STATUTORY INSTRUMENTS

1968 No. 1271 (S. 134)

CLEAN AIR

The Clean Air (Measurement of Grit and Dust) (Scotland) Regulations 1968

Made - - - -	*1st August* 1968
Laid before Parliament	*15th August* 1968
Coming into Operation	*2nd September* 1968

In exercise of the powers conferred on me by section 7(2) as read with section 34(1) of the Clean Air Act 1956(a) and of all other powers enabling me in that behalf, I hereby make the following regulations:—

1. These regulations may be cited as the Clean Air (Measurement of Grit and Dust) (Scotland) Regulations 1968 and shall come into operation on 2nd September 1968.

2. The Interpretation Act 1889(b) applies for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

3. Where, by virtue of a direction served by the local authority under section 7(1) of the Clean Air Act 1956, the provisions of subsection (2) of that section apply to a furnace, the occupier of the building in which the furnace is situated shall comply with the requirements set out in the schedule hereto.

William Ross,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
1st August 1968.

SCHEDULE

ADAPTATIONS TO CHIMNEYS AND PROVISION AND MAINTENANCE OF APPARATUS

1.—(1) Where the occupier receives not less than 6 weeks' notice in writing from the local authority requiring adaptations to the chimney serving a furnace and the provision of apparatus for the purpose of making and recording the measurements of grit and dust emitted from the furnace, he shall, within the period specified in the notice, make such adaptations to the chimney as are necessary for the making and recording of such measurements by one of the methods described in British Standard 3405, 1961, published by the British Standards Institution, and provide the apparatus therein mentioned.

(2) All apparatus provided for the purpose of this paragraph shall be maintained in good working order.

(a) 1956 c. 52. (b) 1889 c. 63.

MAKING AND RECORDING MEASUREMENTS

2.—(1) When the requirements of paragraph 1 of this Schedule have been complied with the occupier, on receiving not less than 28 days' notice in writing from the local authority requiring him to make and record measurements of grit and dust emitted from a furnace, shall within the period specified in the notice, make and record such measurements in accordance with the method detailed in pages 13 to 26 of the publication "Measurement of Solids in Flue Gases" by P.G.W. Hawksley, S. Badzioch and J.H. Blackett, published in 1961 by the British Coal Utilisation Research Association.

(2) Before making any measurements the occupier shall give to the local authority not less than 48 hours' notice in writing of the date on which and the time at which he proposes to commence to do so.

(3) The occupier shall, in relation to each chimney to which these regulations apply, keep a written record containing the following particulars—

(*a*) the date on which any measurements were made;

(*b*) the number of furnaces discharging into the chimney on that date;

(*c*) the measurements in terms of pounds per hour of grit and dust emitted, and in the case of solid fuel fired boilers the percentage of grit contained in the solids emitted;

and shall transmit a copy of such particulars to the local authority within 7 days from the making of the measurements in respect of which the particulars are recorded.

(4) A notice served for the purpose of this paragraph may require the making of measurements from time to time or at stated intervals:

Provided that an occupier shall not be required by the notice to make measurements in respect of any one chimney more than once in any period of 3 months except to the extent that the local authority have reasonable cause to believe that the true level of emission of grit and dust cannot be determined without the making of more frequent measurements.

3. Anything requried to be done by an occupier under the provisions of this schedule may be done on his behalf by any other person.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Under Section 7 of the Clean Air Act 1956 occupiers of buildings in which certain furnaces are situated may be directed by the local authority to make and record measurements of the grit and dust emitted from the furnace in accordance with requirements prescribed by the Secretary of State. These Regulations prescribe the requirements to be observed.

British Standard 3405, 1961, may be obtained from British Standards Institution, British Standards House, 2 Park Street, London, W.1, and "Measurements of Solids in Flue Gases" may be obtained from the British Coal Utilisation Research Association, Randalls Road, Leatherhead, Surrey.