

CR 82-142

# RULES CERTIFICATE

STATE OF WISCONSIN )  
 ) SS  
DEPT. OF INDUSTRY, )  
LABOR & HUMAN RELATIONS)

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TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, James J. Gosling, Secretary of the Department of Industry, Labor and Human Relations, and custodian of the official records of said department, do hereby certify that the annexed rule(s) relating to Ch. Ind 9 - Liquefied Petroleum & Liquefied Natural Gases Code were duly approved and adopted by this department on 12/2/82.  
(Subject) (Date)

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 2:00 pm in the city of Madison, this 2nd day of December A.D. 19 82.

James J. Gosling  
Secretary

2-1-83

# ORDER OF ADOPTION

Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section(s) 101.02(1), 101.02(15)(h)-(j), 101.14 (1)(a), 101.16(2), Stats., the Department of Industry, Labor and Human Relations hereby  creates;  amends;  repeals and recreates; and  repeals and adopts rules of Wisconsin Administrative Code chapter(s):

Ind. 9 Liquefied Petroleum & Liquefied Natural Gases Code  
(Number) (Title)

The attached rules shall take effect on the first day of the month following  
publication in the Wisconsin Administrative Register, pursuant to section  
227.026, Stats.

Adopted at Madison, Wisconsin, this 2<sup>nd</sup>  
day of December, A.D., 1982.

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS

James J. Loshnj  
Secretary



# RULES in FINAL DRAFT FORM

**Rule:** Chapter Ind 9  
**Relating to:** Liquefied Petroleum and Liquefied Natural Gases Code -  
Key, Card or Code Dispensing Systems

Administrative rules to repeal and recreate s. Ind 9.02, Ind 9.06 (4); to create ss. Ind 9.01 (intro.), Ind 9.01 (5a), Ind 9.01 (7) relating to key, card or code dispensing units of the liquefied petroleum and liquefied natural gases code.

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#### ANALYSIS OF RULES

The proposed administrative rules clarify the intent of existing rules pertaining to self-service of L.P. gas used as a fuel. The new rule clarifies who may dispense L.P. gas as a fuel and establishes requirements for the use of key, card or code operated dispensing devices and under what conditions nonattended dispensing of L.P. gas is permitted.

The proposed rules include a definition for the term "secondhand vessel", which is consistent with the rules of chs. Ind 41 and 42 and is used with the proposed rules for inspection of containers. Inspections of secondhand vessels by authorized inspectors in lieu of hydrostatic testing is now permitted.

The proposed rules were developed in conjunction with the Wisconsin Fire Prevention Council and its L.P. and L.N.G. Sub-Committee. The following is a listing of the members of the council and the sub-committee:

#### Fire Prevention Council

John Bingham, Professional Firefighters Association  
Paul S. Bodeau, Wisconsin Association of Manufacturers and Commerce  
Allen S. Dimoff, Wisconsin Chapter, Society of Fire Protection Engineers  
James Friedl, Wisconsin Fabricare Institute  
Raymond G. Karnes, Oil Jobbers of Wisconsin, Inc.  
Robert L. Marsden, Wisconsin L.P. Gas Association  
Donald M. Olson, Wisconsin Fire Inspectors Association  
Frank P. Reisenauer, Wisconsin State Fire Chiefs Association  
Cletus J. Rice, Wisconsin Petroleum Council  
William P. Schultz, Wisconsin AFL-CIO  
Franklin J. Spruce, Wisconsin Building Inspectors Association

#### L.P. & L.N.G. Sub-Committee

Kay Lamson, Master Tank Company  
Robert L. Marsden, Wisconsin L.P. Gas Association  
Shirley Notlemeyer, Fire Prevention Section, DILHR  
Donald M. Olson, Madison Fire Department  
Peter Westra, Beaver Dam Fire Department

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Pursuant to ss. 101.02 (1), 101.02 (15) (h)-(j), 101.14 (1) (a) and 101.16 (2), Stats., the Department of Industry, Labor and Human Relations proposes to repeal and recreate and create the following administrative rules which interpret ss. 101.02 (15) (h)-(j), 101.14 (1) (a) and 101.16 (2), Stats:

SECTION 1. Ind 9.01 (intro) is created to read:

Ind 9.01 DEFINITIONS. In this chapter:

[Note to Revisor: Please delete the subsection titles in s. Ind 9.01 and insert quotation marks around the defined term so as to correct the format of this section pursuant to s. 1.01 (7), Administrative Rule Drafting Manual.]

SECTION 2. Ind 9.01 (5a) is created to read:

Ind 9.01 (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.

SECTION 3. Ind 9.01 (7) is created to read:

Ind 9.01 (7) "Secondhand vessel" means a pressure vessel that has changed location subsequent to the original installation.

SECTION 4. Ind 9.02 is repealed and recreated to read:

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 unless 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.

(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.

SECTION 5. Ind 9.06 (4) is repealed and recreated to read:

Ind 9.06 (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).

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EFFECTIVE DATE

Pursuant to s. 227.026 (1), (intro) Stats., these rules shall take effect on the first day of the month following publication in the Wis. Adm. Register.

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