



Ready to Burn Scheme Certified by HETAS

Terms and conditions for participation

Summary Application Guidance

The Ready to Burn manufactured smokeless fuel (MSF) certification scheme is administered by HETAS Ltd as the DEFRA appointed Certification Body as recognised in [The Air Quality \(Domestic Solid Fuels Standards\) \(England\) Regulations 2020](#).

Certification is mandatory from 1st May 2021 for manufacturers of manufactured smokeless fuels for use in domestic households in England.

Certification requires that manufacturers demonstrate their manufactured solid fuel meets the requirements of the Regulation.

The Regulations require that “authorised fuel” means a manufactured solid fuel in relation to which a certificate has been issued in accordance with regulation 11(5); must be sold with relevant information. The “relevant information” means—

- the name of the person who obtained the certificate from the approved manufactured solid fuel certification body in respect of the manufactured solid fuel in question;
- the number of the certificate provided

For clarity, the Regulation says “manufactured solid fuel” means a fuel manufactured from coal, wood, plant-derived materials, waxes or petroleum products with other ingredients, for the purposes of combustion in domestic premises in England, but does not include exempt fuels which means any of the following—

- coffee logs;
- olive logs;
- wine logs;
- or
- fuels where the majority of the fuel comprises—
 - wheat husks;
 - straw;
 - miscanthus;
 - bamboo;
 - compressed food waste;

Application process

- Complete an application form. Forms can be downloaded and emailed, posted to the scheme administrator or completed online via our website www.hetas.co.uk
- Payment must be completed before the application is processed
- Provide an up-to-date test report for each fuel from an accredited laboratory (up to date means no older than 1 year)
- Any issues raised during the application or with the fuel test report(s) will require correction before the application will be approved
- Once any actions are complete and closed, you will receive your unique certification number and the Ready to Burn logo that must be displayed on the product
- Certification is for 12 months. A renewal reminder will be sent prior to certification expiry where a declaration of continued compliance will be sought, arrangements for the collection of representative fuel samples for testing where required.

- Certification is subject to a risk based on-going assessment or audit (e.g. in the case of complaints or poor results from previous audits it may be deemed necessary to audit at a higher frequency than every 3 years), with repeat fuel testing at three-year intervals or when there are complaints that require investigation in this way.

Terms and Conditions for Ready to Burn scheme participation

Introduction

HETAS Ltd is the appointed certification body by Defra to administer the Ready to Burn certification scheme for manufactured solid fuels as recognised in The Air Quality (Domestic Solid Fuel Standards) (England) Regulations 2020.

HETAS is an independent not for profit organisation that has worked with the solid fuel industry throughout the UK for the approval of mineral fuels. HETAS Ltd has a wholly owned subsidiary company Woodsure Ltd and together we work to deliver the various HETAS and Woodsure schemes, and to support scheme participants.

Fuel manufacturers will undergo an assessment of their processes and are required to demonstrate that they can consistently supply manufactured solid fuels in accordance with the requirements in the legislation. A Ready to Burn manufacturer must identify their fuel with their unique Ready to Burn certification logo demonstrating their fuel is Ready to Burn at the point of use. The manufacturer can promote their business and demonstrate to their customers that they operate under a regulated industry approved scheme.

Certified manufacturers will be promoted on the HETAS websites, and on the website <https://smokecontrol.defra.gov.uk/index.php> and <https://www.gov.uk/smoke-control-area-rules>

Ready to Burn

The scheme covers manufactured solid fuels for domestic use in England. The Ready to Burn scheme is a legislated manufactured solid fuel certification scheme which requires all manufacturers of relevant manufactured solid fuels to ensure the fuels comply with the regulation in respect of their manufacture, labelling and sale. To remain a manufacturer with certificated fuels the manufacturer will remain compliant with these terms and conditions. The certification scheme becomes mandatory from 1st May 2021 for all manufacturers of relevant manufactured solid fuels.

The scheme requires manufacturers to demonstrate on an ongoing basis, that the relevant fuels continue to meet the requirements. This will be by;

- Annual renewal of registration with the certification scheme
- Declarations requested by the certification body regarding the manufacture and supply of the fuel
- Test reports will be requested by the certification body. These must be from a notified test laboratory with the appropriate scope of accreditation listed as providing this service to the standard. EN ISO 17025.
- Where there are significant or substantial complaints about certified fuels the certification organisation may require evidence of ongoing compliance
- The certification body may undertake site visits to manufacturing and/or bagging plant and may take samples
- The certification body may purchase random samples for analysis. Costs will be agreed with the manufacturer prior to testing.
- A manufacturer must have formal systems in place to control compliance with the Regulations so far as the process is under their control. The certification body may request evidence of such controls for compliance checking purposes.
- Packaging should provide clear identification of the fuel's certification status by showing the Ready to Burn logo together with the company name and fuel(s) unique certification number. Where Ready to Burn fuel is sold loose in bulk or in plain packaging, the fuel on sale or delivered must be identifiable as Ready to Burn fuel by association of the Ready to Burn certificate logo which includes the certified manufacturers name and the fuel certification ID number through point-of-sale information at the retail store, or website listing, or delivery documentation.

- Once you have been awarded your certification and given your unique certification number you will be issued with a unique Ready to Burn certification logo that must be used on your product, or with point of sale identification, including any website or any product advertising. The certification logo is unique to the fuel certified. If you have more than one product certified e.g. briquettes and fire-logs you will receive a certification logo for each unique fuel. For full details on brand marking please refer to the separate brand guidance that will be issued with your certification pack.



2 Application and Certification

2.1 A manufacturer applying for the certification scheme must:

- complete and sign an application form,
- provide up to date and valid test report(s)
- provide evidence of systems in place that manage compliance with the requirements of the Regulations
- manufacturer signature to indicate that the manufacturer accepts these terms and conditions for certification and agrees to abide by these rules whilst certified.

2.2 A completed application form must accompany the following fees (or, if payment in instalments has been agreed by HETAS, a mandate for continuing instalments):

- Annual certification fee, which includes listing, check on statement of conformity, and certification assessment
- Additional fuel tests, if applicable. As a minimum these will be required every three years.

The application form has the current rates of these fees which are reviewed annually. Your application administrator should be able to explain the breakdown of these fees and how they apply to your business

2.3 Once approved the fuel will be issued with a unique certification number the manufacturer can now use the Ready to Burn certification logo and promote the fuel as Ready to Burn. They will be recognised on the Ready to Burn, HETAS website under the find a fuel search. They will have access to the technical help line and support services.

2.4 Certified fuels will also be listed on the smoke control web site <https://smokecontrol.defra.gov.uk/index.php>

2.5 Ready to Burn Certification covers a 12-month period. Prior to renewal, an annual certification renewal fee must be received before the renewal date to ensure continued certification under the Ready to Burn scheme.

- 2.6 On-going approval is subject to maintaining manufactured solid fuels for sale which remain compliant with the Regulations.
- 2.7 Following the initial application, ongoing certification assessment is subject to a satisfactory routine site and or depot audit based on a risk approach (e.g. the frequency of auditing may be increased based on complaints or poor results from previous audits). A physical site visit may be carried out at least once every three years. More frequent site audits, for example, as a result of a complaint, may be subject to additional fees.

3 Monitoring and Testing

Please note Manufacturers of fuels that are currently listed (before May 1st 2021) by the Secretary of State as authorised smokeless fuels will be automatically enrolled on the Ready to Burn Scheme and entitled to use the unique certification number and logo awarded for their fuels. Ongoing registration and entitlement to use the certification logo will be dependent on them being able to demonstrate ongoing compliance in accordance with these requirements.

- 3.1 Initial approval of new manufactured solid fuels will be subject to satisfactory test reports and completing the application process. Closure of any non-conformance will be carried out prior to initial certification being awarded. Site inspection frequency thereafter will be on a risk-based approach. Risk will be based on a combination of prior compliance, complaints (if any) and time. All fuels should be re-tested for compliance at intervals as a minimum every 3 years. Site visits may take place as a minimum every 3 years and may be more frequent especially if a number of depots are involved.

Manufacturer

- 3.3 Fuel testing will be done in line with the standards set out in legislation.
- Smoke emission. Tests must be carried out by a suitably accredited test laboratory. A minimum of two valid tests will be done as a surveillance check. The mean smoke emission from two valid tests must show compliance (i.e. less than 5.0 g/h). If the surveillance check result shows non-compliance the manufacturer may opt for a retest (to a full 5 valid test regime as described in the testing standard) to be carried out or may opt to remedy the cause before proceeding as described in 3.9 or 3.10 below.
 - Sulphur content. Sulphur is measured by a suitably accredited analysis laboratory and reported to a Dry, Ash-Free basis. The reported sulphur content must be less than 2% to a dry, ash-free basis. Failure to comply will require remedial action and retesting as described below in 3.9 and 3.10.
 - Logo/Certification information provided with the fuel
- 3.4 For all manufacturers, additional inspections may be undertaken on a risk-based approach with consideration of outstanding issues from previous audits, complaints, significant changes to the way the company operates, or where there are significant changes to the products being produced. Any of these additional inspections are not covered by the standard certification fees and will be charged at the rates set by HETAS
- 3.6 Ready to Burn Manufacturers will be provided with a summary of the findings of any monitoring carried out by HETAS.
- 3.7 Any issues regarding fuel (as supplied to a customer or point of sale) which is found to be of substandard must be rectified to HETAS satisfaction and without charge to the customer.
- 3.8 The manufacturer will comply with all reasonable recommendations, whether oral or written, that HETAS makes in respect of the storage and supply of manufactured solid fuel.
- 3.9 If at any time a manufacturer's sample test fails, (e.g. as a result of a complaint about fuel constitution or labelling) HETAS will notify the participant in writing of the test results and request a second test is made available once the cause has been assessed/identified and corrective action has been put in place by the manufacturer. Ultimately a failure to comply with the regulations will result in removal of the fuel's certification. Corrective actions and retesting should normally be completed within one calendar month of the initial failure to comply. Failure to comply in the retest will mean that a fuel will be removed from the certification scheme immediately.

N.B. Intermittent production circumstances: some fuels may not be in current production following a sample test failure so it may not be possible to adjust production and retest within the desired time-frame. In such cases "point of sale" samples may be obtained by HETAS for retesting purposes and any subsequent actions may be based on the results of this retesting.

3.10 If at any time a sample fails a test, the participant will endeavour to identify the cause and extent of the failure, amend their processes to carry out remedial action, or put additional controls in place and, if appropriate, contact existing customers that have received non-conforming fuel. The participant will provide evidence of their system review and outcomes, if requested. If the participant does not undertake mitigating measures, where such mitigation is deemed to be necessary, practicable and affordable by HETAS, certification will be removed.

3.11 Where a Ready to Burn manufacturer provides fuel to an independent retailer, the obligation on ensuring the product remains compliant, is with the Ready to Burn manufacturer, which may include advice on storage and presentation if necessary. Where a complaint or concern is raised, the Ready to Burn manufacturer shall be informed, in order for them to carry out their corrective action. Where an independent reseller fails to remedy how they appropriately store and present the product, then the Ready to Burn manufacturer will be asked to discontinue sales of their product through that retailer.

4.0 ADDITIONAL PRODUCT INFORMATION REQUIRED

For new fuel certifications, in addition to the acceptable testing evidence as described in Section 4 the following information about the fuel will be required:

The full name and address of the manufacturers and a description of the fuel in i.e. composition, manufacturing process, shape and size, sulphur content in accordance with the following example;

Fuel Name	B's Briquettes
Manufacturer Address	B's Briquetting Works, 123 North Road, Bradford
a)	comprise anthracite (as to approximately 60 to 80% of the total weight), petroleum coke (as to approximately 10 to 30% of the total weight) and a molasses and phosphoric acid binder (as to the remaining weight)
b)	were manufactured from those constituents by a process involving roll-pressing and heat treatment at 300°C
c)	are ovoid briquettes marked with a 'B' in the centre of each briquette
d)	have an average weight of 65 grams per briquette
e)	have a sulphur content not exceeding 1.5% of the total weight on a dry basis.

Details of the production Quality Plan (N.B. the example given is for a mineral-based fuel)

You must include a copy of your quality plan, you will know what you do to ensure the product quality is maintained and what product quality checks are carried out. It is suggested that the Quality Plan includes:-

- Fuel description and manufacturing process- The ingredients used in the manufacture of the fuel (for biomass fuels explain how you will maintain these are from sustainable sources)
- Quality targets- who is responsible (Job Title) and what is recorded where. i.e. what document is used to record quality targets and the results of tests showing the targets have been met.
- Feedstock specifications
- Manufacturer audits - who is responsible (Job title) and what is recorded where. i.e. what document is used to record audit results of manufacturers.
- Routine testing of feedstocks - who is responsible (Job Title) and what is recorded where. i.e. what document is used to record and compare the results of the tests on the feedstocks against the criteria measured and the tolerance specifications.
- Accuracy of blending - how you ensure that the fuel continues to meet the fuel composition given in the production specification. e.g. calibration of equipment used to determine the masses of the blend components.

- Product testing - who is responsible (job title) and what documentation is used to record the results of routine product testing.
- Random checks - who is responsible (Job title) and what documentation is used to record the results of random product testing.
- Storage and packaging control.

5. Complaints and Disputes

5.1 Complaints about Ready to Burn fuels supplied by, or actions of, Ready to Burn scheme participants may arise from time to time. The complainant is expected to contact the supplier in the first instance, giving details of their issue. Depending on the complaint the supplier should contact the Ready to Burn Manufacturer who must acknowledge the complaint and give a date by which they will respond. Timing to respond should be appropriate to allow the supplier/manufacturer time in which to investigate and respond to the complaint appropriately. If this does not resolve the problem satisfactorily or the supplier/manufacturer fails to respond to the complaint within a reasonable period of time, the complainant may escalate their complaint to HETAS who will request the details of any communications that has transpired by the manufacturer as part of our independent review.

A Ready to Burn Manufacturer complaints procedure should consider the following stages:

- All complaints must be logged and recorded
- A review of the complaint must be carried out
- Where the complaint is justified an appropriate resolution should be offered
- The actions to close the complaint must be recorded

5.2 If in conclusion the fuel is deemed to be compliant i.e meets legal requirements of the Regulation, then the issue between the Manufacturer and their Customer is deemed resolved. If the fuel is found to be non-compliant, the manufacturer will be expected to provide a replacement fuel delivery (if sold directly from the manufacturer) or offer another appropriate resolution via the reseller.

Where HETAS is informed of a complaint, the manufacturer may be asked to report what corrective actions have been taken to prevent reoccurrence. HETAS may in relevant circumstances also request submission of a sample for retesting following any corrective action to the process. This may be charged for. Complaints and how they are handled will impact on the ongoing risk assessment for certification monitoring, see 3.5

5.3 The cost of complaint assessments that result in test failures will be charged to the manufacturer and certification will be withdrawn until corrective actions are robustly implemented within an agreed timescale. See section 6.

5.4 Any prolonged dispute between the parties arising under, or in connection with, these rules and not resolved by agreement may be referred to mediation or Alternative Dispute Resolution (ADR). Current consumer regulation requires all businesses which sell directly to consumers to be able to point consumers to a certified ADR scheme. HETAS has arranged with mediation specialists **ProMediate** to make an Alternative Dispute Resolution service available to the registered businesses.

5.5 Where a justified customer complaint was caused by the manufacturer, but the manufacturer refuses to agree to, or accept such an outcome, certification will be removed. See 5.1

6. Withdrawal or Removal of Certification

6.1 Ready to burn manufacturers or individual fuels of the manufacturer may be removed from the certification register depending upon the following circumstances:

- The business becomes insolvent or trade in such a manner as to bring the scheme into disrepute.
- The business fails to comply with statutory requirements and any other relevant legislation
- Failure to comply with scheme requirements including a mechanism covering complaint resolution or the continued supply of substandard or non-compliant fuel.
- Failure to pay renewal fees by the due date.

6.2 HETAS may publish any withdrawal of certification and the reasoning following the closure of any appeals process.

- 6.3 A manufacturer whose certification has been withdrawn, can appeal against the decision. An appeal must be made in writing to HETAS within 14 days of notice of suspension or withdrawal being served with an appeal deposit fee.
- 6.4 Appeals will be considered under the procedures outlined in the section covering Certification decision, section 9.7.
- 6.5 During the period of an appeal i.e. from the date of the initial loss of certification to the date of notification of the results of the appeal, manufacturer or individual fuel(s) will be considered to be withdrawn from the scheme. During such a period, the manufacturer must abide by the obligations of scheme participation but must not describe themselves or the affected fuel as being Ready to Burn certified or continue to use or display the Certification logo.
- 6.6 If at any time the manufacturer fails emission tests for a specific product then the relevant certification will be withdrawn until satisfactory corrective action is in place within an agreed time frame.
- 6.7 If there are any defaults in any manufacturer obligations under these rules or the manufacturer fails to comply with a written notice from HETAS warning against a test failure or default of a similar nature or fails to comply with any recommendations as part of an audit or investigation into an issue within a specified reasonable period of time, then the manufacturer will be withdrawn from the scheme.

7 Confidentiality

- 7.1 Other than the listing of the Ready to Burn Manufacturer's contact details and fuels offered, all other business information provided by the manufacturer during application and routine certification will be treated in strict confidence and no information will be passed to a third party unless agreed.
- 7.2 Appropriate audit results established during a complaint investigation may be passed to both the manufacturer and the manufacturer customer for the sole purpose of complaint resolution.
- 7.3 GDPR Regulations are adhered to – see separate GDPR statement available from HETAS

8 Fees

- 8.1 Certification scheme fees will be publicised each year for the following year. HETAS will endeavour to keep annual fees to a minimum whilst maintaining a robust certification scheme. See separate fee structure on the application form.
- 8.2 Additional fees may be charged for repeated test failures, or additional site audits, for example in the event of a complaint, in line with those stated on the scale of charges document which is reviewed annually.
- 8.3 HETAS may use a fuel identified as part of a complaint for the requirement of annual certification testing checks. Additional or repeat non-compliant tests during the annual certification period will be charged.
- 8.4 All participants of the Certification Schemes agree to pay all relevant fees to HETAS within fourteen days of the invoice, failure to do so could lead to suspension from the scheme until paid.
- 8.5 Assessment fees are not refunded in the case of an assessment failure or if the applicant does not want to proceed with their application.
- 8.6 If for any reason a manufacturer wishes to withdraw from the scheme during the certification annual cycle, no refund, or part refund of fees paid will be made.

9 Certification decision

- 9.1 The decision for Certification sits with the certification organisation HETAS, who have been appointed as the approved certification body by Defra for the Ready to Burn scheme.
- 9.2 Deferral of application: Applications may be deferred by HETAS if they are submitted while the manufacturer or any business in its controls:
- is the subject of any relevant pending or threatened prosecution
 - is the subject of a pending first stage review
 - is the subject of a scheme appeal panel hearing
- 9.3 Decisions: The Certification Body will decide whether an applicant or existing manufacturer meets the required conditions and whether certification is offered or maintained. In making those decisions, HETAS may take into

account all matters of which it is aware including (without limitation) those relating to periods prior to the date of application. HETAS shall give written notice to the applicant of its decision stating:

- the reason for the decision including details of any records taken into account
- the effect of the decision
- the procedure for applying for appeal of the decision

9.4 Appeal: HETAS' objective is to administer the certification scheme in a fair and unbiased way whilst complying with all relevant legislation. Where a manufacturer wishes to appeal a decision by HETAS (for example for the removal of certification or rejection of an application), the appeal must be made in writing to HETAS within 14 business days of the notice of the decision being served. The following process will be offered:

- First Stage Review of the decision. A first stage review will include at least two senior HETAS employees, of whom at least one will not have been involved in the decision-making process so far. This review will decide whether correct procedures have been followed by HETAS in making decisions to date. The outcome of this first review is not limited to upholding a previous decision, it may offer alternative suggestions or outcomes thus avoiding the need for a full appeal hearing.
- Appeal Hearing. Where the first stage review upholds the original decision, and the appellant wishes to continue with their appeal, and HETAS accepts an appeal on reasonable grounds, it will set up an Appeal Hearing. This independent adjudication will be heard by representative from HETAS not previously involved in the case together with two other persons (not from HETAS) with sufficient experience to hear the case. Further details on the Appeal process will be provided at the point of appeal or on request.

Interpretation

In these Guidance and Terms and conditions for participants

- **Ready to Burn** - is a term that a manufactured solid fuel manufacturer can promote to demonstrate compliance to regulation.
- **Certificated** - means the manufactured solid fuel certification scheme to which the manufacturer is approved
- **HETAS** - means HETAS Ltd a not-for-profit certification organisation
- **Ready to Burn Manufacturer, Scheme manufacturer or The certified manufacturer** - means the approved fuel producer / manufacturer named on the Ready to Burn scheme Certificate
- **Depot** - means an additional outlet named by the Ready to Burn manufacturer in the scheme application.
- **Certification year or cycle** - means an annual certification period 365 days from the date the agreement is signed in the Scheme Certificate of Approval
- **Reseller or Distributor** – an outlet selling Ready to Burn certified fuel. The reseller can be certified in their own right, or selling a third parties certified product. The point-of-sale identification must identify the company holding the certification and the fuel identification number for each unique product.
- **Approved manufactured solid fuel certification body** means a person authorised by the Secretary of State under regulation 11(1).
- **Authorised fuel** means a manufactured solid fuel in relation to which a certificate has been issued in accordance with regulation 11(5)
- **Manufacturer** means the manufacturer of a certified solid fuel(s) or the company who re-bags a certified solid fuel(s)