 manufactured by Ökofen of Auftragsbearbeitung Gewerbepark 1, 4133 Niederkappel, Austria.	Ökofen operation instructions referenced PBV 2000 CMP 1.4 (V2.31) and with revision date 03/2007.	Wood pellets ^(a) of maximum diameter 6mm and maximum length of 4cm.
59. Ökofen Pellematic PEK12, PEK16, PEK20, PEK25 and PEK32 manufactured by Ökofen of Auftragsbearbeitung Gewerbepark 1, 4133 Niederkappel, Austria.	Ökofen operation instructions referenced PE/HB/001.E and with revision date 02/2007.	Wood pellets ^(a) of maximum diameter 6mm and maximum length of 4cm.
60. Ökofen Pellematic PEK36, PEK48 and PEK56 manufactured by Ökofen of Auftragsbearbeitung Gewerbepark 1, 4133 Niederkappel, Austria.	Ökofen operation instructions referenced PBV 2000 CMP 1.4 (V2.31) and with revision date 03/2008.	Wood pellets ^(a) of maximum diameter 6mm and maximum length of 4cm.
61. Ökofen Pellematic PES12, PES16, PES20, PES25 and PES32 manufactured by Ökofen of Auftragsbearbeitung Gewerbepark 1, 4133 Niederkappel, Austria.	Ökofen operation instructions referenced PE/HB/001.E and with revision date 02/2007.	Wood pellets ^(a) of maximum diameter 6mm and maximum length of 4cm.

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	<p><i>The fireplace must be installed, maintained and operated in accordance with the following specifications</i></p> <p><i>Permitted fuels (other than authorised fuels)</i></p>																													
<p>62. Ökofen Pellematic PES36, PES48 and PES56 manufactured by Ökofen of Auftragsbearbeitung Gewerbepark 1, 4133 Niederkappel, Austria.</p>	<p>Ökofen operation instructions referenced PBV 2000 CMP 1.4 (V2.31) and with revision date 03/2008.</p>	<p>Wood pellets^(a) of maximum diameter 6mm and maximum length of 4cm.</p>																												
<p>63. Ökofen Pellematic PESK12, PESK16, PESK20, PESK25 and PESK32 manufactured by Ökofen of Auftragsbearbeitung Gewerbepark 1, 4133 Niederkappel, Austria.</p>	<p>Ökofen operation instructions referenced PE/HB/001.E and with revision date 02/2007.</p>	<p>Wood pellets^(a) of maximum diameter 6mm and maximum length of 4cm.</p>																												
<p>64. Ökofen Pellematic PESK36, PESK48 and PESK56 manufactured by Ökofen of Auftragsbearbeitung Gewerbepark 1, 4133 Niederkappel, Austria.</p>	<p>Ökofen operation instructions referenced PBV 2000 CMP 1.4 (V2.31) and with revision date 03/2008.</p>	<p>Wood pellets^(a) of maximum diameter 6mm and maximum length of 4cm.</p>																												
<p>65. 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 and the Valoriani Piccolo, all of which are manufactured by Valoriani of Via Caselli alla Fornace, 213, 50066 Reggello, Firenze, Italy.</p>	<table border="1"> <tr> <td colspan="2" data-bbox="608 1187 986 1317">The manufacturer's instructions dated 25th October 2004, references:</td> </tr> <tr> <th data-bbox="608 1321 794 1355">Instruction</th> <th data-bbox="794 1321 986 1355">Model</th> </tr> <tr> <td data-bbox="608 1359 794 1393">OOLinst.1</td> <td data-bbox="794 1359 986 1393">FVR 80</td> </tr> <tr> <td data-bbox="608 1397 794 1431">OOLinst.2</td> <td data-bbox="794 1397 986 1431">FVR 100</td> </tr> <tr> <td data-bbox="608 1435 794 1469">OOLinst.3</td> <td data-bbox="794 1435 986 1469">FVR 110</td> </tr> <tr> <td data-bbox="608 1473 794 1507">OOLinst.4</td> <td data-bbox="794 1473 986 1507">FVR 120</td> </tr> <tr> <td data-bbox="608 1512 794 1545">OOLinst.5</td> <td data-bbox="794 1512 986 1545">FVR 110 × 160</td> </tr> <tr> <td data-bbox="608 1550 794 1583">OOLinst.6</td> <td data-bbox="794 1550 986 1583">TOP 100</td> </tr> <tr> <td data-bbox="608 1588 794 1621">OOLinst.7</td> <td data-bbox="794 1588 986 1621">TOP 120</td> </tr> <tr> <td data-bbox="608 1626 794 1659">OOLinst.8</td> <td data-bbox="794 1626 986 1659">GR 100 and OT 100</td> </tr> <tr> <td data-bbox="608 1664 794 1697">OOLinst.9</td> <td data-bbox="794 1664 986 1697">GR 120 and OT 120</td> </tr> <tr> <td data-bbox="608 1702 794 1736">OOLinst.10</td> <td data-bbox="794 1702 986 1736">GR 140 and OT 140</td> </tr> <tr> <td data-bbox="608 1740 794 1774">OOLinst.11</td> <td data-bbox="794 1740 986 1774">GR 120 × 160 and OT 120 × 160</td> </tr> <tr> <td data-bbox="608 1778 794 1812">OOLinst.12</td> <td data-bbox="794 1778 986 1812">GR 140 × 160</td> </tr> </table>	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 × 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	<p>Untreated dry wood.</p>
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OOLinst.1	FVR 80																													
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<i>Fireplace</i>	<i>Conditions</i>	
	<p data-bbox="619 237 986 365"><i>The fireplace must be installed, maintained and operated in accordance with the following specifications</i></p> <p data-bbox="1000 271 1310 331"><i>Permitted fuels (other than authorised fuels)</i></p>	
	<p data-bbox="619 443 756 472">OOLinst.13</p> <p data-bbox="619 546 756 575">OOLinst.14</p> <p data-bbox="619 613 756 642">OOLinst.15</p>	<p data-bbox="810 371 975 678">and OT 140 × 160 GR 140 × 180 and OT 140 × 180 GR 180 and OT 180 Valoriani Piccolo.</p>
<p data-bbox="236 719 593 1010">66. The Quadra-Fire Cumberland Gap Freestanding Wood Burning Stove manufactured by Hearth & Home Technologies 1445 North Highway, Colville, WA 99114, USA.</p>	<p data-bbox="619 719 927 815">The manufacturer's instructions dated 8th July 2003, reference 7006–186.</p>	<p data-bbox="1000 719 1334 815">Dry cured untreated wood of maximum size 43.18 cm × 10.16 cm × 10.16 cm.</p>
<p data-bbox="236 1046 593 1337">67. The Quadra-Fire 2100 Millennium Freestanding Wood Burning Stove manufactured by Hearth & Home Technologies 1445 North Highway, Colville, WA 99114, USA.</p>	<p data-bbox="619 1046 967 1142">The manufacturer's instructions dated 9th October 2003, reference 250–6931B.</p>	<p data-bbox="1000 1046 1334 1142">Dry cured untreated wood of maximum size 38.1 cm × 10.16 cm × 5.08 cm.</p>
<p data-bbox="236 1373 593 1630">68. The Quadra-Fire Yosemite Freestanding Wood Burning Stove manufactured by Hearth & Home Technologies 1445 North Highway, Colville, WA 99114, USA.</p>	<p data-bbox="619 1373 927 1469">The manufacturer's instructions dated 4th June 2003, reference 7004–187.</p>	<p data-bbox="1000 1373 1334 1469">Dry cured untreated wood of maximum size 38.1 cm × 10.16 cm × 5.08 cm.</p>

<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>
69. Scan Andersen 4-5 manufactured by Krog Iversen & Co. A/S DK-5492 Vissenbjerg, Denmark.	Instruction manual with title “Scan Andersen 4-5” and dated “15/11/07” and instructions for installation referenced “Edition 09/05-GB”. A permanent stop must be in place on the secondary air inlet to prevent closure beyond 20mm.	Untreated dry wood ^(a) .
70. Stockton 5 Canopy (model number 7160) manufactured by Stovax Limited, Falcon Road, Sowerton Industrial Estate, Exeter, Devon, EX2 7LF.	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 per cent open position.	Untreated dry wood ^(a) .
71. Stockton 5 Flat top (model number 7119) manufactured by Stovax Limited, Falcon Road, Sowerton Industrial Estate, Exeter, Devon, EX2 7LF.	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 per cent open position.	Untreated dry wood ^(a) .
72. Stockton 5 Midline (model number 7133) manufactured by Stovax Limited, Falcon Road, Sowerton Industrial Estate, Exeter, Devon, EX2 7LF.	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 per cent open position.	Untreated dry wood ^(a) .
73. Turbomatic 28, Turbomatic 35, Turbomatic 48, Turbomatic 55, manufactured by Fröling Heizkessel- und Behälterbau Gesm. B. H, Industriestraße 12, A-4710 Grieskirchen, Austria.	Installation manual reference M 060 01 03 dated 11/2003. Operating manual 99229a dated August 2002.	Wood chip less than 35 per cent moisture content and meeting ÖNORM M 7133 : 1998 size class G30.

<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>
74. Turbomatic 85, Turbomatic 100 and Turbomatic 110, manufactured by Fröling Heizkessel- und Behälterbau Gesm. B. H, Industriestraße 12, A-4710 Grieskirchen, Austria.	Installation manual reference M 060 01 03 dated 11/2003. Operating manual 99229a dated August 2002.	Wood chip less than 35 per cent moisture content and meeting ÖNORM M 7133 : 1998 size class G30 or G50.
75. 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 ^(a) .
76. 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 ^(a) .

<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>
77. 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 referenced: WF15 – WF16 – WF20 dated 2007 along with supplementary instructions reference 01wfuk.2007 and dated 2007. A permanent stop must be in place on the secondary air inlet to prevent closure beyond 50mm.	Untreated dry wood ^(a) .
78. Windhager Bio Win 100, 150, 210 and 260 manufactured by Windhager Zentralheizung GmbH, Anton- Windhager-Str. 20, A-5201 Seekirchen bei Salzburg, Austria.	Instruction manual referenced “0916197/00” and dated “05/2005”.	Wood pellets ^(a) .
79. Windhager Fire Win 90 and 120 manufactured by Windhager Zentralheizung GmbH, Anton- Windhager-Str. 20, A-5201 Seekirchen bei Salzburg, Austria.	Instruction manual referenced “092125/00” and dated “08/2007”.	Wood pellets ^(a) .
80. The Wood Waste Technology Heater, models WT10 and WT15, manufactured by Wood Waste Technology.	The manufacturer’s instructions dated 19th January 2005, reference WT10 and WT15.	Hardwood and softwood offcuts ^(a) .

^(a) 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, which extends to Scotland only, makes provision for exemption from the prohibition, under section 20 of the Clean Air Act 1993, of the emission of smoke in smoke control areas.

The Order exempts those fireplaces described in the Schedule which comply with the conditions specified in respect of those fireplaces from the prohibition under section 20 (article 2).

The Order revokes (article 3) and re-enacts the Smoke Control Areas (Exempt Fireplaces) (Scotland) Order 2008. The Order also provides for additional fireplaces to be exempt. The additional entries in the Schedule are entries 10, 11, 27-29, 34-36, 42, 45, 57-64, 69-74, 78 and 79.

No Regulatory Impact Assessment has been prepared for this instrument as it has no impact on the costs of business.

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