
WELSH STATUTORY INSTRUMENTS

2008 No. 3101 (W.275)

CLEAN AIR, WALES

**The Smoke Control Areas (Exempted
Fireplaces) (Wales) Order 2008**

<i>Made</i>	- - - -	<i>3 December 2008</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>4 December 2008</i>
<i>Coming into force</i>	- -	<i>31 December 2008</i>

The Welsh Ministers in exercise of the powers conferred upon the Secretary of State by section 21 of the Clean Air Act 1993⁽¹⁾ and now vested in the Welsh Ministers⁽²⁾, and being satisfied that the classes of fireplace exempted by this Order can be used for burning fuel other than authorised fuels without producing any smoke or a substantial quantity of smoke, hereby make the following Order:

Title, commencement, and application

1.—(1) The title of this Order is the Smoke Control Areas (Exempted Fireplaces) (Wales) Order 2008 and it comes into force on 31 December 2008.

(2) This Order applies in relation to Wales.

Classes of Fireplaces exempted from Section 20 of the Clean Air Act 1993

2. The classes of fireplace described in the Schedule are, upon the conditions therein specified, exempted from the provisions of Section 20 of the Clean Air Act 1993 (which prohibits smoke emissions in smoke control areas).

Revocation

3. The Smoke Control Areas (Exempted Fireplaces) (Wales) Order 2006 ([S.I. 2006/2980 \(W.271\)](#)) is revoked.

(1) [1993 c. 11](#).

(2) The relevant powers of the Secretary of State were transferred to the National Assembly for Wales by Article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 ([S.I. 1999/672](#)) and thereafter transferred to the Welsh Ministers by Section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 ([c. 32](#)).

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3 December 2008

Jane Davidson
Minister for Environment, Sustainability and
Housing, one of the Welsh Ministers

SCHEDULE

Article 2

CLASSES OF FIREPLACE WHICH ARE EXEMPT

<i>Classes of Fireplace</i>	<i>Conditions</i>
The Binder Wood Fired Boiler models RRK 22 — 49 (49 kW output) manufactured by Binder Gesellschaft mit beschränkter Haftung (GmbH) Mitterdorfer Strasse 5, A-8572 Barnbach, Austria.	<ol style="list-style-type: none"> 1. The fireplace must 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 17 May 2005, reference WELBinderManualrev0.doc, revision 0. 2. No fuel is to be used other than wood pellets or wood chips, but excluding any such pellets or chips which contain halogenated organic compounds or heavy metals as a result of treatment with wood-preservatives or coatings.
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) Mitterdorfer Strasse 5, A-8572 Barnbach, Austria.	<ol style="list-style-type: none"> 1. The fireplace must 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 17 May 2005, reference WELBinderManualrev0.doc, revision 0. 2. No fuel is to be used other than wood pellets or wood chips, but excluding any such pellets or chips which contain halogenated organic compounds or heavy metals as a result of treatment with wood-preservatives or coatings.
The Binder Wood Fired Boiler model RRK 130 — 250 (185 — 230 kW output) 200—350 (250—300kW output) 400—600 (350—500 KW output) 640—850 (650—840kW output) with cyclone (model type ZA) manufactured by Binder Gesellschaft mit beschränkter Haftung (GmbH) Mitterdorfer Strasse 5, A-8572 Barnbach, Austria	<ol style="list-style-type: none"> 1. The fireplace must 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 17 May 2005, reference WELBinderManualrev0.doc, revision 0. 2. No fuel is to be used other than wood pellets or wood chips, but excluding any such pellets or chips which contain halogenated organic compounds or heavy metals as a result of treatment with wood-preservatives or coatings.
The Binder Wood Fired Boiler model RRK 1000 (1200 kW output) with multi-cyclone (model MZA) manufactured by Binder Gesellschaft mit beschränkter Haftung (GmbH) Mitterdorfer Strasse 5, A-8572 Barnbach, Austria.	<ol style="list-style-type: none"> 1. The fireplace must 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 17 May 2005, reference WELBinderManualrev0.doc, revision 0.

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<i>Classes of Fireplace</i>	<i>Conditions</i>
The Biomatic 220 and 250 fitted with Zyκλοvent 220—250 cyclone separator manufactured by HERZ Armaturen Ges.m.b.H, Geschäftsbereich HERZ, Feuerungstechnik, A-8272 Sebersdorf 138, Austria	<p>2. No fuel is to be used other than wood pellets or wood chips, but excluding any such pellets or chips which contain halogenated organic compounds or heavy metals as a result of treatment with wood-preservatives or coatings.</p> <p>1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated April 2005, reference Bedienungsanleitung Englisch v2.0 doc.</p>
The Biomatic 300, 350, 400 and 500 fitted with Zyκλοvent 300—500 cyclone separator manufactured by HERZ Armaturen Ges.m.b.H, Geschäftsbereich HERZ, Feuerungstechnik, A-8272 Sebersdorf 138, Austria	<p>2. No fuel is to be used other than wood chips, wood pellets, or planed wood shavings, but excluding any such chips or pellets or shavings which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.</p> <p>1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated April 2005, reference Bedienungsanleitung Englisch v2.0 doc.</p> <p>2. No fuel is to be used other than wood chips, wood pellets, or wood shavings but excluding any such pellets or chips or shavings which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.</p>
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.	<p>1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions entitled Operating Instructions Clearview Vision/Vision Inset/Pioneer & Solution dated 1 July 2006, reference V1/42, stamped and signed Smoke Control.</p> <p>2. No fuel is to be used other than air-dried wood logs, but excluding any such logs which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.</p>
The CTC Ecoflex 15 and 20 manufactured by Enertech AB, Box 313, S-341 26 Ljungby, Sweden.	<p>1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 20 February 2007, reference 161 505 27 06/1.</p> <p>2. No fuel is to be used other than wood pellets but excluding any such pellets which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.</p>

<i>Classes of Fireplace</i>	<i>Conditions</i>
The Dovre 250 (model DV-250) manufactured by Dovre NV, Nijverheidsstraat 18, BE-2381 Weelde, Belgium.	<ol style="list-style-type: none">1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions, reference PM250 Issue 1. A permanent stop must be in place on the secondary air inlet to prevent closure beyond the 75 per cent open position.2. No fuel is to be used other than untreated dry wood but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Dunsley Yorkshire Stove, Manufactured by Dunsley Heat Limited, Bridge Mills, Huddersfield Road, Holmfirth, Yorkshire HD9 3TW.	<ol style="list-style-type: none">1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 5 August 1998, reference A/22160 as amended by those dated 4 December 2004, reference D13. 2. No fuel is to be used other than untreated dry wood but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings. Peat or peat briquettes with, in either case, less than 25% moisture. Union Coal Briketts, manufactured by Rheinbraun AG of Germany comprising lignite compressed into briquettes of approx. 15cm in length with square ends and with a sulphur content not exceeding 1% of the total weight. CPL wildfire, manufactured by Coal Products Ltd., Immingham, which comprise bituminous coal with a volatile content of 32—36% (as to approx. 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.1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 5 August 1998, reference A/22160 as amended by those dated 4 December 2004, reference D13. 2. No fuel is to be used other than untreated dry wood but excluding any such wood which contains halogenated organic compounds or
The Dunsley Yorkshire Multifuel Stove manufactured by Dunsley Heat Limited, Bridge Mills, Huddersfield Road, Holmfirth, Yorkshire HD9 3TW.	

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<i>Classes of Fireplace</i>	<i>Conditions</i>
<p>The Dunsley Yorkshire Multifuel Stove and Boiler manufactured by Dunsley Heat Limited, Bridge Mills, Huddersfield Road, Holmfirth, Yorkshire HD9 3TW.</p>	<p>heavy metals as a result of treatment with wood preservatives or coatings.</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 approx. 15cm 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 Ltd., Immingham, which comprise bituminous coal with a volatile content of 32—36% (as to approx. 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> <p>1. The fireplace must be installed, maintained and operated in accordance with the manufacturer’s instructions dated 5 August 1998, reference A/22160 as amended by those dated 4 October 2004, reference GHD/DUN4B/1.</p> <p>2. No fuel is to be used other than untreated dry wood but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.</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 approx. 15cm 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 Ltd., Immingham, which comprise bituminous coal with a volatile content of 32—36% (as to approx. 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>

<i>Classes of Fireplace</i>	<i>Conditions</i>
The Dunsley Yorkshire Woodburning Stove manufactured by Dunsley Heat Limited, Bridge Mills, Huddersfield Road, Holmfirth, Yorkshire HD9 3TW.	<ol style="list-style-type: none">1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 4 December 2004, reference D13W.2. No fuel is to be used other than untreated dry wood but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Dunsley Yorkshire Woodburning Stove and Boiler manufactured by Dunsley Heat Limited, Bridge Mills, Huddersfield Road, Holmfirth, Yorkshire HD9 3TW.	<ol style="list-style-type: none">1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 4 December 2004, reference D13W together with the manufacturer's instructions dated 4 October 2004, reference GHD/DUN4B/1.2. No fuel is to be used other than untreated dry wood but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Extraflame:	<ol style="list-style-type: none">1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 5 March 2007, reference 004275101 011.2. No fuel is to be used other than wood pellets, but excluding any such pellets which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
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	
Preziosa	

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<i>Classes of Fireplace</i>	<i>Conditions</i>
All of which are manufactured by Extraflame S.p.a in Montecchio Precalcino (Vicenza), Italy.	
The Extraflame Comfort Mini manufactured by Extraflame S.p.a in Montecchio Precalcino (Vicenza), Italy.	<ol style="list-style-type: none"> 1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 2 October 2006, reference 004275115 REV 005. 2. No fuel is to be used other than wood pellets, but excluding any such pellets which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Extraflame Idro manufactured by Extraflame S.p.a in Montecchio Precalcino (Vicenza), Italy.	<ol style="list-style-type: none"> 1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 28 August 2006, reference 004275128 REV 002. 2. No fuel is to be used other than wood pellets, but excluding any such pellets which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Extraflame Lucrezia Idro and Lucrezia Steel manufactured by Extraflame S.p.a in Montecchio Precalcino (Vicenza), Italy.	<ol style="list-style-type: none"> 1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 12 July 2006, reference 004275110 REV 011. 2. No fuel shall be used other than wood pellets, but excluding any such pellets which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Firematic 25, 50, 90 and 150 manufactured by HERZ Armaturen Ges.m.b.H, Geschäftsbereich HERZ, Feuerungstechnik, A-8272 Sebersdorf 138, Austria.	<ol style="list-style-type: none"> 1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated June 2005, reference Bedienungsanleitung Firematic V 1.1 ENG doc. 2. No fuel is to be used other than chipped wood, wood pellets, or planed wood shavings, but excluding any such wood, pellets or shavings which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Fröling Turbomat 28, 35, 48 and 55 manufactured by Fröling, Heizkessel-und Behälterbau Ges.m.b.H, Industriestrasse 12, A-4710 Grieskirchen, Austria.	<ol style="list-style-type: none"> 1. The fireplace must be installed in accordance with the manufacturer's installation instructions dated November 2003, reference M 060 01 03. The fireplace must be maintained and operated in accordance with the manufacturer's instructions dated August 2002, reference 99229a.

<i>Classes of Fireplace</i>	<i>Conditions</i>
The Fröling Turbomat 85, 100 and 110 manufactured by Fröling, Heizkessel-und Behälterbau Ges.m.b.H, Industriestrasse 12, A-4710 Grieskirchen, Austria	<p>2. No fuel is to be used other than wood chips with less than 35 per cent moisture content that meet ONORM (a) M 7133; 1998 size class G30 but excluding any such chips which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.</p> <p>1. The fireplace must be installed in accordance with the manufacturer's installation instructions dated November 2003, reference M 060 01 03.</p> <p>The fireplace must be maintained and operated in accordance with the manufacturer's instructions dated August 2002, reference 99229a.</p> <p>2. No fuel is to be used other than wood chips with less than 35 per cent moisture content that meet ONORM (a) M 7133; 1998 size class G30 but excluding any such chips which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.</p>
The Fröling Turbomat 150 and 220 manufactured by Fröling, Heizkessel-und Behälterbau Ges.m.b.H, Industriestrasse 12, A-4710 Grieskirchen, Austria.	<p>1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated August 2003, reference BO310003.</p> <p>2. No fuel is to be used other than wood pellets, or wood chips, but excluding any such pellets or chips which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.</p>
The Froling Turbomat 320 and 500 manufactured by Froling Heizkessel und Behälterbau Ges. M.b.H, Industriestrasse 12, A-4710 Grieskirchen, Austria.	<p>1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated November 2004, reference B0340004.</p> <p>2. No fuel is to be used other than wood pellets, or wood chips, but excluding any such pellets or chips which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.</p>
The 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>1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated January 2007, reference Gilles/0-145/1.</p> <p>2. No fuel is to be used other than wood pellets, or wood chips, but excluding any such pellets or chips which contain halogenated</p>

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<i>Classes of Fireplace</i>	<i>Conditions</i>
<p>The 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>organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.</p> <ol style="list-style-type: none"> 1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated January 2007, reference Gilles/150-300/1. 2. No fuel is to be used other than wood pellets, or wood chips, but excluding any such pellets or chips which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
<p>The Gilles HPK USK 360 kW manufactured by GILLES Energie-und Umwelttechnik GmbH, Koaserbauer Str. 16 A-4810 Gmunden, Austria.</p>	<ol style="list-style-type: none"> 1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's operating instructions dated January 2008, reference Gilles 360/1. 2. No fuel is to be used other than wood pellets or wood chips, but excluding any such pellets or chips which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
<p>The Gilles HPK UTSK 450 kW, 550 kW, 700 kW, 900 kW, 1200 kW, and 1600 kW Boilers manufactured by GILLES Energie-und Umwelttechnik GmbH, Koaserbauer Str. 16 A-4810 Gmunden, Austria.</p>	<ol style="list-style-type: none"> 1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's operating instructions dated January 2008, reference Gilles 360/1 2. No fuel is to be used other than wood pellets or wood chips, but excluding any such pellets or chips which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
<p>The Hoval BioLyt 50 Wood Pellet Boiler (49kW thermal output) manufactured by Hoval AG, Austrasse 70, 9490 Vaduz, Liechtenstein.</p>	<ol style="list-style-type: none"> 1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's technical information and installation instructions dated October 2005, reference 4 204794/00 and operating instructions dated January 2006, reference 4 204 793/01. 2. No fuel is to be used other than wood pellets, but excluding any such pellets which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
<p>The Hoval BioLyt 50 and 70 models manufactured by Hoval AG, Austrasse 70, 9490 Vaduz, Liechtenstein.</p>	<ol style="list-style-type: none"> 1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's technical information and installation instructions dated June 2007, reference 4 204 794/01 and 4 204 793/02. 2. No fuel is to be used other than 6mm diameter wood pellets but excluding any

<i>Classes of Fireplace</i>	<i>Conditions</i>
The Hoval AgroLyt 20, 25, 35, 45 and 50 manufactured by Hoval AG, Austrasse 70, 9490 Vaduz, Liechtenstein.	<p>such pellets which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.</p> <ol style="list-style-type: none">1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's technical information and installation instructions dated January 2006, reference 4 205 194/00 and 4 205 193/00 dated June 2006.2. No fuel is to be used other than Wood logs with less than 20% moisture but excluding any such logs which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Hoval STU 150, 200, 250, 300, 350, 425 and 500 manufactured by Hoval UK Ltd, Northgate, Newark-on-Trent, Nottinghamshire, NG24 1JN.	<ol style="list-style-type: none">1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's technical information and installation instructions dated November 2007, reference STUman/01.2. No fuel is to be used other than 6mm diameter wood pellets but excluding any such pellets which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Hoval STU 600, 800 and 1000 manufactured by Hoval UK Ltd., Northgate, Newark-on-Trent, Nottinghamshire, NG24 1JN.	<ol style="list-style-type: none">1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's operating instructions dated June 2008, reference STU/man/01/1.2. No fuel is to be used other than 6mm diameter wood pellets, but excluding any such pellets which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Huntingdon 25 clear door (model number 7057) and Huntingdon 25 tracery door (model number 7058) manufactured by Stovax Limited, Falcon Road, Sowerton Industrial Estate, Exeter, Devon EX2 7LF.	<ol style="list-style-type: none">1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instruction manual, reference PM 249 Issue 1. A permanent stop must be in place on the secondary inlet to prevent closure beyond the 75 per cent open position.2. No fuel is to be used other than untreated dry wood but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Hwam Beethoven, Hwam Beethoven H, Hwam Mozart, Hwam Ravel, Hwam Vivaldi, Hwam 30 (4.5 kW nominal thermal output)	<ol style="list-style-type: none">1. The fireplace must be installed, maintained and operated in accordance with Euroheat Distributors (HBS) Limited's

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fitted with mechanism to prevent closure of the air wash/secondary air control manufactured by HWAM Heat Design AS Nydamsvej 53, 8362 Hørning, Denmark.	operational instructions dated November 2006, reference IN1 141 Ed B. 2. No fuel is to be used other than untreated dry wood but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The 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.	1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 14 May 2008, reference BA TDS-05.2008. 2. No fuel is to be used other than wood pellets or wood chips but excluding any such pellets or chips which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The 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.	1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated August 2005, reference BA TDS — 0805. 2. No fuel is to be used other than wood pellets or wood chips, but excluding any such pellets or chips which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Little Thurlow wood burning stove manufactured by Town and Country Fires Pickering, North Yorkshire.	1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 30 June 2007, issue No. 3. 2. No fuel is to be used other than seasoned logs of less than 20 per cent moisture and of a maximum length of 350mm, but excluding any such logs which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Lovenholm manufactured by Hunter Stoves Ltd., Unit 6, Old Mill industrial Estate, Stoke Canon, Exeter, Devon EX5 4RJ.	1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions reference 07/08. 2. No fuel is to be used other than untreated wood with less than 20 per cent moisture content but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Morsø 1400 series consisting of the 1412 and 1442 models manufactured by Morsø	1. The fireplace must be installed, maintained and operated in accordance with the

<i>Classes of Fireplace</i>	<i>Conditions</i>
Jernestøberi A/S DK-7900 Nykøbing, Mors, Denmark.	manufacturer's instructions dated 10 January 2008, reference 72146800. 2. No fuel is to be used other than wood logs with less than 20 per cent moisture, but excluding any such logs which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Morsø 3100 series consisting of the 3112 and 3142 models manufactured by Morsø Jernestøberi A/S DK-7900 Nykøbing, Mors, Denmark.	1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 4 February 2008, reference 72311200. 2. No fuel is to be used other than wood logs with less than 20 per cent moisture, but excluding any such logs which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Morsø 6140 series consisting of the 6140 and 6148 models manufactured by Morsø Jernestøberi A/S DK-7900 Nykøbing, Mors, Denmark.	1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 4 September 2007, reference 72610400. 2. No fuel is to be used other than wood logs with less than 20 per cent moisture, but excluding any such logs which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Morsø Owl 3410, 3420 and 3440 for wood burning manufactured by Morsø Jernestøberi A/S DK-7900 Nykøbing, Mors, Denmark.	1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 1 January 2000, reference 72345600. 2. No fuel is to be used other than untreated dry wood which has been split, stacked and air dried; or air dried wood briquettes but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
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.	1. The fireplace must be installed, maintained and operated in accordance with Euroheat Distributors (HBS) Limited's operational instructions dated January 2007, reference IN1 116 Edition D. 2. No fuel is to be used other than untreated dry wood but excluding any such wood which contains halogenated organic compounds or

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<i>Classes of Fireplace</i>	<i>Conditions</i>
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.	<p>heavy metals as a result of treatment with wood preservatives or coatings.</p> <ol style="list-style-type: none"> 1. The fireplace must be installed, maintained and operated in accordance with Euroheat Distributors (HBS) Limited's operational instructions dated November 2006, reference IN1 141 Edition B. 2. No fuel is to be used other than untreated dry wood but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The 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.	<ol style="list-style-type: none"> 1. The fireplace must be installed, maintained and operated in accordance with Euroheat Distributors (HBS) Limited's operational instructions dated November 2006, reference IN1 141 Edition B. 2. No fuel is to be used other than untreated dry wood but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Nestor Martin Stanford Multi-Fuel Stove S13 (3.5 kW nominal thermal output), S33 and SP33 (8 kW nominal output) manufactured by Nestor Martin, S A Finuick Nv, Voie Axiale 5, B-5660 Couvin, Belgium.	<ol style="list-style-type: none"> 1. The fireplace must be installed, maintained and operated in accordance with Euroheat Distributors (HBS) Limited's operational instructions dated January 2007, reference IN1 116 Edition D. 2. No fuel is to be used other than untreated dry wood but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
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.	<ol style="list-style-type: none"> 1. The fireplace must be installed, maintained and operated in accordance with Euroheat Distributors (HBS) Limited's operational instructions dated November 2006, reference IN1 141 Edition B. 2. No fuel is to be used other than untreated dry wood but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
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.	<ol style="list-style-type: none"> 1. The fireplace must be installed, maintained and operated in accordance with Euroheat Distributors (HBS) Limited's operational instructions dated April 2007, reference IN1 180 Edition C.

<i>Classes of Fireplace</i>	<i>Conditions</i>
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.	<p>2. No fuel is to be used other than untreated dry wood but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.</p> <p>1. The fireplace must be installed, maintained and operated in accordance with Euroheat Distributors (HBS) Limited's operational instructions dated January 2007, reference IN1 116 Edition C.</p> <p>2. No fuel is to be used other than untreated dry wood but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings .</p>
The OkoFEN Pellematic PE08, PE12, PE16, PE20, PE25, PE32, PEK12, PEK16, PEK20, PEK25, PEK32, PES12, PES16, PES20, PES25, PES32, PESK12, PESK16, PESK25, and PESK32, manufactured by OkoFEN Forschungs-und Entwicklungs Ges.m.b.H of Gewerbepark1, 4133 Niederkappel, Austria.	<p>1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated February 2007, reference PE/HB/001.E.</p> <p>2. No fuel is to be used other than wood pellets with a maximum diameter of 6mm and a maximum length of 4cm but excluding any such pellets which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.</p>
The OkoFEN Pellematic PE36, PE48, PE56, PESK36, PESK48, PESK56 manufactured by OkoFEN Forschungs-und Entwicklungs Ges.m.b.H of Gewerbepark1, 4133 Niederkappel, Austria.	<p>1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated March 2008, reference PBV 2000 CMP 1.4 (V2.31).</p> <p>2. No fuel is to be used other than wood pellets with a maximum diameter of 6mm and a maximum length of 4cm but excluding any such pellets which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.</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 fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 25 October 2004, references:</p>

<i>Instruction</i>	<i>Model</i>
OOL inst.1	FVR 80
OOL inst.2	FVR100

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<i>Classes of Fireplace</i>	<i>Conditions</i>	
	<i>Instruction</i>	<i>Model</i>
	OOL inst.3	FVR 110
	OOL inst.4	FVR 120
	OOL inst.5	FVR 110×160
	OOL inst.6	TOP 100
	OOL inst.7	TOP 120
	OOL inst. 8	GR 100 andOT 100
	OOL inst.9	GR 120 andOT 120
	OOL inst.10	GR 140 andOT 140
	OOL inst.11	GR 120×160 and OT 120×160
	OOL inst.12	GR 140×160 and OT 140×160
	OOL inst.13	GR 140×180 and OT 140×180
	OOL inst.14	GR 180 andOT 180
	OOL inst.15	Valoriani Piccolo

The Quadra-Fire 2100 Millennium Freestanding Wood Burning Stove manufactured by Hearth & Home Technologies 1445 North Highway, Colville, WA 99114, USA.

2. No fuel is to be used other than untreated dry wood but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.

1. The fireplace must be installed, maintained and operated in accordance with the manufacturer’s instructions dated 9 October 2003, reference 250-6931B.

2. No fuel is to be used other than dry cured untreated wood of maximum size 38.1 cm × 10.16 cm × 5.08 cm but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.

The Quadra-Fire Yosemite Freestanding Wood Burning Stove manufactured by Hearth & Home Technologies 1445 North Highway, Colville, WA 99114, USA.

1. The fireplace must be installed, maintained and operated in accordance with the manufacturer’s instructions dated 4 June 2003, reference 7004-187.

2. No fuel is to be used other than dry cured untreated wood of maximum size 38.1 cm × 10.16 cm × 5.08 cm but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.

<i>Classes of Fireplace</i>	<i>Conditions</i>
The Quadra-Fire Cumberland Gap Freestanding Wood Burning Stove manufactured by Hearth & Home Technologies 1445 North Highway, Colville, WA 99114, USA.	<ol style="list-style-type: none">1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 8 July 2003, reference 7006-186.2. No fuel is to be used other than dry cured untreated wood of maximum size 43.18 cm × 10.16 cm × 5.08 cm but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Scan Anderson 4-5 manufactured by Krog Iversen 7 Co., A/S DK-5492 Vissenbjerg, Denmark.	<ol style="list-style-type: none">1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 15 November 2007, entitled "Scan Andersen 4-5", reference 09/05-GB <p>A permanent stop must be in place on the secondary air inlet to prevent closure beyond 20mm.</p> <ol style="list-style-type: none">2. No fuel is to be used other than untreated dry wood but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Stockton 5 flat top (model number 7119) Stockton 5 Canopy (model number 7160) and Stockton 5 Midline (model number 7133) manufactured by Stovax Ltd., Falcon Road, Sowerton Industrial Estate, Exeter, Devon EX2 7LF.	<ol style="list-style-type: none">1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions reference, PM176 — issue 4. <p>A permanent stop must be in place on the secondary air inlet to prevent closure beyond the 50 per cent open position.</p> <ol style="list-style-type: none">2. No fuel is to be used other than untreated dry wood but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.
The Type USV wood pellet and wood chip fired 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.	<ol style="list-style-type: none">1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated August 2003, reference BA-USV 0803.2. No fuel is to be used other than wood pellets or wood chips but excluding any such pellets or chips which contain halogenated organic compounds or heavy metals as a result of treatment with wood-preservatives or coatings.
The Type USP wood pellet fired boilers, model numbers USP-10, 15, 20, 25 and 30,	<ol style="list-style-type: none">1. The fireplaces must be installed, maintained and operated in accordance with the

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<i>Classes of Fireplace</i>	<i>Conditions</i>
<p>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>manufacturer's instructions dated 28 July 2003 reference BA-USP 0703.</p> <p>2. No fuel is to be used other than wood pellets but excluding any such pellets which contain halogenated organic compounds or heavy metals as a result of treatment with wood-preserved or coatings.</p>
<p>The Westfire Uniq 15, 16 and 20 (also known as WF UNIQ 15, 16 and 20) manufactured by Westfire Tømmervej 3 DK-6800 Varde, Denmark.</p>	<p>1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 2007, reference WF15 — WF16 — WF20 along with supplementary instructions reference 01 wfuk.2207.</p> <p>A permanent stop must be in place on the secondary air inlet to prevent closure beyond 50mm.</p> <p>2. No fuel is to be used other than untreated dry wood, but excluding any such wood which contains halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.</p>
<p>The Winhager Bio Win 90 and 120 manufactured by Windhager Zentralheizung GmbH, Anton-Windhager-Str. 20, A-5201 Seekirchen bei Salzburg, Austria.</p>	<p>1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated August 2008, reference 092125/00.</p> <p>2. No fuel is to be used other than wood pellets but excluding any such wood pellets which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.</p>
<p>The Winhager Bio Win 100, 150, 210 and 260, manufactured by Windhager Zentralheizung GmbH, Anton-Windhager-Str. 20, A-5201 Seekirchen bei Salzburg, Austria.</p>	<p>1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated May 2008, reference 0916197/00.</p> <p>2. No fuel is to be used other than wood pellets but excluding any such pellets which contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings.</p>
<p>The Wood Waste Technology Heater, models WT10 and WT15, manufactured by Wood Waste Technology Unit 4 Palmbourne Industrial Estate, Castle Street, Stafford ST16 2TB.</p>	<p>1. The fireplace must be installed, maintained and operated in accordance with the manufacturer's instructions dated 19 January 2005, reference WT10 and WT15.</p> <p>2. No fuel is to be used other than hardwood and softwood offcuts, but excluding any such offcuts which contain halogenated organic</p>

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<i>Classes of Fireplace</i>	<i>Conditions</i>
	compounds or heavy metals as a result of treatment with wood preservatives or coatings.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 20 of the Clean Air Act 1993 (“the 1993 Act”) places a general prohibition on the emission of smoke in smoke control areas.

The Welsh Ministers may, by order made under section 21 of the 1993 Act, exempt specified classes of fireplace from the provisions of section 20, if they are satisfied that such fireplaces can be used for burning fuel other than authorised fuels without producing any smoke or a substantial quantity of smoke.

This Order applies in relation to Wales.

This Order revokes and replaces with amendments the Smoke Control Areas (Exempted Fireplaces) (Wales) Order 2006 ([S.I. 2006/2980](#)) ([W.271](#)).

Article 2 of the Order exempts the classes of fireplace listed in the first column of the Schedule to the Order from the provisions of section 20 of the 1993 Act, subject to the conditions in the second column of that Schedule.

A regulatory impact assessment has been prepared in connection with this Order. A copy can be obtained from the Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ.