



# FAQ for Coal Producers/Importers

## What are the Solid Fuel Regulations that I need to be aware of?

The current regulations on solid fuels for domestic heating in Ireland took effect on October 31<sup>st</sup>, 2022. The primary focus of these regulations is on improving air quality and improving people's health chances and outcomes, by restricting the retail, online and commercial sale of smoky fuels, including smoky coal, turf and wet wood. These fuels are proven to be a major contributor to air pollution in Ireland.

The regulations are known as the Air Pollution Act 1987 (Solid Fuels) Regulations 2022. They may be found online at [www.irishstatutebook.ie/eli/2022/si/529/](http://www.irishstatutebook.ie/eli/2022/si/529/) or by searching for "SI 529 of 2022".

## What are my main responsibilities as a producer or importer of solid fuels?

The key obligations on producers/importers are that they register with the EPA and that they only sell or distribute a solid fuel product that:

- Is an approved solid fuel.
- Is certified as per the regulations.
- Is labelled as per the regulations.
- Relates to a fuel activity in respect of which the producer is registered on the Fuels Register.
- That appropriate documentation is provided to merchants and retailers.
- That the required information travels with the fuel while being transported.

In addition to registration and certification, the producers are responsible for the conformity assessments of their products.

## I am an importer of solid fuels. What is required of me under the new regulations?

Even if you only import and do not process or manufacture solid fuels, you are still required to register with the EPA. To do so, you will need to provide appropriate certificates of compliance, to demonstrate that the fuels you are importing meet the requirements of the regulations.

## Registration

### What do I need to do to be included on the EPA register?

You are required to fill out a registration form and have the required certification annually. The current application form is available on the [EPA website](#).

Your annual application must be accompanied by a certificate or certificates of compliance to show that your product(s) comply with the technical standards of the regulations.

Once you have your EPA registration number you will be required to include it on all documentation and must provide updated documentation to a retailer if requested.

## Certification

### What certification schemes will be accepted by the EPA?

Producers are now responsible for engaging and paying a certification body to ensure the certification scheme demonstrates compliance with the regulations.

Important point to note:

Eco-design certificates will not be accepted as they are based on the fuel being used in a specific eco-designed appliance type.

Examples of certification schemes include:

- WFQA and Ready to Burn certification will be accepted for 100% biomass, wood products and wood logs.
- Biocarbon Ireland Scientific Ltd
- HETAS Approved solid fuel certification - subject to an annual certificate being provided.
- The Irish Standard IS-311, which was approved by the NSAI in late 2022.

Or

- (a) A relevant standard or code of practice of a national standards body or equivalent body in another Member State, an EFTA country, the United Kingdom or Turkey;
- (b) Any relevant international standard recognised for use in another Member State, an EFTA country, the United Kingdom or Turkey;
- (c) Any relevant technical regulation with mandatory or de facto mandatory application for marketing or use in, another Member State, an EFTA country, the United Kingdom or Turkey;
- (d) Any relevant quality assurance scheme approved by the Minister.

Insofar as the standard, code of practice, technical regulation, scheme or process in question enables the requirements of [Regulation 5](#) (outlining the requirements for approved solid fuel) to be certified in an equivalent manner.

# Labelling

## Do I need to label my products in any particular way?

Yes. Approved solid fuels must be labelled with the words “contents comply with the Air Pollution Act Regulations” and packaging must also include the EPA producer registration number. This is to give the retailer and the householder confidence that the product is an approved fuel.

If the fuel is imported and does not have the required wording, then this wording also needs to be secured to the packaging.

Transitional arrangements that were in place for the 2022/'23 heating season, whereby the required information could be attached via stickers or labels packaging, or displayed beside the product(s) in shops, are being discontinued for the 2023/'24 heating season and beyond.

There are additional requirements for the packaging of manufactured biomass products, as set out in Schedule 3 of [the regulations](#).

In the case of wood, wood sold in volumes of two cubic metres or more must be accompanied by a notice containing the statement specified in Schedule 1 of [the regulations](#).

## What is the product code mentioned above?

The product code is the unique code assigned to each product upon production, such as a barcode or any other unique identifier on the packaging. If you do not have a unique identifier on the packaging, you must supply the EPA with a code that is unique to each product. This is for each producer to determine, but applications will not be processed by the EPA without it.

# Transportation

## Are there additional record-keep requirements when transporting solid fuel?

Yes. The owner or operator of any vehicle which is used for the transport of solid fuel shall retain on the vehicle and provide to an authorised officer, if requested:

- (a) A record of the quantity of each type of solid fuel on the vehicle and the name and address of the person or body who supplied the fuel,
- (b) A record of the destination or destinations of the solid fuel and the name and address of the person or persons purchasing the fuel, and
- (c) A record demonstrating that the solid fuel is an approved fuel, such as an invoice, credit note, or dispatch or delivery documents detailing the products purchased from a registered producer which must include the registration number issued to the producer by the EPA.

You should ensure that these documents are provided to the driver of any vehicle being used for the delivery or other transport of solid fuel.

## Other requirements

It should also be noted that [SI 257 of 1991](#) is still in force although it is not under the remit of this Department. It has a number of additional requirements, such as:

4. (1) It shall be unlawful to manufacture, assemble or sell for domestic use any petroleum coke or other solid fuel which has a gross calorific value greater than 24 megajoules per kilogram on a moist ash-free basis and which contains less than 2.5 per cent ash by weight on a dry basis, unless the petroleum coke or other solid fuel is mixed with another solid fuel such that—

(a) the percentage of petroleum coke or of the other first-mentioned solid fuel (as the case may be) contained in the admixture is not more than 50 per cent by weight on a dry basis, and

(b) the ash content of the admixture is equal to or greater than 2.5 per cent by weight on a dry basis.

## Disclaimer

This document provides information to assist producers and importers to comply with regulations which came into force on the 31<sup>st</sup> of October 2022.

It represents the most up to date information possible and is not a legal interpretation of the regulations. It is a working document and subject to update and change at any time as new information becomes available.

Any additional queries can be directed to [solidfuels@decc.gov.ie](mailto:solidfuels@decc.gov.ie)



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