

Chapter Ind 9

LIQUEFIED PETROLEUM GASES AND LIQUEFIED NATURAL GASES

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Note: Chapter Ind 9 as it existed on March 31, 1979 was repealed and a new chapter Ind 9 was created effective April 1, 1979.

SUBCHAPTER 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.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79.

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.

Note: In addition to the requirements of this chapter, all frequenters and employers in public buildings and places of employment and employees in public sector places of employment are protected by the provisions of chapter Ind 1000-2000—Safety and Health Code; employees in private sector places of employment are protected by the regulations of 29 CFR 1910, OSHA 2206, Revised November 7, 1978 of the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA).

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79.

Ind 9.01 Definitions. In this chapter:

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

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

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

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

(4) "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) 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.

(5a) "Pressure vessel" means a container for the containment of pressure, either internal or external. This pressure may be obtained from an external source or by the application of heat from a direct or indirect source, or any combination thereof.

(6) 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.

(7) "Secondhand vessel" means a pressure vessel that has changed location subsequent to the original installation.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79; cr. (intro.), (6a) and (7), Register, January, 1983, No. 325, eff. 2-1-83.

Ind 9.02 Self-service to vehicle fuel tanks and recreational equipment. (1) **GENERAL.** No person, except as provided in pars. (a) and (b), may dispense any liquefied petroleum gases until the dispensing is through approved liquefied petroleum gas dispensing devices or devices pending approval.

(a) Trained authorized employe of a bulk storage plant, container charging plant or service station.

(b) Trained authorized motor vehicle fleet employes.

(2) **LOCATION OF KEY, CARD OR CODE DISPENSING SYSTEMS.** (a) *Attended locations.* Liquefied petroleum fueling facilities may be located in areas accessible or open to the general public provided the facility is equipped with approved key, card or code operated dispensing devices and an attendant is on duty at all times when liquefied petroleum gas is being dispensed.

(b) *Nonattended locations.* Dispensing of liquefied petroleum gas shall be permitted without an attendant provided the dispensing facility is not freely accessible or open to the general public and the facility is equipped with approved key, card or code operated dispensing devices.

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(3) **POSTING OF SIGNS.** A permanent sign providing a 24 hour service call telephone number in letters at least one inch high shall be posted at the dispensing device in all nonattended locations.

(4) **PUBLIC SELF-SERVICE PROHIBITED.** Self-service of liquefied petroleum gas by the general public shall be prohibited.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79; r. and recr. Register, January, 1983, No. 325, eff. 2-1-83.

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.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79.

Ind 9.04 Piping. All piping for liquefied petroleum gas shall comply with the requirements of the National Fuel Gas Code, NFPA No. 54 adopted in s. Ind 9.20 (1), as referenced in NFPA No. 58-1979.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79; am. Register, December, 1980, No. 300, eff. 1-1-81.

Ind 9.05 Containers and pressure vessels. Design, construction, and repairs and alterations by welding to liquefied petroleum and liquefied natural gas containers and pressure vessels shall conform to the requirements of chs. Ind 41 and 42.

History: Cr. Register, December, 1980, No. 300, eff. 1-1-81.

Ind 9.06 Secondhand pressure vessels. The use of secondhand pressure vessels, having a water capacity in excess of 2,000 gallons and intended for liquefied petroleum gas service, shall be prohibited, unless all of the following conditions are satisfied:

(1) **EXCLUSIVE LIQUEFIED PETROLEUM GAS SERVICE.** The owner can document that the pressure vessel has been used exclusively for liquefied petroleum gas service.

(2) **MANUFACTURER'S DATA REPORT.** The original manufacturer's data report is available.

(3) **ALTERATIONS AND REPAIRS BY WELDING.** All alterations and repairs by welding are documented in a manner acceptable to the department.

(4) **OTHER REQUIREMENTS.** An inspection of the pressure vessel as specified in s. Ind 9.01 (7) has been performed at its new location by an authorized inspector as defined in s. Ind 41.02 (10).

History: Cr. Register, December, 1980, No. 300, eff. 1-1-81; r. and recr. (4), Register, January, 1983, No. 325, eff. 2-1-83.

SUBCHAPTER II—STANDARDS

Ind 9.20 Adoption of standards by reference. (1) Pursuant to s. 227.025, Stats., the attorney general and revisor of statutes have consented to the incorporation by reference of the following standards:

(a) National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts 02210, National Fuel Gas Code, NFPA No. 54-1974;

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Standard for Storage and Handling of Liquefied Petroleum Gases, NFPA No. 58-1979; Standard for the Storage and Handling of Liquefied Petroleum Gases at Utility Gas Plants, NFPA No. 59-1979; Standard for the Storage and Handling of Liquefied Natural Gases, NFPA No. 59A-1975; Standard for Recreational Vehicles, NFPA No. 501C-1977, chapter 3 - Heating and Air Conditioning (Other than Automotive Type) Systems.

(b) American Petroleum Institute, 2101 L Street, Northwest, Washington, D.C. 20037, Design and Construction of LP-Gas Installations at Marine and Pipeline Terminals, Natural Gas Processing Plants, Refineries, Petrochemical Plants, and Tank Farms, API Standard 2510, 4th Edition, December, 1978.

(2) Interim amendments of the standards will have no effect in the state until such time as this section is correspondingly revised to reflect those changes.

(3) (a) Standards of the National Fire Protection Association may be obtained by writing to Publications Sales Department, National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts 02210 [Batterymarch Park, Quincy, Mass. 02269].

(b) Standards of the American Petroleum Institute may be obtained by writing to the American Petroleum Institute, 2101 L Street, Northwest, Washington, D.C. 20037.

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

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79; renum. from Ind 9.05 and 9.06, r. and recr., Register, December, 1980, No. 300, eff. 1-1-81.

Ind 9.21 Amendments to National Fire Protection Association Standard No. 58-1979 Storage and Handling of Liquefied Petroleum Gases. (1) SECTION 3168 — APPLICABILITY OF EMERGENCY SHUT OFF VALVE REQUIREMENTS. The rule specified in section 3168 for emergency shut off valves shall take effect on December 31, 1981, and after the effective date, shall apply to those facilities in existence and to those facilities thereafter constructed.

(2) SECTION 3168 (A) — EMERGENCY SHUT OFF VALVE ON MULTIPLE HOSE OR SWING TYPE PIPING. When 2 or more hoses or swivel type piping are used, either an emergency shut off valve or a backflow check valve shall be installed in each leg of the piping.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79; renum. from Ind 9.07 and r. and recr., Register, December, 1980, No. 300, eff. 1-1-81.

SUBCHAPTER III—ADMINISTRATIVE PROCEDURES

Ind 9.30 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;

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(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.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79; renum. from Ind 9.08, Register, December, 1980, No. 300, eff. 1-1-81.

Ind 9.31 Plan submittal and approval. Three sets of plans, together with the fee specified in s. Ind 69.10, shall be submitted to and approved by the department prior to the installation of any liquefied natural gas system or any liquified petroleum installation using containers larger than 2000 gallon water capacity.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79; renum. from Ind 9.09, Register, December, 1980, No. 300, eff. 1-1-81.

Ind 9.32 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.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79; renum. from Ind 9.10, Register, December, 1980, No. 300, eff. 1-1-81.

Ind 9.33 Appeals. Pursuant to ch. 227, 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.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79; renum. from Ind 9.11, Register, December, 1980, No. 300, eff. 1-1-81.

Ind 9.34 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), Stats., outlines the procedure for submitting petitions to the department and the department procedures for hearing petitions.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79; renum. from Ind 9.12, Register, December, 1980, No. 300, eff. 1-1-81.

Ind 9.35 Penalties. Pursuant to s. 101.16 (5), Stats., any person, firm, association or corporation who violates this code or falsifies the notice of installation specified in s. 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), 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.

History: Cr. Register, March, 1979, No. 279, eff. 4-1-79; renum. from Ind 9.13, Register, December, 1980, No. 300, eff. 1-1-81.