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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2013 Rhif 562 (Cy.65)**

**2013 No. 562 (W.65)**

**AER GLÂN, CYMRU**

**CLEAN AIR, WALES**

Rheoliadau Ardaloedd Rheoli Mwg  
(Tanwyddau Awdurdodedig)  
(Cymru) (Diwygio) 2013

The Smoke Control Areas  
(Authorised Fuels) (Wales)  
(Amendment) Regulations 2013

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

*(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)*

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

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Ardaloedd Mwg (Tanwyddau Awdurdodedig) (Cymru) 2008 (O.S. 2008/3100 (Cy. 274)) ("Rheoliadau 2008"), sy'n nodi'r tanwyddau y datganwyd eu bod yn danwyddau awdurdodedig at ddibenion Rhan III (gan gynnwys adran 20) o Ddeddf Aer Glân 1993 ("Deddf 1993").

These Regulations amend the Smoke Control Areas (Authorised Fuels) (Wales) Regulations 2008 (S.I. 2008/3100 (W. 274)) ("the 2008 Regulations"), which set out the fuels declared to be authorised fuels for the purposes of Part III (including section 20) of the Clean Air Act 1993 ("the 1993 Act").

Mae'r Rheoliadau hyn yn diwygio'r rhestr o danwyddau awdurdodedig yn yr Atodlen i Reoliadau 2008 drwy ychwanegu wyth tanwydd newydd, sef, brics glo Coalite Ovals, brics glo Ecoal 50, brics glo Excel+, Hot Drops, brics glo Newburn, brics glo Newheat a dau faint gwahanol o Zip 100% Natural Firelogs.

These Regulations amend the list of authorised fuels in the Schedule to the 2008 Regulations by adding eight new fuels, namely, Coalite Ovals briquettes, Ecoal 50 briquettes, Excel+ briquettes, Hot Drops, Newburn briquettes, Newheat briquettes, and two sizes of Zip 100% Natural Firelogs.

Mae adran 20 o Ddeddf 1993 yn darparu ei bod yn drosedd gollwng mwg o simnai adeilad, neu simnai sy'n gwasanaethu ffwrnais bwyler sefydlog neu beiriannau diwydiannol, pan fo'r simnai honno mewn ardal rheoli mwg. Er hynny, mae'n amddiffyniad os gellir profi mai drwy ddefnyddio tanwydd awdurdodedig yn unig yr achoswyd y gollyngiad honedig.

Section 20 of the 1993 Act provides that it is an offence to emit smoke from a chimney of a building or a chimney serving a furnace of a fixed boiler or an industrial plant, if that chimney is within a smoke control area. However, it is a defence to prove that the alleged emission was caused solely by the use of an authorised fuel.

Yng Nghymru, ystyr tanwydd awdurdodedig yw tanwydd y datganwyd ei fod yn danwydd awdurdodedig drwy reoliadau a wnaed gan Weinidogion Cymru.

In Wales, an authorised fuel means a fuel declared to be an authorised fuel by regulations made by the Welsh Ministers.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar wneud Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, paratowyd asesiad effaith rheoleiddiol o'r costau a'r buddiannau sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Mae copi ar gael gan Lywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

**2013 Rhif 562 (Cy.65)**

**AER GLÂN, CYMRU**

**Rheoliadau Ardaloedd Rheoli Mwg  
(Tanwyddau Awdurdodedig)  
(Cymru) (Diwygio) 2013**

*Gwnaed* 11 Mawrth 2013

*Gosodwyd gerbron Cynulliad  
Cenedlaethol Cymru* 12 Mawrth 2013

*Yn dod i rym* 3 Ebrill 2013

Mae Gweinidogion Cymru yn gwneud y Rheoliadau canlynol drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 20(6) o Ddeddf Aer Glân 1993(1) ac a freiniwyd bellach yng Ngweinidogion Cymru(2) i'r graddau y maent yn arferadwy o ran Cymru:

**Enwi, cychwyn a chymhwysu**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Ardaloedd Rheoli Mwg (Tanwyddau Awdurdodedig) (Cymru) (Diwygio) 2013 a deuant i rym ar 3 Ebrill 2013.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

**Diwygiadau**

2. Yn yr Atodlen (Tanwyddau Awdurdodedig) i Reoliadau Ardaloedd Rheoli Mwg (Tanwyddau Awdurdodedig) (Cymru) 2008(3)—

(a) ar ôl paragraff 11, mewnosoder—

**"11A.** Brics glo Coalite Ovals, a weithgynhyrchir gan Maxibrite Limited yn Ystad Ddiwydiannol Mwyndy, Llantrisant, Rhondda Cynon Taf—

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(1) 1993 (p. 11).

(2) Trosglwyddwyd swyddogaethau perthnasol yr Ysgrifennydd Gwladol, i'r graddau y maent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru yn rhinwedd erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672), ac Atodlen 1 iddo. Mae'r swyddogaethau hynny bellach yn arferadwy gan Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 o Atodlen 11 iddi.

(3) O.S. 2008/3100 (Cy. 274), fel y'i diwygiwyd gan O.S. 2009/3225 (Cy. 279), O.S. 2011/2909 (Cy. 313).

**2013 No. 562 (W.65)**

**CLEAN AIR, WALES**

**The Smoke Control Areas  
(Authorised Fuels) (Wales)  
(Amendment) Regulations 2013**

*Made* 11 March 2013

*Laid before the National  
Assembly for Wales* 13 March 2013

*Coming into force* 3 April 2013

The Welsh Ministers make the following Regulations in exercise of the powers conferred upon the Secretary of State by section 20(6) of the Clean Air Act 1993(1) and now vested in the Welsh Ministers(2) so far as exercisable in relation to Wales:

**Title, commencement and application**

1.—(1) The title of these Regulations is the Smoke Control Areas (Authorised Fuels) (Wales) (Amendment) Regulations 2013 and they come into force on 3 April 2013.

(2) These Regulations apply in relation to Wales.

**Amendments**

2. In the Schedule (Authorised Fuels) to the Smoke Control Areas (Authorised Fuels) (Wales) Regulations 2008(3)—

(a) after paragraph 11, insert—

**"11A.** Coalite Ovals briquettes, manufactured by Maxibrite Limited at Mwyndy Industrial Estate, Llantrisant, Rhondda Cynon Taf which—

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(1) 1993 (c. 11).

(2) The relevant functions of the Secretary of State were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by virtue of article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). Those functions are now exercisable by the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

(3) S.I. 2008/3100 (W. 274) as amended by S.I. 2009/3225 (W. 279), S.I. 2011/2909 (W. 313).

- (a) sydd wedi'u cyfansoddi o 10 i 15 y cant glo meddal, 10 i 15 y cant golosg petrolewm, 70 i 80 y cant llwch glo caled a rhwymwr starts (sef gweddill y pwysau);
  - (b) a weithgynhrychwyd o'r cyfansoddion hynny drwy broses sy'n cynnwys rholio-wasgu a thriniaeth wres ar ryw 260°C;
  - (c) sy'n frics glo heb eu marcio ar siâp gobennydd â'u hyd yn rhyw 84.2 o filimetrau ac yn 61.5 o filimetrau x 37.8 o filimetrau;
  - (ch) sy'n pwyso 118 gram y fricsen ar gyfartaledd; a
  - (d) nad yw'r sylffwr sydd ynddynt yn fwy na 1.9 y cant o sylffwr ar sail sych."
- (b) ar ôl paragraff 17, mewnosoder—

"**17A.** Brics glo Ecoal 50, a weithgynhrychir gan Coal Products Limited yn Immingham Briquetting Works, Immingham, North East Lincolnshire—

- (a) sydd wedi'u cyfansoddi o ronynnau glo caled (sef rhyw 30 i 55 y cant o'r cyfanswm pwysau), biomas (sef rhyw 25 i 35 y cant o'r cyfanswm pwysau), golosg petrolewm (sef rhyw 10 i 40 y cant o'r cyfanswm pwysau), glo meddal (sef rhyw 0 i 5 y cant o'r cyfanswm pwysau) a rhwymwr organig naturiol (sef gweddill y pwysau);
  - (b) a weithgynhrychwyd o'r cyfansoddion hynny drwy broses sy'n cynnwys rholio-wasgu yna triniaeth wres ar dymheredd oddeutu 300°C mewn amgylchedd wedi ei reoli, â llai o ocsigen;
  - (c) sy'n frics glo ar siâp hecsagon gyda streipen ar un ochr ar draws y rhannau gwastad;
  - (ch) sy'n pwyso 135 gram y fricsen ar gyfartaledd; a
  - (d) nad yw'r sylffwr sydd ynddynt yn fwy na 2 y cant o'r cyfanswm pwysau."
- (c) ar ôl paragraff 18A, mewnosoder—

"**18B.** Brics glo Excel+, a weithgynhrychir gan Oxbow Coal B.V. yn Newfield Works, Bishop Auckland, County Durham—

- (a) sydd wedi'u cyfansoddi o olog petrolewm (sef 65 i 70 y cant o'r cyfanswm pwysau) a glo caled (sef 25 y cant o'r cyfanswm pwysau) ynghyd â rhwymwr resin sy'n caledu pan fo'n oer, caledwr a sefydlogydd tymheredd isel fel gweddill y pwysau;

- (a) comprise 10 to 15 per cent bituminous coal, 10 to 15 per cent petroleum coke, 70 to 80 per cent anthracite duff and starch binder (as to the remaining weight);
  - (b) were manufactured from those constituents by a process involving roll-pressing and heat treatment at about 260°C;
  - (c) are unmarked pillow-shaped briquettes approximately 84.2 millimetres in length and 61.5 millimetres x 37.8 millimetres;
  - (d) have an average weight of 118 grams per briquette; and
  - (e) have a sulphur content not exceeding 1.9 per cent sulphur on a dry basis."
- (b) after paragraph 17, insert—

"**17A.** Ecoal 50 briquettes, manufactured by Coal Products Limited at Immingham Briquetting Works, Immingham, North East Lincolnshire which—

- (a) comprise anthracite fines (as to approximately 30 to 55 per cent of the total weight), biomass (as to approximately 25 to 35 per cent of the total weight), petroleum coke (as to approximately 10 to 40 per cent of the total weight), bituminous coal (as to approximately 0 to 5 per cent of the total weight) and natural organic binder (as to the remaining weight);
  - (b) were manufactured from those constituents by a process involving roll pressing followed by heat treatment at a temperature of approximately 300°C in a controlled, reduced oxygen environment;
  - (c) are hexagonal-shaped briquettes with a single stripe on one side across the flats;
  - (d) have an average weight of 135 grams per briquette; and
  - (e) have a sulphur content not exceeding 2 per cent of the total weight."
- (c) after paragraph 18A, insert—

"**18B.** Excel+ briquettes, manufactured by Oxbow Coal B.V. at Newfield Works, Bishop Auckland, County Durham, which—

- (a) comprise petroleum coke (as to 65 to 70 per cent of the total weight) and anthracite (as to 25 per cent of the total weight) together with a cold setting resin binder, hardener and low temperature stabiliser as to the remaining weight;

- (b) a gynhyrchir ar dymheredd amgylchynol drwy broses sy'n cynnwys rholio-wasgu a chaledu oer;
  - (c) sy'n frics glo sgwâr, heb eu marcio ar siâp gobennydd;
  - (ch) sy'n pwyso 100 gram y fricsen ar gyfartaledd; a
  - (d) nad yw'r sylffwr sydd ynddynt yn fwy na 1.9 y cant o'r cyfanswm pwysau."
- (d) ar ôl paragraff 23, mewnosoder—

"23A. Hot Drops, a weithgynhyrchir gan EU Zeme Limited yn Riga, Eksporta Street 15, LV-1045, Latfia—

- (a) sydd wedi'u cyfansoddi o lo caled wedi ei falu (sef rhyw 73 y cant o'r cyfanswm pwysau), glo meddal (sef rhyw 18 y cant o'r cyfanswm pwysau) a rhwymwr triagl ac asid orthoffosfforig (sef gweddill y pwysau);
  - (b) a weithgynhyrchwyd o'r cyfansoddion hynny drwy broses sy'n cynnwys rholio-wasgu, yna triniaeth wres ar dymheredd oddeutu 250 i 280°C;
  - (c) sy'n frics glo, bron yn grwn ar siâp gobennydd, sydd 40 o filimetrau eu diamedr ac sy'n rhyw 21 o filimetrau o drwch yng nghanol y fricsen;
  - (ch) sy'n pwyso 23 gram y fricsen ar gyfartaledd; a
  - (d) nad yw'r sylffwr sydd ynddynt yn fwy na 0.5 y cant o'r cyfanswm pwysau."
- (e) ar ôl paragraff 29, mewnosoder—

"29A. Brics glo Newburn, a weithgynhyrchir gan ECL Mineral Processing Limited yn Newfield Works, Newfield, Bishop Auckland, County Durham—

- (a) sydd wedi'u cyfansoddi o olog petroleum (sef rhyw 56 i 57 y cant o'r cyfanswm pwysau), glo caled (sef rhyw 37 i 38 y cant o'r cyfanswm pwysau) a rhwymwr powdr sych (sef gweddill y pwysau);
- (b) a weithgynhyrchwyd o'r cyfansoddion hynny drwy broses o galedu oer gan ddefnyddio rholer gwasgu;
- (c) sy'n frics glo heb eu marcio ar siâp gobennydd sy'n 70 o filimetrau x 62 o filimetrau x 42 o filimetrau;
- (ch) sy'n pwyso 110 gram y fricsen ar gyfartaledd; a
- (d) nad yw'r sylffwr sydd ynddynt yn fwy na 2 y cant o'r cyfanswm pwysau."

- (b) are produced at ambient temperature by a process involving roll pressing and cold curing;
  - (c) are unmarked square pillow-shaped briquettes;
  - (d) have an average weight per briquette of 100 grams; and
  - (e) have a sulphur content not exceeding 1.9 per cent of the total weight."
- (d) after paragraph 23, insert—

"23A. Hot Drops, manufactured by EU Zeme Limited at Riga, Eksporta Street 15, LV-1045, Latvia which—

- (a) comprise crushed anthracite (as to approximately 73 per cent of the total weight), bituminous coal (as to approximately 18 per cent of the total weight) and a molasses and orthophosphoric acid binder (as to the remaining weight);
  - (b) were manufactured from those constituents by a process involving roll pressing followed by heat treatment at a temperature of approximately 250 to 280°C;
  - (c) are almost round pillow-shaped briquettes that are 40 millimetres in diameter and approximately 21 millimetres thick at the centre of the briquette;
  - (d) have an average weight of 23 grams per briquette; and
  - (e) have a sulphur content not exceeding 0.5 per cent of the total weight."
- (e) after paragraph 29, insert—

"29A. Newburn briquettes, manufactured by ECL Mineral Processing Limited of Newfield Works, Newfield, Bishop Auckland, County Durham, which—

- (a) comprise petroleum coke (as to approximately 56 to 57 per cent of the total weight), anthracite (as to approximately 37 to 38 per cent of the total weight), and a dry powder binder (as to the remaining weight);
- (b) were manufactured from those constituents by a cold cure process using a roller press;
- (c) are unmarked pillow-shaped briquettes 70 millimetres x 62 millimetres x 42 millimetres;
- (d) have an average weight of 110 grams per briquette; and
- (e) have a sulphur content not exceeding 2 per cent of the total weight."

(f) ar ôl paragraff 30A, mewnosoder—

**"30B.** Brics glo Newheat, a weithgynhyrchir gan Oxbow Coal B.V. yn Newfield Works, Bishop Auckland, County Durham—

- (a) sydd wedi'u cyfansoddi o ologsg petrolewm (sef rhyw 60 i 65 y cant o'r cyfanswm pwysau) a glo caled (sef rhyw 30 i 35 y cant o'r cyfanswm pwysau) ynghyd â rhwymwr resin sy'n caledu pan fo'n oer, caledwr a sefydlogydd tymheredd isel (sef gweddill y pwysau);
- (b) a gynhyrchwyd ar dymheredd amgylchynol drwy broses sy'n cynnwys rhoio-wasgu a chaledu oer;
- (c) sy'n frics glo hirgrwn, heb eu marcio ar siâp gobennydd;
- (ch) sy'n pwyso rhyw 100 gram y fricsen ar gyfartaledd; a
- (d) nad yw'r sylffwr sydd ynddynt yn fwy na 1.9 y cant o'r cyfanswm pwysau."

(g) ar ôl paragraff 43, mewnosoder—

**"43A.** Zip 100% Natural Firelogs, a weithgynhyrchir gan Standard Brands (Trading) Ireland Limited yn Castlebellingham, County Louth, Iwerddon—

- (a) sydd wedi'u cyfansoddi o gwyrâu triglyserid hydrogenaid o darddiad naturiol (sef rhyw 53 i 57 y cant o'r cyfanswm pwysau), ffibr helyg (sef rhyw 23 i 27 y cant o'r cyfanswm pwysau) a rhwymwr naturiol wedi ei seilio ar driagl (sef gweddill y pwysau);
- (b) a weithgynhyrchwyd o'r cyfansoddion hynny drwy broses triniaeth wres ac allwthio;
- (c) sy'n rhyw 210 o filimetrau o hyd, 80 o filimetrau o led a 75 o filimetrau o uchder;
- (ch) sy'n pwyso rhwng 1.085 a 1.115 cilogram y boncyff ar gyfartaledd; a
- (d) nad yw'r sylffwr sydd ynddynt yn fwy na 0.2 y cant o'r cyfanswm pwysau.

**43B.** Zip 100% Natural Firelogs, a weithgynhyrchir gan Standard Brands (Trading) Ireland Limited yn Castlebellingham, County Louth, Iwerddon—

- (a) sydd wedi'u cyfansoddi o gwyrâu triglyserid hydrogenaid o darddiad naturiol (sef rhyw 53 i 57 y cant o'r cyfanswm pwysau), ffibr helyg (sef rhyw 23 i 27 y cant o'r cyfanswm pwysau) a rhwymwr naturiol wedi ei seilio ar driagl (sef gweddill y pwysau);
- (b) a weithgynhyrchwyd o'r cyfansoddion hynny drwy broses triniaeth wres ac

(f) after paragraph 30A, insert—

**"30B.** Newheat briquettes, manufactured by Oxbow Coal B.V. at Newfield Works, Bishop Auckland, County Durham, which—

- (a) comprise petroleum coke (as to approximately 60 to 65 per cent of the total weight) and anthracite (as to approximately 30 to 35 per cent of the total weight) together with a cold setting resin binder, hardener and low temperature stabiliser (as to the remaining weight);
- (b) are produced at ambient temperature by a process involving roll pressing and cold curing;
- (c) are unmarked pillow-shaped oval briquettes;
- (d) have an average weight of approximately 100 grams per briquette; and
- (e) have a sulphur content not exceeding 1.9 per cent of the total weight."

(g) after paragraph 43, insert—

**"43A.** Zip 100% Natural Firelogs, manufactured by Standard Brands (Trading) Ireland Limited at Castlebellingham, County Louth, Ireland, which—

- (a) comprise naturally derived hydrogenated triglyceride waxes (as to approximately 53 to 57 per cent of the total weight), willow fibre (as to approximately 23 to 27 per cent of the total weight) and a natural molasses based binder (as to the remaining weight);
- (b) were manufactured from those constituents by a process of heat treatment and extrusion;
- (c) are approximately 210 millimetres in length, 80 millimetres in width and 75 millimetres in height;
- (d) have an average weight of between 1.085 and 1.115 kilograms per firelog; and
- (e) have a sulphur content not exceeding 0.2 per cent of the total weight.

**43B.** Zip 100% Natural Firelogs, manufactured by Standard Brands (Trading) Ireland Limited at Castlebellingham, County Louth, Ireland, which—

- (a) comprise naturally derived hydrogenated triglyceride waxes (as to approximately 53 to 57 per cent of the total weight), willow fibre (as to approximately 23 to 27 per cent of the total weight) and a natural molasses based binder (as to the remaining weight);
- (b) were manufactured from those constituents by a process of heat



- allwthio;
- (c) sy'n rhyw 245 o filimetrau o hyd, 75 o filimetrau o led a 68 o filimetrau o uchder;
  - (ch) sy'n pwyso rhwng 0.985 a 1.015 cilogram y boncyff ar gyfartaledd; a
  - (d) nad yw'r sylffwr sydd ynddynt yn fwy na 0.2 y cant o'r cyfanswm pwysau."

- treatment and extrusion;
- (c) are approximately 245 millimetres in length, 75 millimetres in width and 68 millimetres in height;
  - (d) have an average weight of between 0.985 and 1.015 kilograms per firelog; and
  - (e) have a sulphur content not exceeding 0.2 per cent of the total weight."

*John Griffiths*

Gweinidog yr Amgylchedd a Datblygu Cynaliadwy, un o Weinidogion Cymru

Minister for Environment and Sustainable Development, one of the Welsh Ministers

11 Mawrth 2013

11 March 2013

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**2013 Rhif 562 (Cy.65)**

**AER GLÂN, CYMRU**

Rheoliadau Ardaloedd Rheoli Mwg  
(Tanwyddau Awdurdodedig)  
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