

Chapter ILHR 72

INTERMITTENT IGNITION DEVICES FOR NEW RESIDENTIAL GAS APPLIANCES

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Subchapter I — Purpose, Scope and Application

ILHR 72.01 Purpose. The purpose of this chapter is to establish standards for the certification of intermittent ignition devices and to prohibit the use of pilot lights on new residential gas appliances in accordance with s. 101.655, Stats.

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87.

ILHR 72.02 Scope. The provisions of this chapter shall apply to the distribution, sale and installation of new residential gas appliances which are used in one- and 2-family dwellings, public buildings or places of employment.

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87.

ILHR 72.03 Application. (1) **GENERAL.** The provisions of this chapter apply to any new residential gas appliance, including but not limited to:

- (a) Furnaces or heaters which require electrical supply for operation;
- (b) Air conditioners;
- (c) Refrigerators, refrigerator-freezers and freezers;
- (d) Stoves which have electrical supply cords;
- (e) Dishwashers;
- (f) Dryers; and
- (g) Swimming pool heaters.

(2) **EXEMPTIONS.** The provisions of this chapter do not apply to the following appliances:

- (a) Any furnace or heater which does not require electrical supply for operation;
- (b) Any stove which does not have an electrical supply cord;
- (c) Gas water heaters;
- (d) Air conditioners which have an input capacity of 65,000 BTU's per hour or greater; and
- (e) Furnaces of the following types:

1. Low pressure steam or hot water boilers which have an input capacity of 300,000 BTU's per hour or greater; and

2. Forced air central furnaces and gravity central furnaces which have an input capacity of 225,000 BTU's per hour or greater.

(f) Refrigerators, refrigerator-freezers and freezers of the following types:

1. Those refrigerators and refrigerator-freezers with a total refrigerated volume exceeding 39 cubic feet;
2. Those freezers with a total refrigerated volume exceeding 30 cubic feet; and
3. Those refrigerators, refrigerator-freezers and freezers designed to be used without doors.

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87.

Subchapter II — Definitions

ILHR 72.04 Definitions. (1) "British Thermal Unit or BTU" means the quantity of heat required to raise the temperature of one pound of water one degree Fahrenheit at or near 39.2° F.

(2) "Class of gas appliances" means a group of gas appliances, all of which perform a similar function.

(3) "Department" means the department of industry, labor and human relations.

(4) "Dwelling" means any building which contains one or 2 dwelling units.

(5) "Dwelling unit" means a structure, or that part of a structure, which is used or intended to be used as a home, residence or sleeping place by one person or by 2 or more persons maintaining a common household, to the exclusion of all others.

(6) "Gas appliance" means an appliance or device which uses a gaseous fuel for operation and is automatically ignited for operation by means of a pilot light or other ignition device.

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(7) "Intermittent ignition device" means an ignition device which is actuated only when a gas appliance is in operation.

(8) "Pilot light" means any gas-operated device which remains continually lighted in order to ignite a gas appliance to begin normal operation.

(9) "Place of employment" means any place, whether indoors or out or underground and the premises appurtenant thereto where either temporarily or permanently any industry, trade or business is carried on, or where any process or operation, directly or indirectly related to any industry, trade or business, is carried on, and where any person is, directly or indirectly, employed by another for direct or indirect gain or profit, but does not include any place where persons are employed in a) private domestic service which does not involve the use of mechanical power or b) farming.

(10) "Public building" means and includes any structure, including exterior parts of such building, such as a porch, exterior platform or steps providing means of ingress or egress, used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or use by the public or by 3 or more tenants.

(11) "Residential gas appliance" means a gas appliance which is designed and sized for use in a private residence or private dwelling and which is not to any significant extent, distributed for industrial or commercial use.

(12) "State" means the state of Wisconsin.

(13) "Stove" means a major household cooking appliance, which includes a kitchen range or oven.

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87.

Subchapter III — Standards

ILHR 72.05 Adoption of standards by reference. (1) CONSENT TO INCORPORATE. Pursuant to s. 227.21 (2), Stats., the attorney general and the revisor of statutes have consented to the incorporation by reference of the American National Standard for Automatic Gas Ignition Systems and Components, ANSI Z21.20 - 1985.

(2) INTERIM AMENDMENTS. Interim amendments of the standard shall have no effect in the state until such time as this chapter is correspondingly revised to reflect those changes.

(3) AVAILABILITY OF STANDARD. Standards of the American National Standards Institute may be obtained by writing to: Publications Sales Department, American National Standards Institute, Inc., 1430 Broadway, New York, N.Y. 10018.

(4) FILING OF STANDARD. Copies of the standard in reference are on file in the offices of the department, the secretary of state and the revisor of statutes.

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87.

ILHR 72.06 Prohibition of pilot lights. (1) GENERAL. Except as provided in sub. (2), no person may sell, distribute, install or cause to be sold, distributed or installed any residential gas appliance which is not equipped with a

certified intermittent ignition device. The prohibition of pilot lights shall:

(a) Apply only to those appliances belonging to a class for which an intermittent ignition device has been certified as specified in s. ILHR 72.07.

(b) Begin 24 months after the certification of an intermittent ignition device for that class of appliance.

(2) EXEMPTION FOR USED RESIDENTIAL GAS APPLIANCES. Used residential gas appliances may be resold without certified intermittent ignition devices provided that the original sale of the appliance, when new, occurred before the pilot light prohibition went into effect for that class of appliance.

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87.

Subchapter IV — Administration and Enforcement

ILHR 72.07 Intermittent ignition device certification requirements. Any intermittent ignition device which complies with requirements of either sub. (1) or (2) shall be considered certified by the department.

(1) AUTOMATIC CERTIFICATION. (a) *Requirements for automatic certification.* Any intermittent ignition device complying with the following conditions shall be automatically certified and will not require written certification from the department:

1. The intermittent ignition device is certified by the American Gas Association (AGA) as complying with the American National Standard for Automatic Gas Ignition Systems and Components, ANSI Z21.20-1985; and

2. The intermittent ignition device is included in the AGA Laboratories Design Certification Program.

(b) *Date of certification.* Intermittent ignition devices which comply with the requirements for automatic certification as specified in this subsection prior to January 1, 1987 shall be considered to be certified on January 1, 1987.

(2) ALTERNATE CERTIFICATION. If an intermittent ignition device does not comply with the requirements for automatic certification, an application for certification may be submitted to the department. Tests, data and other evidence to prove that the device complies with the standards required in this chapter shall be submitted to the department for review.

(a) *Application for certification.* An application for certification shall be submitted to the department in writing along with the specifications and information listed in par. (b) and the fees established in s. ILHR 72.09.

(b) *Specifications and information.* Information submitted to the department for review and certification shall contain the following:

1. The name of the manufacturer of the device and the address of all facilities where the device is manufactured;
2. The trade name and model number of the device;
3. The type of fuel which may be used with the device;

4. The inlet and outlet sizes of the device, in inches, and the BTU per hour capacity of the device;

5. Written documentation stating that the device has been tested by a nationally recognized testing facility and complies with the American National Standard for Automatic Gas Ignition Systems and Components, ANSI Z21.20 - 1985; and

Note: The department accepts the American Gas Association Laboratories and Underwriter Laboratories as nationally recognized testing facilities.

6. A written description of the manufacturer's compliance assurance program, designed to assure that the IID units which are manufactured will be equivalent to the device which is tested and certified.

(c) *Application processing time.* Upon receipt of all the required information and appropriate fees, the department shall review the application and certify or deny certification of the device. The department shall notify the applicant of its finding in writing within 30 business days of receipt of all forms, fees, and documents required to complete the review.

(3) **EXPIRATION OF CERTIFICATION.** (a) Automatic certifications obtained in accordance with sub. (1) shall remain valid as long as the provisions of sub. (1) are met.

(b) Certifications issued by the department as specified in sub. (2) shall be valid for a period of one year. Applications for recertification of intermittent ignition devices may be made by submitting a new application for certification to the department.

(4) **INVALIDATION OF CERTIFICATION.** The certification of an individual intermittent ignition device shall be invalid if the device is installed in an appliance which is unsuitable for the specified range of application of the device.

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87; corrections in (1) (b) made under s. 13.93 (2m) (b) 14., Stats., Register, June, 1995, No. 474.

ILHR 72.08 Revocation of certification. The department may revoke any certification issued under the provisions of this chapter for any false statements or misrepresentation of facts upon which the certification was based.

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87.

ILHR 72.09 Notification of manufacturers. Within 90 days after an intermittent ignition device has been certified as specified in s. ILHR 72.07, the department shall notify gas appliance manufacturers doing business in the state of the prohibition of affected pilot lights. The department shall inform manufacturers of the effective date of the prohibition and inform manufacturers of intermittent ignition devices which have been certified.

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87.

ILHR 72.10 Fees. Fees shall be submitted to the department as specified in ch. ILHR 2. Fees shall be submitted at the time the application for certification is submitted under s. ILHR 72.07 (2). Applications will not be processed until fees are received.

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87; correction made under s. 13.93 (2m) (b) 7., Stats., Register, June, 1995, No. 474.

ILHR 72.11 Penalties. Penalties for violations shall be assessed in accordance with s. 101.655, Stats.

(1) The department may seek a forfeiture or initiate a civil action for a temporary or permanent injunction for any violation of rules of this chapter.

(2) Any person who violates rules of this chapter shall be subject to a forfeiture of not more than \$400 for each day of violation.

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87.

ILHR 72.12 Complaints. (1) Any written complaint received by the department which alleges violation of the provisions of this chapter may be forwarded to the seller, installer, or distributor involved who shall, within 5 business days after receipt of the complaint notice, report to the department in writing on the disposition of the complaint.

(2) Failure to correct legitimate violations of the provisions of this chapter may result in a department investigation and assessment of the appropriate penalties.

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87.