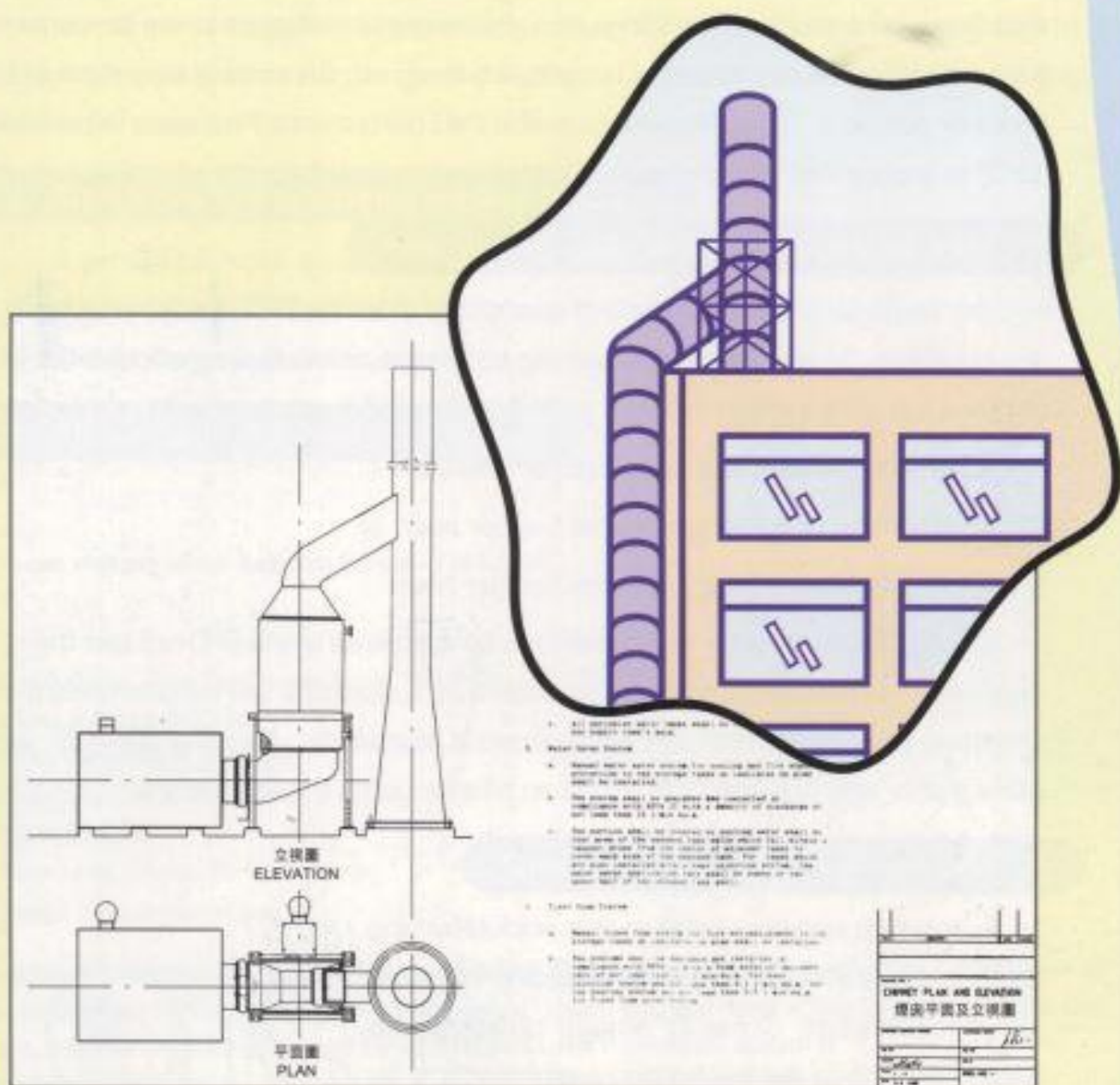


# A Guide to the Air Pollution Control (Furnaces, Ovens and Chimneys) (Installation and Alteration) Regulations



## **1. What is this Guide about?**

This Guide explains briefly the provisions, purposes and application of the Air Pollution Control (Furnaces, Ovens and Chimneys) (Installation and Alteration) Regulations (Cap. 311A) (the Regulations). It is not to serve as an interpretation of the Regulations but to provide a background for the general public and the trade to understand the provisions.

## **2. Why do we need to have the Regulations?**

Fuel-burning equipment, such as steam boiler in factory, cooking stove in restaurant and emergency generator set in buildings etc., discharges air pollutants to the atmosphere during its operation. If the equipment or its chimney is not properly designed, the emitted air pollutants will cause air pollution. The Regulations enable the Environmental Protection Department (EPD) to ensure that their designs are acceptable before installation or alteration.

## **3. What are the requirements of the Regulations?**

The Regulations stipulate that a prior approval from the EPD is required if there is any installation or alteration of fuel-burning equipment or its chimney on premises with the total fuel consumption capacity, including that of the proposed work, exceeding:

- (i) 25 litres of conventional liquid fuel per hour; or
- (ii) 35 kilograms of conventional solid fuel per hour; or
- (iii) 1,150 megajoules of any gaseous fuel per hour.

The application for prior approval should be submitted to the EPD not less than 28 days prior to the commencement of such work. Approval will be given only if the proposed design can meet the environmental standards. Carrying out such work without prior approval from the EPD is an offence under the Regulations.

## **4. Who should observe the Regulations?**

Anyone who wishes to install or alter any fuel-burning equipment or chimney on premises exceeding the above fuel consumption capacity should observe the Regulations unless the fuel-burning equipment is to be used for the conduct of Specified Process defined under the Air Pollution Control Ordinance (Cap. 311).

## **5. How to submit application for prior approval?**

Please submit the application document prepared by professionals to any of the One-stop Shops of the EPD. The submission requirements are given in the Annex. Upon the receipt of the application, the EPD will inform you of the results of the application within 28 days.

## 6. Do I have the right of appeal?

If the EPD refuses to approve your application, you will be given the reason of the refusal. If you are aggrieved by the decision, you may appeal to the Appeal Board by lodging a notice according to the Air Pollution Control (Appeal Board) Regulations (Cap. 311D) within 21 days.

## 7. What if one fails to observe the Regulations?

A person commits an offence if he or she fails to observe the Regulations. The offender is liable to a fine of \$50,000 plus a further fine of \$500 for each day during which the offence has continued.

## 8. Where can I get further information?

The Regulations can be viewed and downloaded from the Hong Kong e-Legislation (HKeL) at <https://www.elegislation.gov.hk/> or ordered at the Online Government Bookstore at <https://www.isd.gov.hk/eng/bookorder.htm>. Enquiries concerning the Regulations may be made to the Regional Offices as follows:

<b>Districts / Address</b>	<b>Telephone No. / Facsimile No.</b>
Regional Office (East) (Kwun Tong, Wong Tai Sin, Sai Kung, Yau Tsim Mong & Kowloon City) 5/F Nan Fung Commercial Centre, 19 Lam Lok Street, Kowloon Bay, Kowloon  (Yau Tsim Mong) 8/F., Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Kowloon	Tel.: 2755 5518 Fax: 2756 8588  Tel.: 2402 5200 Fax: 2402 8272
Regional Office (South) (Hong Kong Island & Islands) 2/F Chinachem Exchange Square, 1 Hoi Wan Street, Quarry Bay, Hong Kong	Tel.: 2516 1718 Fax: 2960 1760
Regional Office (West) (Tuen Mun, Tsuen Wan, Kwai Tsing & Sham Shui Po) 8/F Tsuen Wan Government Office, 38 Sai Lau Kok Road, Tsuen Wan, N.T.	Tel.: 2417 6116 Fax: 2411 3073
Regional Office (North) (Yuen Long, Shatin, Tai Po & North) 10/F, Shatin Government office, No. 1 Sheung Wo Che Road, Shatin, N.T.	Tel.: 2158 5757 Fax: 2685 1133

General Enquiry:

Telephone: 2828 3111; E-mail: [enquiry@epd.gov.hk](mailto:enquiry@epd.gov.hk)

## Annex

### Application Submission Requirements

- i. Application for approval is free of charge but must be made not less than 28 days before the commencement of the work with supporting documents.
- ii. Application should be submitted with the elevation and plan view of the proposed furnace, oven, chimney or flue, prepared by an Authorized Person or a Qualified Engineer.
- iii. The applicant should also submit the specifications of the proposed furnace, oven, chimney or flue. The specifications should include:
  - (a) Type, grade and quantity of fuel to be used;
  - (b) The expected operating hours in each period of twenty-four hours of these furnaces, ovens, chimneys or flues;
  - (c) Details of any automatic or semi-automatic control connected;
  - (d) Details of any control on the quantity of fuel consumed and air admitted;
  - (e) For the installation or alteration of boiler or its associated chimney, the manufacturer' published rating of that boiler;
  - (f) Structural details including the height, cross-sectional area and material of construction of any chimney, whether to be installed or existing on the premises;
  - (g) For firing with solid fuel, the details of any mechanical stoking device; and
  - (h) For firing with liquid or gaseous fuel, the details of any burner appliance used.

A Qualified Engineer, except item (f) which should be made by an Authorized Person, should prepare all these items.

- iv. In addition to the above, EPD may require, if necessary, the applicant to submit a block plan prepared by an Authorized Person showing the height of buildings surrounding the premises.
- v. The following table summarises the requirements of plans and specifications:

Submission documents	prepared by	scale not less	nos. of copy required
Block plan	Authorized Person	1:500	2
Plans showing elevation and plan view	Qualified Engineer/ Authorized Person	1:100	2
Specifications of furnace, fuel and control system	Qualified Engineer		2
Chimney structural details	Authorized Person		2

Notes:

1. Qualified Engineer means a registered professional engineer in the building services, gas, chemical, marine or mechanical engineering disciplines under the Engineers Registration Ordinance (Cap.409).
2. Authorized Person means a person whose name is on the authorized persons' register kept under section 3(1) of the Buildings Ordinance (Cap. 123) as an architect, an engineer or a surveyor.