**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS**

**BUREAU OF FIRE SERVICES**
**STORAGE TANK DIVISION**

# STORAGE AND HANDLING OF LIQUEFIED PETROLEUM GASES (LPG)

(By authority conferred on the Michigan Department of Licensing and Regulatory Affairs by Section 3c of 1941 PA 207, MCL 29.3c, and Executive Reorganization Order Numbers 1998-2, and 2012-7, MCL 29.461 and 29.462)

## PART 1. GENERAL PROVISIONS

### R 29.6101 Applicability.

Rule 1. These rules apply to the operation of all liquefied petroleum gas (LP-gas) systems. A person shall comply with these rules, other applicable state and federal statutes, and rules and regulations promulgated under the statutes.

History: 2014 AACS.

### R 29.6102 Storage and handling of liquefied petroleum gases; adoption of standard by reference.

Rule 2. The National Fire Protection Association's (NFPA) pamphlet entitled "NFPA 58 Liquefied Petroleum Gas Code 2014 Edition," pertaining to the storage and handling, but not transportation, of LP-gas, is adopted by reference as part of these rules. Copies of the adopted code are available for inspection and distribution either at the office of the Bureau of Fire Services, Storage Tank Division, 3101 Technology Boulevard, Lansing, Michigan 48910, or from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101. The cost of the NFPA code, at the time of the adoption of these rules, is $54.50, plus a $7.95 handling charge, per copy.

History: 2014 AACS.

## PART 2. AMENDMENTS TO ADOPTED CODE

### R 29.6151 Prohibitions.

Rule 51. Sections 1.8, 1.8.1, 1.8.2, 1.8.3 and 1.8.4 of the LPG code are added as follows:

1.8 Prohibitions.

1.8.1 Upon notification by the bureau a person shall not deliver any liquid into a storage tank system under any circumstances that are prohibited by these rules or if a tank is not in compliance

with these rules. The notification may include verbal or written communication or an affixed written notification on the storage tank system.

1.8.2 A person shall not tamper with, remove, or disregard written notification affixed to the storage tank system.

1.8.3 A storage tank system or practice that is not in compliance with these rules is in violation of these rules.

1.8.4 An owner or operator shall not continue to use a storage tank system that is causing a release and shall expeditiously empty the system or the component that is causing the release until the system is repaired or replaced, pursuant to these rules.

History: 2014 AACS.

**R 29.6152 Permits.**

Rule 52. Sections 1.9, 1.9.1, 1.9.2, 1.9.3, 1.9.4, 1.9.5 and 1.9.6 of the LPG code are added as follows:

1.9 Permits.

1.9.1 An owner or owner's designee shall submit an application for plan review to the bureau not less than 30 days before the installation of a LPG storage tank system of more than 2,000 gallon individual water capacity, more than 4,000 gallon aggregate water capacity, or any container filling location.

1.9.2 The installation application shall include a plot map that shows all of the following information:

(a) The locations of buildings, public roadways, railroad mainlines, and power lines.

(b) Storm sewers, sanitary sewers, manholes, and catch basins.

(c) The proposed locations of tanks and buildings.

(d) The location of property lines.

(e) The location of existing tanks, aboveground and underground, within 50 feet (15 meters) of the installation.

(f) The material of construction, the dimension, and the capacity of each tank.

(g) The manufacturer name and part number of all required container and piping appurtenances.

1.9.3 The bureau shall issue a plan review report within 30 days of the receipt. If the report is not issued within 30 days, the installation may be constructed according to the submitted plans and shall comply with these rules.

1.9.4 Upon completion of the installation, the owner or designee shall notify the bureau not fewer than 7 calendar days before the installation is placed in service. The bureau shall inspect the installation following the receipt of notification and shall certify the installation if the requirements of these rules have been met. If the inspection is not made within 7 calendar days of receipt of notification, the installation may be placed in service and a notarized affidavit shall be submitted to the bureau attesting to the fact that the installation complies with the plans submitted and applicable rules.

1.9.5 Upon request, all plans and specifications that are submitted to the bureau for review shall be returned after the bureau has certified the installation or within 30 working days after notification to the authority having jurisdiction of the completion of the installation. Plans and specifications may be marked "confidential – do not copy" when they are submitted.

1.9.6 If construction of the storage system is not commenced within 1 year after date of approval, an installation application shall be resubmitted pursuant to this section. Fees required under the act shall be submitted with the resubmitted application.

History: 2014 AACS.

**R 29.6153 Variances.**

Rule 53. Sections 1.10, 1.10.1 and 1.10.1.1 of the LPG code are added as follows:

1.10 Variances.

1.10.1 An owner or operator may apply for a variance to the rules by applying to the bureau with a satisfactory explanation as to why compliance is not possible. The bureau may approve a variance upon finding that the variance is based on the best interests of public health, safety, welfare, and property and the environment.

1.10.1.1 A person aggrieved by a final decision of the bureau on a request for variance may appeal to the circuit court within 21 days of the decision.

History: 2014 AACS.

**R 29.6154 Definitions.**

Rule 54. Sections 3.2.1 and 3.2.2 of the LPG code are amended and sections 3.2.2(a), 3.3.21.1(a), and 3.3.21.1(b) are added to the code as follows:

3.2.1 “Approved” means acceptable to the bureau.

3.2.2* “Authority having jurisdiction (ahj)” means the bureau of fire services.

3.2.2(a) “Bureau” means bureau of fire services.

3.3.21.1(a) “Empty container” means a container charged to not more than 5% of its water capacity.

3.3.21.1(b) “Empty piping” means piping or tubing void of any liquid propane.

History: 2014 AACS.

**R 29.6155 Definitions.**

Rule 55. Section 5.2.8.1 (C) of the LPG code is added to the code as follows:

5.2.8.1 (C) Container marking. When the data plate is missing on an installation of an ASME LP-gas container of over 4,000-gallons (15.2 cubic meters) water capacity, in use at a particular location, the bureau shall allow prior bureau LP-gas inspection reports, or facility information sheets to be adequate proof subject to approval by the bureau. The bureau shall allow the owner and operators to stamp, using non-sparking tools, within 12 inches (30.4 centimeters) of the center of the head, to stamp into the container all available pertinent information including serial number, gallon water capacity, manufacturer, or a number issued by the bureau when complying with this subsection.

History: 2014 AACS.

**R 29.6156 Closure of storage vessels.**

Rule 56. Sections 6.6.8, 6.6.8.1, and 6.6.8.2 of the LPG code are added as follows:

6.6.8 Closure of storage tanks. Tanks that are no longer in use for more than 12 months shall be closed.

6.6.8.1 Permanently close an aboveground storage tank. Tanks that are no longer used to store regulated substance shall be permanently closed. To permanently close a tank, the owner or operator shall notify the department, not less than 30 days before the intended closure, on form BFS 3858 provided by the bureau. The tank shall be emptied and disconnected. Piping that is permanently removed from service shall be emptied and capped, or be removed from the ground.

6.6.8.2 Permanent closure of an underground storage tanks. Tanks that are no longer used to store regulated substance shall be permanently closed. To permanently close a tank, the owner or operator shall notify the bureau, not less than 30 days before the actual closure, on form BFS 3858 provided by the bureau. All tanks that are taken out of service permanently shall be removed from the ground or, when a structure above or near the tanks prevents removal, filled with an inert solid material. Piping that is permanently removed from service shall be emptied and capped, or be removed from the ground.

History: 2014 AACS.