

## **IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES**

### **24.22.01 - RULES OF THE IDAHO STATE LIQUEFIED PETROLEUM GAS SAFETY BOARD**

**DOCKET NO. 24-2201-1601**

#### **NOTICE OF RULEMAKING - PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 54-5303 and 54-5310, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 19, 2016.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Board is amending the rule to incorporate by reference the 2017 edition of the Liquefied Petroleum Gas Code, NFPA 58, published by National Fire Protection Association (NFPA) to keep abreast of the most current safety standards.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased: N/A

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: N/A

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed changes to these rules were discussed during noticed, open meetings of the Board.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

The current rules incorporate by reference the 2011 Edition of NFPA 58. The 2017 version includes the latest safety protocols used in most state and referenced by the U.S. Department of Transportation. It includes minimum requirements for safe handling during LP-Gas transfer, including operator qualifications, maximum filling quantity in containers, and pre-transfer inspections to ensure containers are fit for continued service. The most current standards of safety address the latest in LPG technology and protect the public from hazards not covered by previous editions.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Mitchell Toryanski at (208) 334-3233. Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 26, 2016.

DATED this 2nd day of September, 2016.

Tana Cory, Bureau Chief  
Bureau of Occupational Licenses  
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Phone: (208) 334-3233  
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**THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 24-2201-1601**  
**(Only Those Sections With Amendments Are Shown.)**

**004. INCORPORATION BY REFERENCE (RULE 4).**

The document titled Liquefied Petroleum Gas Code, 201~~4~~<sup>7</sup> Edition, commonly known as NFPA 58, published by National Fire Protection Association (NFPA), is herein incorporated by reference and is available for public inspection at the Board's office. Copies of the 201~~4~~<sup>7</sup> Liquefied Petroleum Gas Code are available for purchase from the National Fire Protection Association, 11 Tracy Drive, Avon, MA 02322. ~~(3-29-12)~~( )