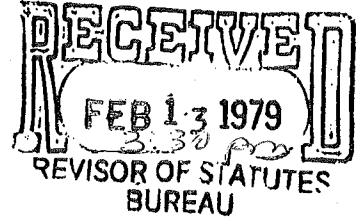


Ind 9.

STATE OF WISCONSIN )  
 ) SS  
DEPARTMENT OF INDUSTRY, )  
LABOR AND HUMAN RELATIONS)

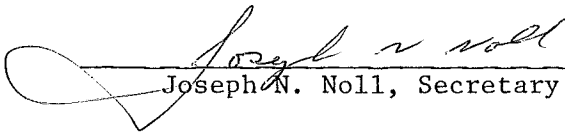


TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Joseph N. Noll, Secretary of the Department of Industry, Labor and Human Relations, and custodian of the official records of said department, do hereby certify that the attached rules to Wisconsin Administrative Code Chapter Ind 9--Liquefied Petroleum Gases and Liquefied Natural Gases, were adopted by this department on February 13, 1979.

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at the Capitol, in the City of Madison, this 13th day of February, A.D., 1979.

  
Joseph N. Noll, Secretary

ORDER OF

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS

Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section 101.16 (2), Wis. Stats., the Department of Industry, Labor and Human Relations hereby repeals and recreates and adopts rules of Wisconsin Administrative Code Chapter Ind 9--Liquefied Petroleum Gases and Liquefied Natural Gases.

The rules attached hereto shall become effective on the first day of the month following publication in the Wisconsin Administrative Register, as provided in section 227.026, Wis. Stats.

Chapter Ind 9, Liquefied Petroleum Gases, is repealed and recreated to read:

CHAPTER IND 9  
LIQUEFIED PETROLEUM GASES AND LIQUEFIED NATURAL GASES

PART I--GENERAL REQUIREMENTS

- Ind 9.001 Purpose
- Ind 9.002 Application
- Ind 9.01 Definitions
- Ind 9.02 Self-service prohibited
- Ind 9.03 Fuel supply tanks for cargo tank trucks
- Ind 9.04 Piping

PART II--STANDARDS

- Ind 9.05 Adoption of standards
- Ind 9.06 Consent to incorporate NFPA standards
- Ind 9.07 Amendments to NFPA 58-1976

PART III--ADMINISTRATIVE PROCEDURES

- Ind 9.08 Notice requirements
- Ind 9.09 Plan submittal and approval
- Ind 9.10 Inspections
- Ind 9.11 Appeals
- Ind 9.12 Petition for modification
- Ind 9.13 Penalties

PART I--GENERAL REQUIREMENTS

Ind 9.001 PURPOSE. The purpose of this code is to provide safe installations of liquefied petroleum and liquefied natural gas equipment and systems.

Ind 9.002 APPLICATION. The rules of this code shall apply to the design, construction, location, installation, operation, repair and maintenance of equipment for the storage, handling and use of liquefied petroleum gases and liquefied natural gases in dwellings, public buildings and places of employment. The rules shall also apply to the transportation of liquefied petroleum gases and liquefied natural gases by tank truck or tank trailer but not to railroads engaged in interstate commerce or to equipment used by them.

Ind 9.01 DEFINITIONS.

(1) Approved. Approved means approval granted by the department.

Note: The department will ordinarily approve items approved by a nationally recognized testing laboratory.

(2) Container. Container means all vessels such as tanks, cylinders, bottles or drums used for transporting or storing of liquefied petroleum gas or liquefied natural gas.

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

(4) Dwelling unit. Dwelling unit means a structure, or 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.

- (5) Place of employment. The term "place of employment" includes every 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.
- (6) Public building. The term "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.

Ind 9.02 SELF-SERVICE PROHIBITED. No person other than the owner or a fully trained authorized employe of a bulk storage plant, container charging plant or service station shall dispense or use any liquefied petroleum gases at these locations.

Ind 9.03 FUEL SUPPLY TANKS FOR LP CARGO TANK TRUCKS. Every motor vehicle operated by special fuel shall be equipped with a special fuel supply tank separate from and in no way connected to any cargo tank on or attached to such motor vehicle.

Ind 9.04 PIPING. All piping for liquefied petroleum gas and liquefied natural gas shall comply with the standards accepted by the department.

Note: The department will accept piping installations which conform to NFPA No. 54 (ANSI Z223.1), National Fuel Gas Code.

## PART II--STANDARDS

Ind 9.05 ADOPTION OF STANDARDS. The National Fire Protection Association "Standard for Storage and Handling Liquefied Petroleum Gases-1976" (NFPA No. 58-1976), chapters 1 through 7 inclusive and appendices, with amendments to sections 2310 and 3168; "Standard for LP Gases at Utility Gas Plants-1976" (NFPA No. 59-1976), sections 1 through 8 inclusive and appendices; and "Standard for Storage and Handling Liquefied Natural Gas-1975" (NFPA No. 59A-1975), also American National Standards Institute Z225.1-1976 (ANSI Z225.1-1976), chapters 1 through 9 inclusive and appendices, are hereby incorporated by reference into the Wis. Adm. Code chapter Ind 9-- Liquefied Petroleum Gases and Liquefied Natural Gases. Interim amendments of NFPA No. 58-1976, NFPA No. 59-1976 and NFPA No. 59A-1975 will have no effect in the state of Wisconsin until such time as this section is correspondingly revised to reflect these changes.

Ind 9.06 CONSENT TO INCORPORATE NFPA STANDARDS BY REFERENCE. Pursuant to section 227.025, Wis. Stats., the attorney general and the revisor of statutes have consented to the incorporation by reference of the standards, except for amendments to sections 2310 and 3168 of NFPA No. 58-1976, contained in the NFPA No. 58-1976, NFPA

59-1976 and NFPA 59A-1975, which can be obtained from the National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02110. Copies of the aforementioned standards are on file in the offices of the department, the secretary of state and the revisor of statutes.

Ind 9.07 AMENDMENTS TO NFPA NO. 58-1976. The following sections of NFPA No. 58-1976 have been amended as follows:

- (1) Section 2310. Section 2310 is amended to permit the installation and use of plastic pipe and tubing when approved by the department.
- (2) Section 3168. The effective date specified in section 3168 is changed from December 31, 1978 to December 31, 1981.

### PART III--ADMINISTRATIVE PROCEDURES

Ind 9.08 NOTICE REQUIREMENTS. (1) Permanent installations. Every person, firm, association or corporation permanently installing equipment using liquefied petroleum gas, having a 125-gallon (552.5 pounds) individual container or aggregate water capacity or larger, shall furnish the customer or user and the local fire department a written statement of installation. Such statement shall:

- (a) Be furnished at the time of installation;
  - (b) Be on a form acceptable to the department;
  - (c) State that the design, construction, location and installation of containers conforms with this code.
- (2) Temporary installations. Every installer, contractor, builder or user of equipment using liquefied petroleum gas in 100-pound (22.62 gallons) gas-rated containers or larger shall submit a written notification to the local fire department prior to the temporary use of such equipment.

Ind 9.09 PLAN SUBMITTAL AND APPROVAL. Three sets of plans, together with the fee specified in Wis. Adm. Code section Ind 69.10, shall be submitted to and approved by the department prior to the installation of any liquefied natural gas system or any liquefied petroleum installation using containers larger than 2000 gallon water capacity.

Ind 9.10 INSPECTIONS. Inspections shall be conducted by an authorized representative of the department to ascertain whether the construction or installations conform to the provisions of this code.

Ind 9.11 APPEALS. Pursuant to chapter 227, Wis. Stats., any municipality, corporation or any 5 or more persons having an interest in the rule may appeal to the department requesting the adoption, amendment or repeal of the rule.

Ind 9.12 PETITION FOR MODIFICATION. The department will consider and may grant modification to an administrative rule provided an equivalent degree of safety is established in the petition for modification which meets the intent of the rule being petitioned.

Note: Section 101.02 (6), Wis. Stats., outlines the procedure for submitting petitions to the department and the department procedures for hearing petitions.

Ind 9.13 PENALTIES. Pursuant to section 101.16 (5), Wis. Stats., any person, firm, association or corporation who violates this code or falsifies the notice of installation specified in section Ind 9.08 (1) shall forfeit to the state not less than \$25 nor more than \$100 or shall be imprisoned not less than 30 days nor more than 6 months for each violation.

Note: Section 101.02 (12), Wis. Stats., indicates that every day during which any person, persons, corporation or any officer, agent or employe thereof, fails to observe and comply with an order of the department will constitute a separate and distinct violation of such order.