



**COAL IMPORTERS • WHOLESALE DISTRIBUTORS**

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## **Submission to the Consultation on the Development of new Solid Fuel Regulation for Ireland**

Stafford Fuels Limited (SFL) is a leading Irish Owned importer of various types of solid fuel and manufacturer of Low Smoke Fuel at our manufacturing Plant in New Ross.

SFL are fully committed to the introduction of a Nationwide Smoky Coal ban and further regulation of other solid fuels. Only by regulating the entire market can this country fully embrace the opportunity to enhance the air quality and health of the nation.

To further that objective SFL have made a significant financial and strategic investment, investing over €3 million in 2016-17, in a state-of-the-art Low Smoke Solid Fuel manufacturing facility in New Ross, Co. Wexford. That major investment was made as part of our commitment to be the most environmentally friendly and responsible solid fuel company in the country.

That investment was made on the basis that the market for Low Smoke Solid Fuel would more than double with the introduction of the nationwide smoky coal ban. The implementation of the Nationwide Smoky Coal Ban has been postponed several times and we believe it is now time to put this ban in place without delay.

As our investment was planned with a Nationwide Smoky Coal Ban in mind, we are currently running at 40% capacity. This capacity can quickly be expanded by 150%. We believe that other solid fuels suppliers have spare capacity also and that there is more than enough capacity to satisfy 100% of the existing smoky coal plus low smoke coal market once a nationwide smoky coal ban is in place. After the implementation of a Nationwide Smoky Coal Ban there will be a well supplied, vigorously competitive Low Smoke solid fuel market that will benefit the consumer in the long run.

We already see people making the choice in favour of low smoke fuels. Prior to our commissioning of our plant, Low Smoke Fuels made up approximately 30% of our total sales of coal. Currently Low Smoke Fuels have risen to well in excess of 50% of total coal sales.

SFL acknowledges and accepts that certain currently unregulated solid fuels, mainly Peat Briquettes, Sod Peat and Wet Wood, are significant contributors to emissions in Ireland. Data clearly shows that these products emit higher levels of emissions than low smoke solid fuel.

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Low Smoke fuel has only 25% of the PM emissions that are emitted from Smoky Coal. Sod Peat, Peat Briquettes and wet wood have even higher PM emissions than smoky coal (per published Government figures). We fully support a) The Nationwide Smoky Coal Ban and b) the regulation of Peat Briquettes, Sod Peat and Wet Wood.

Table 2. Emissions of residential fuels per tonne of smoky coal energy equivalent.

Fuels	Particulate Matter		NOx	SOx	B[a]P
	PM10	PM2.5			
	kgs	kgs	kgs	kgs	
Smoky Coal	11.3	4.3	2.3	14	1,550.00
Anthracite (Smokeless Coal)	1.2	0.3	3.5	15.4	30
Smokeless Solid Fuel	2.7	0.7	2.7	13.9	287.1
Peat	11.9	4.5	1.1	8.4	1,550.00
Wood	12.7	9	1.1	0.2	2,094.60
Home Heating Oil (Gas oil)	0.1	0.1	2.1	0.6	3
Natural gas	0	0	2.3	0	0
Smokeless v Bituminous	24%	16%	117%	99%	19%

Source: Adapted from the National Atmospheric Emission Inventory, UK. (NAEI) and EPA.

To address the specific questions laid out in the consultation –

1. Are you in favour of a national regulation on solid fuels, and if so, why?

SFL are fully in favour a national solid fuel regulation to address emissions from the solid fuel sector.

2. What solid fuels should be subject to regulation and why?

Fuels to be regulated – Smoky Coal, Peat Briquettes, Sod Peat and Wet Wood. This is based on the emission levels from these fuels.

3. What standards or specifications should/could be applied to each type of solid fuel?

All fuels should be measured against the same standard – Grams of Smoke per Hour. The current level of 10 Gr per hour should be left as the standard for at least three years while the new regulations are settling down.

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*4. What do you believe are the most appropriate, implementable and enforceable regulatory approaches for each type of solid fuel?*

Any system will only be as good as the effort and budget put behind enforcement. Grams of smoke per hour is the current recognised standard. However, to test a product for Grams of Smoke under BS3841 requires going to a UK laboratory and is very expensive. To help implementation the Government needs to establish laboratory facilities within the Country that can test for Grams of Smoke per hour in a timely and cost efficient manner. Such laboratories should also be able to test for sulphur levels and any other legislated quality criteria.

*5. How can a transition to less polluting fuels and more efficient heating systems be supported? (Building upon the measures already set out in the Climate Action Plan)*

Existing retrofit measures needs to be continued but they also need to be proven to be effective and value for money.

We would further recommend that the Winter Fuel Allowance (WFA) be adjusted to favour compliant fuels under the proposed regulations and thereby encourage that cohort in fuel poverty to adopt and embrace the new measures during the transition phase.

*6. What do you think is an appropriate timeframe for the implementation of a national regulation of solid fuel?*

A nationwide Smoky Coal ban should be in place for no later than 1<sup>st</sup> May, 2022. The extension of the Smoky Coal Ban should be step one in the process of regulating the entire solid fuel sector. As a large majority of the population is currently in Low Smoke Zones, extending the Smoky Coal Ban nationwide should be relatively straight forward from a legislative and administrative perspective.

Applying smoke standards to Peat Briquettes, Sod Peat and Wet Wood could be feasible by summer 2022 but an additional year for transition may be required.

*7. What timeframe should be applied to the inclusion of new solid fuels into legislation to allow for the necessary transition, including the phase out of existing stocks?*

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8. *Should suppliers and retailers be given a transition period to use up existing stocks of solid fuels not meeting emission standards and, if so, how long?*

An ideal transition period would be one heating season. So the legislation for the Nationwide Smoky Coal Ban needs to be put in place before 1<sup>st</sup> August 2021 for implementation on 1<sup>st</sup> May, 2022. Regulations for Peat Briquettes, Sod Peat and Wet Wood could follow with details of implementation and phasing.

9. *Are there particular challenges in terms of the enforcement of regulations applying to solid fuel burning, and how might these be best addressed?*

Enforcement is critical. Please see separate section on enforcement below.

Formal and regular communications of the intended regulations with those in receipt of WFA may prove fruitful to assist in the dissemination of consumer knowledge and acceptance during the transition.

10. *Do you have any further proposals to reduce air pollution from residential heating?*

No.

11. *What performance standards, certification methods or quality schemes should/could be used to reduce air pollution caused by burning solid fuels?*

While existing system of Bagger Certification does help, there are too many varied suppliers, many located outside the state, for certification to work effectively. It is very easy to get container loads of solid fuel from thousands of miles away.

**Only a system of market surveillance, testing product on the market and enforcing against non-conforming product will work.** This means giving a real dedicated budget to environment officers in each County and agreeing a level of surveillance including numbers of tests carried out monthly that will be reported on.

12. *Would broadening the application of the 10 gram smoke per hour to all solid fuels be appropriate?*

Yes.

13. *Are there any additional or different emission standards which could be applied to the broader range of fuels?*

No. The 10 Gram smoke standard is the best and most reliable standard.

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**14. Is it appropriate to use moisture content as a standard for the application of regulations to wood and, if so, at what limit should the moisture content be set?**

**20% maximum is recognised as a good standard for wood.**

*What limit should be set as a cut-off point for the sale of wet wood?*

- *Bags/nets only;*
- *Up to 2m<sup>3</sup> ;*
- *All wet wood; or*
- *Other- please provide reasons or evidence to support your answer.*

**All wood should be subject to a 20% moisture limit. It is easily measured using a simple moisture meter. A lot of wood is sold in net bags or open mouth recycled bags (used fertiliser or similar) with the balance sold in 0.5 to 2 m<sup>3</sup> big bags, Crates or car trailers of similar size. Any exemption based on quantity would prove to be a loophole and make enforcement impossible.**

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### **Enforcement is critical**

Putting regulations in place without enforcement will fail in the primary objective of improving air quality. Without enforcement people can easily access Sod Peat and Wet Wood both of which are widely traded in "grey" markets E.G. Advertisements on Done Deal, classified advertisements in publications like the farmers journal.

Along with enforcement good public information campaigns running for the entire heating season over two or three years will be necessary.

Currently issues regarding Carbon Tax and VAT are the responsibility of Department of Finance while environmental issues are enforced by Department of Environment. Enforcement would be enhanced if it was co-ordinated on a cross departmental basis. When a supplier is happy to operate in a grey area with regards to paying Carbon Tax and VAT that same supplier is unlikely to pay the higher premium required for fuel that complies with sulphur levels or other environmental requirements. Therefore, enforcing compliance with environmental regulations and tax regulations should be complementary.

The issue of illegal washed diesel was greatly diminished by the introduction of the Revenue Return of Movements (ROM) system. This is an automated software system, already operating successfully, that tracks sales in the supply chain and matches to the relevant buyer. This system is already in existence and could be extended to the solid fuel trade. This would give visibility on the movement of solid fuel from both an environmental and financial perspective.

Responsibility for enforcing the environmental regulations has been devolved to local County Council environment officers. Carbon Tax is collecting ever increasing amounts each year. A significant dedicated budget taken from these increasing Carbon Tax receipts needs to be given to each of these environment officers along with agreed service level agreements for numbers of visits, numbers of samples collected and analysed. This needs to be monitored and reported on at either EPA or DCCA level. Unless there is a consistent and co-ordinated level of enforcement then the new regulations will not lead to improved air quality. There should also be an amount set aside to set up a state laboratory where samples could be analysed quickly and efficiently. This could also service paying third parties who currently send samples abroad for analysis.

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Without a significantly enhanced level of enforcement new regulations will fail to deliver the improvement in air quality that is targeted. This will have unintended consequences E. G. people currently burning smoky coal in non-LSZ areas will move to Peat Briquettes, Sod Peat and Wet wood – as these are the cheapest alternatives available, which will lead to a rise in emissions unless these others fuels are properly regulated and those regulations are enforced. If Peat Briquettes fail to meet new standards and are phased out (easily done with a single state-owned production facility) people will turn to sod peat and wet wood based on relative cost, if these products are not properly regulated with those regulations strongly enforced.

Comprehensive enforcement that is planned, backed by the required budget, has agreed levels of market surveillance (visit to sellers of solid fuel, mandated number of samples, reporting of all issues, overseen and reported on) is necessary for the success of the proposed new regulations.

Stafford Fuels Ltd.

31<sup>st</sup> March, 2021.

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