# 1971 No. 626 (S.89)

# CLEAN AIR

# The Clean Air (Measurement of Grit and Dust from Furnaces) (Scotland) Regulations 1971

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| *Made* - - - | 31*st March* 1971 |
| *Laid before Parliament* | 20*th April* 1971 |
| *Coming into Operation* | 1*st May* 1971 |

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

*Title and commencement*

**1.** These regulations may be cited as the Clean Air (Measurement of Grit and Dust from Furnaces) (Scotland) Regulations 1971 and shall come into operation on 1st May 1971.

*Interpretation*

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

*Measurement of grit and dust emitted from furnaces*

**3.** Where, by virtue of a direction served by the local authority under section 7(1) of the Clean Air Act 1956 as amended by section 5(1) of the Clean Air Act 1968(**c**), the provisions of subsection (2) of the first-mentioned 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.

*Revocation*

**4.** The Clean Air (Measurement of Grit and Dust) (Scotland) Regulations 1968(**d**) are hereby revoked :

Provided that such revocation shall not affect any notice given, measurement made or recorded or anything duly done under these regulations ; and

(**a**) 1956 c. 52.
(**b**) 1889 c. 63.
(**c**) 1968 c. 62.
(**d**) S.I. 1968/1271 (1968 II, p. 3579).

every such notice given, measurement made or recorded or thing duly done shall have effect as if it had been given, made, recorded or done under these regulations.

*Gordon Campbell,*
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.
31st March 1971.

Regulation 3

## 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 procedures described in British Standard 3405, 1961, published by the British Standards Institution and provide the apparatus therein mentioned.

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

### 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 procedure 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 the percentage of grit contained in the solids emitted;

and shall transmit a copy of such particulars to the local authority within 14 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 to make measurements in respect of any one chimney more than once in any period of 3 months unless in the opinion of the local authority the true level of emission of grit and dust cannot be determined without the making of further measurements.

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

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## EXPLANATORY NOTE

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

These Regulations re-enact the Clean Air (Measurement of Grit and Dust) (Scotland) Regulations 1968 which, under section 7 of the Clean Air Act 1956, prescribe the requirements to be observed in recording measurements of grit and dust emitted from certain furnaces. The provisions of that section have been considerably affected by the provisions of section 5 of the Clean Air Act 1968, and in particular the description of furnaces to which the Regulations can apply has been extended. (In some cases, however, the local authority can be asked to make and record the measurements.) The Regulations are now re-enacted so that they will apply to the extended description of furnaces; and accordingly only minor amendments have been made in the text.

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.