ALABAMA LIQUEFIED PETROLEUM GAS BOARD
ADMINISTRATIVE CODE

CHAPTER 530-X-2
RULES AND REGULATIONS OF THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD

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530-X-2-.01 Purpose.

The Board shall have the power to make and enforce rules and regulations governing the design, construction, location, installation, and operation of containers, tanks, systems, and equipment for storing, utilizing, handling, and transporting liquefied petroleum gases and rules to secure the substantial accuracy of all meters, safety devices, and regulators generally used in connection with such gases. Said rules and regulations shall be such as are reasonably necessary for the protection of

the health and safety of the public and persons using such gases, and shall be adopted only after a public hearing thereon. All rules and regulations shall be posted on the Board's website and available for download by the public. The Board will provide upon request a printed copy of the rules and regulations to any entity lacking the resources to access the Board's website. Any time that the rules and regulations are altered in any way, the revisions shall be posted on the website within 30 days and all liquefied petroleum gas permit holders shall be notified in writing to review the regulations online for said revisions. The board may adopt as its own rules the published regulations of the National Fire Protection Association or any other nationally recognized agency covering the same subject by reference thereto. All rules and regulations so adopted by the Board shall become effective 30 days after adoption thereof. Acts 1965, No. 220, p. 305, §5.
Author: Leonard Pakruda, Mark Nelson
Statutory Authority: Code of Ala. 1975, §§9-17-105 as amended.
History: Filed September 13, 1982. **Amended:** Filed May 12, 2010; effective June 16, 2010.

530-X-2-.02 Definitions.

As used in these regulations, the following words and phrases shall have the following meanings, respectively, unless the context clearly indicates otherwise,

(1) Authority Having Jurisdiction. Alabama Liquefied Petroleum Gas Board.

(2) Board. The Alabama Liquefied Petroleum Gas Board.

(3) Branch. A local unit of an LP-gas business that is one or more of the following: a division or subdivision or a person doing business under a name other than the Class A permit holder’s name; a place where the day-to-day retail operations of an LP-gas business are conducted and at which at least three of the following activities occur or conditions exist: sales of appliances, orders are taken for LP-gas repair and service; orders are taken to refill LP-gas systems either by phone or in person; employees are present during a normal workday; or a place that requires a city or county license to conduct business.

(4) LP. Liquefied petroleum gas.

(5) LPG. Liquefied petroleum gas.

(6) LP-Gas. Liquefied petroleum gas.

(7) Liquefied Petroleum Gas. Any material having vapor pressure not exceeding that allowed for commercial propane

composed predominantly of the following hydrocarbons either by themselves or as mixtures: Propane, propylene, butanes (normal butane or isobutane), and butylenes.

(8) Liquefied petroleum gas recovery fund. A cash surety fund designated to ensure compliance of LP-Gas laws, rules and regulations adopted by the LP-Gas Board.

(9) Liquefied petroleum gas research and education fund. A fund created to finance activities relating to research, development, and the implementation of marketing, advertising, and informational programs relating to LP-gas directed toward the consumer as well as for the education of industrial members and employees.

(10) Liquefied Petroleum Gas System. Any assembly consisting of one or more containers with a means for conveying LP-gas from the container(s) to dispensing of consuming devices (either continuously or intermittently) and which incorporates components intended to achieve control of quality, flow, pressure, or state (either liquid or vapor).

(11) Person. Every natural person, firm, copartnership, association, or corporation.

(12) Red Tag. A red card or device containing an official printed notice of the condemnation of a liquefied petroleum gas system or any connected or disconnected LP-gas component, LP-gas storage container, LP-gas container appurtenance, of LP-gas motor vehicle, transport, or delivery unit placed as a result of a violation of the liquefied petroleum gas safety code provisions and regulations, or as a result of a mechanical defect found on the LP-gas motor vehicle, transport, or delivery unit that could cause a danger to the public if allowed to continue to operate. When attached to a system or to any connected or disconnected LP-gas component, LP-gas storage container, LP-gas appurtenance, motor vehicle, transport, or delivery unit a red tag is official notice of condemnation and of the prohibition of further use, so long as the red tag remains affixed by law.

Author: Leonard Pakruda
Statutory Authority: Code of Ala. 1975, §§9-17-100, 9-17-102; 9-17-103 through 106, 9-17-109.
History: History: September 13, 1982. **Amended:** Filed April 14, 1995, effective May 15, 1995.

530-X-2-.03 Metering Device Calibration Requirements.

(1) Before any person, firm or corporation shall engage or continue in the business of selling or dispensing liquefied petroleum gas by tank truck through liquid measurement, they shall

be required to furnish a suitable type of meter equipped with an automatic temperature compensator to adjust the indication and registration of the measured volume of product to the volume at 15 degree C (60-degree F) for the dispensing of liquefied petroleum gas. Entities calibrating these meters must also furnish the Board written certification of the substantial accuracy of said meters. Meters shall be calibrated in compliance with National Institute of Standards and Technology NIST Handbook 44 2016 Section 3.32. This certification is to be provided annually. The Board will notify any person, firm or corporation sixty (60) days in advance of the due date of the next certifying report. The person, firm or corporation will be given the name or names of agencies approved by this Board to certify substantial accuracy of said meters and its system.

(2) LP-gas meters installed at stationary filling stations that are used for the purpose of metering LP-gas sales shall be calibrated in compliance with National Institute of Standards and Technology NIST Handbook 44 2016 Section 3.32. Calibration shall be required at intervals of each two hundred thousand (200,000) gallons or every five (5) years, whichever comes first.

(3) The certifying agent shall seal the meter and automatic temperature compensator, where installed, with a tamper-evident seal.

(4) If for any reason a meter seal is broken, the dealer-owner shall notify his meter certifying agent and then notify the LP-Gas Board as to when the meter certifying agent will be able to reseal the meter. The dealer-owner shall make these notifications as soon as possible but not to exceed five (5) workdays after the broken meter seal has been found. The certifying agent shall recalibrate and reseal the meter if recalibration is required or reseal the meter if a calibration is not required. When corrective action is completed, the meter prover shall notify the LP-Gas Board in writing of the action taken to bring the meter into compliance with state regulations. The affected meter equipment should be brought into compliance within 30 days after the Board has been notified of the broken seal. If the meter has not been resealed within thirty (30) days after the Board received its first notification of the broken meter seal, the Board administrator shall determine if proper action has been taken to reseal the meter. If proper action has been taken, the Board administrator may then authorize a limited extension of time to reseal the meter.

(5) The expense or expenses of said services shall be borne by persons, firms or corporations affected by this rule.
Author: Leonard Pakruda, Robert E. Reed
Statutory Authority: Code of Ala. 1975, §9-17-105.
History: Filed September 13, 1982. **Amended:** Filed April 4, 1985. **Amended:** Filed July 8, 2016; effective August 22, 2016.

530-X-2-.04 Procedures For Liquefied Petroleum Gas Filling Stations.

DOT cylinders with a water capacity of less than 250 pounds shall be charged at cylinder filling plants or from mobile units specially designed and equipped for cylinder filling as specified in this regulation.

(a) All DOT cylinders of less than 250 water pound capacity shall be charged by weight only except those cylinders into which is dispensed fuel for motor fuel purposes used on the premises and not transported in commerce as defined by *Code of Federal Regulations* Title 49.

(b) All retail off-premises cylinder filling stations shall be plainly marked as follows:

Name of LP-Gas Station Owner
Board License or Permit Number
Emergency Telephone Number

(c) It shall be the responsibility of permit holders to ensure that only trained, qualified personnel fill LP-gas cylinders or containers.

Personnel filling cylinders shall deny service to any customer refusing or lacking the means to transport a cylinder(s) in accordance with LP-Gas codes adopted by the Alabama LP-Gas Board.

(d) All LP-gas motor fuel filling stations shall have a sign displayed that is legible and in plain view of the general public. The sign shall read, "All motor vehicles licensed in Alabama that use LP-gas as a motor fuel are required by law to have displayed, a current LP-gas motor fuel decal purchased through the Alabama LP-Gas Board. The price of the decal covers the Alabama Motor Fuel Tax for the year of issuance. Operation of an LP-gas powered vehicle licensed in Alabama, upon the public roads and highways of Alabama, without the required decal constitutes a Class B misdemeanor (Code of Ala. 1975, Section 40-17-161).

(e) Mobile units specially designed for cylinder filling must be equipped as follows:

1. The mobile unit must be equipped with a single delivery hose not exceeding twenty-five (25) feet in length.

2. There must be an excess-flow valve installed at the delivery hose-to-pipe connection with a flow rate not exceeding twenty-five (25) gallons per minute.

3. For the filling of other than motor fuel cylinders, properly functioning scales must be present for use.

4. All electrical wiring and components must comply with NFPA 70 National Electrical Code or Code of Federal Regulations Title 49 (CFR 49), whichever is applicable.

5. Points of transfer must be in compliance with the edition of NFPA 58 LP-Gas Code currently adopted by the board.

Author: Leonard Pakruda, Mark Nelson
Statutory Authority: Code of Ala. 1975, §9-17-105, as amended. **History:** Filed September 13, 1982. **Amended:** Filed October 2, 1986. **Amended:** Filed May 12, 2010; effective June 16, 2010. **Amended:** Filed July 2, 2014; effective August 6, 2014. **Amended:** Filed October 9, 2015; effective November 13, 2015.

530-X-2-.05 Reporting Incidents/Vehicle Accidents/ Complaints.

(1) Alabama L-P Gas Board permit holders are directed and required to report to the board the following:

(a) Fires and explosions in structures equipped with an LP-gas system operational at the time of the incident or incidents involving any uncontrolled release of LP-gas must be reported to the Alabama LP-Gas Board. Upon discovery, the permit holder shall report such incidents by telephone communication followed by written communication on a form provided by the board. All information requested must be provided in order that the administrator of the board may determine if further investigation is warranted. The incident scene shall not be disturbed by a permit holder except as directed by emergency or law enforcement responders at the scene or by a representative of the Alabama LP-Gas Board.

(b) Vehicle accidents involving LP-gas cargo tank vehicles must be reported to the Alabama LP-Gas Board. Such accidents shall be reported as soon as possible by telephone communication followed by written communication on a form provided by the board. All information requested must be provided to assist the administrator of the board in determining necessary action.

(c) Complaints of defective installations or other problems with customer LP-gas systems which the permit holder cannot correct and resolve must be reported to the Alabama LP-Gas Board. In addition to board reporting requirements, the permit

holder must also provide the affected customer with the necessary board form to file a complaint with the Alabama LP-Gas Board.

(2) Complaints must be filed on a form provided by the board. Anonymous complaints will not be accepted or investigated. Complaints related to the following will not be investigated as they are outside the jurisdictional authority of the board:

(a) LP-gas price;

(b) Contract disputes;

(c) Billing disputes;

(d) Refusal of service, delivery, or customer enrollment by LP-gas companies; or

(e) Alleged installation code violations that no longer exist.

Author: Mark Nelson, Leonard Pakruda
Statutory Authority: Code of Ala. 1975, §9-17-105, as amended. **History:** September 13, 1982. **Amended:** Filed May 12, 2010; effective June 16, 2010. **Repealed and New Rule:** Filed October 9, 2015; effective November 13, 2015.

530-X-2-.06 Storage And Handling Of Liquefied Petroleum Gas Codes.

(1) That the publication designated as NFPA 58, published by National Fire Protection Association, be adopted as a part of the rules and regulations of the Alabama Liquefied Petroleum Gas Board; provided, however, that existing rules of the Board that conflict with NFPA 58 shall not be repealed by the adoption of this rule.

(a) That any supplementary rules and regulations to said NFPA 58 adopted by the National Fire Protection Association at some future date must also be adopted by the Alabama Liquefied Petroleum Gas Board prior to enforcement in Alabama. NFPA 58 (2020 Edition) in its entirety, is the current edition adopted by the Board with the following sections amended to read:

3.3.12 Cargo Tank. A container that is used to transport LP-Gas as liquid cargo that either is mounted on a conventional truck chassis or is an integral part of a cargo transporting vehicle. Cargo tanks shall not be used as permanent stationary storage containers.

3.3.18 Cylinder. A container designed, constructed, tested, and marked in accordance with U.S. Department of Transportation specifications, Title 49, Code of Federal

Regulations, or in accordance with a valid DOT special permit.

3.3.44 Liquefied Petroleum Gas (LP-Gas). Any material having a vapor pressure not exceeding that allowed for commercial propane that is composed predominantly of the following hydrocarbons, either by themselves or as mixtures: propane, propylene, butane (normal butane or isobutane), and butylenes.

4.3.3.1 Notification of intent for transfer of LP-Gas directly from railcar to cargo tank shall be submitted to the authority having jurisdiction before any transfer.

4.3.3.2 The authority having jurisdiction shall have the authority to require inspection of the site or equipment for such transfer prior to any transfer.

6.4.4.6 The horizontal distance between the portion of a building that overhangs out of the building wall and an ASME container of 125 gal. or more water capacity shall comply with the following:

1. The horizontal distance shall be measured from a point determined by projecting the outside edge of the overhanging structure vertically downward to grade or other level upon which the container is installed.

2. The horizontal distance specified in 6.4.4.6(1) shall be at least 50 percent of the separation distance required in Table 6.4.1.1.

3. The horizontal distance requirement shall apply only when the overhang extends more than 5 ft from the building.

4. The horizontal distance requirement shall not apply when the overhanging structure is 50 ft or more above the relief valve discharge outlet.

5. The horizontal distance requirement shall not apply to ASME containers of2001 gal through 30,000-gal water capacity where the container distance from a building is in accordance with 6.30.2

7.2.2.2 Refusal to fill a container based on rejection criteria established by code shall be deemed sufficient notification to a container owner or user that the container is not in compliance with applicable codes

12.3.5.4 Deleted.

Author: Leonard Pakruda, Mark Nelson, Ken Coker, Robert Reed

Statutory Authority: Code of Ala. 1975, §9-17-103, as amended. **History:** Filed September 13, 1982. **Amended:** Filed January 10, 2013; effective February 14, 2013. **Amended:** Filed July 25, 2013; effective August 29, 2013. **Amended:** Filed April 11, 2014; effective May 16, 2014. **Amended:** Published October 29, 2021; effective December 13, 2021.

530-X-2-.07 Liquefied Petroleum Gas Motor Fuel Carburetion Equipment.

That all component appurtenances either used or sold to supply liquefied petroleum gas as a fuel to any internal combustion engine from the motor fuel container withdrawal valve to the engine intake manifold which is to include the automatic shutoff valve, the supply piping, regulation, vaporization, gas-air mixing and carburetion equipment shall be approved by means of labeling or listing by a recognized laboratory or by a means that is acceptable to the authority having jurisdiction. The standard carburetor for an internal combustion engine may be used as an integral part of the liquefied petroleum gas conversion system.

(a) A proper permit as prescribed by Act No. 220, Regular Session 1965, as amended by Act No. 435, Regular Session 1979, shall be secured before any persons, firms, or corporations shall engage in the business of installing, servicing, repairing or adjusting any liquefied petroleum gas carburetion equipment that is used to supply fuel to any internal combustion engine.

(b) A permit shall not be required for the manufacturers of internal combustion engines who install approved liquefied petroleum gas carburetion equipment and/or components appurtenances as part of the internal combustion engine manufacturing process, provided that no liquefied petroleum gas fuel supply shall be connected.

(c) A permit shall not be required for any person, firm or corporation who is in the business of repairing and/or overhauling internal combustion engine equipped with liquefied petroleum gas carburetion components, provided that during the repair and/or overhaul process no liquefied petroleum gas fuel line or fuel system shall be disconnected. This shall not relieve any person, firm, or corporation from the responsibility of performing the proper leak checks to the liquefied petroleum gas carburetion components that might have been disturbed during the repair and/or overhaul process.

Author: Mark Nelson, Leonard Pakruda
Statutory Authority: Code of Ala. 1975, §9-17-105, as amended. **History:** Filed September 13, 1982. **Amended:** Filed May 12, 2010; effective June 16, 2010.

530-X-2-.08 Liquefied Petroleum Gas Piping And Appliance Codes.

(1) That the publication designated as NFPA 54, published by the National Fire Protection Association, be adopted as a part of the rules and regulations of the Alabama Liquefied Petroleum Gas Board; provided, however, that existing rules of the board that conflict with NFPA 54 shall not be repealed by the adoption of this rule.

(2) That any supplementary rules and regulations to said NFPA 54 adopted by the National Fire Protection Association at some future date must also be adopted by the Alabama Liquefied Petroleum Gas Board prior to enforcement in Alabama. NFPA 54 (2021 Edition), in its entirety, is the current edition adopted by the board with sections

8.2.3 Leak Check and 9.1.22 Existing Appliances modified to read as follows: 8.2.3 Leak Check. Immediately after the gas is turned on into a new system or into a system that has been initially restored after an interruption of service, the complete gas piping system and connected appliances or equipment shall be checked for leakage. Where leakage is indicated, the gas supply shall be shut off until the necessary repairs have been made.

9.1.22 Existing Appliances. Deleted.

Author: Leonard Pakruda, Mark Nelson
Statutory Authority: Code of Ala. 1975, §9-17-103.
History: Filed September 13, 1982. **Amended:** Filed July 8, 2016; effective August 22, 2016. **Amended:** Published October 31, 2022; effective December 15, 2022.

530-X-2-.09 Inspection Of Underground And 200 Type LP-Gas Storage Containers.

That no new LP-gas container with a working pressure of less than that required for a 200-type container shall be installed in the State of Alabama. No used underground container shall be installed or reinstalled in the State of Alabama except when the container has been duly inspected and approved by the Alabama Liquefied Petroleum Gas Board.

Author:
Statutory Authority: Code of Ala. 1975, §9-17-105.
History: Filed September 13, 1982.

530-X-2-.10 Time Limits For Submitting/Completing LP-Gas Permit Applications.

(1) Following the application of a person, firm or corporation to engage in any LP-gas business in the State of Alabama as detailed in the various permits of Code of Ala. 1975, §9-17-105(b), there shall be a lapse of time deemed necessary by the Board's administrator, but not to exceed thirty (30) days, between date of receipt by the Board administrator of the application complete in all respects and the date of consideration of the application by the Board at its next regular scheduled meeting. This time lapse will be used by the Board administrator to ascertain the completeness of the application and the accuracy of the information submitted on the application.

(2) From the time the application is mail stamped received by the Board staff, the applicant will be given a maximum of 180 days to comply with all regulations for the considered issuance of the permit; otherwise, the application will become null and void. Once the application is voided, the applicant must begin the application process anew including new application fees. The 180-day rule shall not begin for Class A permit applications until their initial application is approved by the Board.
Author: Leonard Pakruda, Mark Nelson
Statutory Authority: Code of Ala. 1975, §9-17-103.
History: Filed September 13, 1982. **Amended:** Published July 30, 2021; effective September 13, 2021.

530-X-2-.11 Employee Competency Requirements.

(1) Effective April 3, 2017, employees of Alabama LP-Gas Board permit holders must successfully complete applicable written competency examinations and/or practical evaluations administered by the board in order to perform LP-gas job functions regulated by the board in the State of Alabama. Successful completion of a written competency examination and/or practical evaluation for a specific job function shall be communicated by an endorsement credential on an *Employee Competency Card* issued by the board. An employee may perform job functions prior to acquiring an endorsement credential if actively supervised. Active supervision occurs when a supervisor is present during the performance of the job function. The active supervisor must have completed board requirements to perform that particular job function.

(2) Employees seeking endorsement credentials for specific job functions must apply for written competency examination and/or practical evaluation on a form provided by the board. Written competency examinations and practical evaluations will be

scheduled and proctored by board staff. Employees may add endorsement credentials as their job functions evolve and dictate, but the credentials must be acquired prior to performing new job functions unsupervised.

(3) A score of 70 percent or higher shall constitute successful completion of written competency exams. Successful completion of a practical evaluation shall be determined by the board inspector performing said evaluation. An examinee may appeal a failed practical evaluation to the board administrator and board respectively.

(4) Endorsement credentials earned under this regulation are transferrable with changes in employment, provided new employment is within three years and with an entity permitted by the Alabama Liquefied Petroleum Gas Board to perform said job function(s). Following employment separation, endorsement credentials not transferred within a three-year time period are void and must be reacquired in accordance with this regulation. Transfer of endorsement credentials must be accomplished by the issuance of an updated Employee Competency Card from the board.

(5) Employees must obtain endorsement credentials by completing the following requirements for applicable job functions they will perform unsupervised. The requirements for each job function shall be a written competency exam and/or a practical evaluation. Endorsement credentials are only valid with employment under specific permits as detailed below:

(a) Bobtail Driver…Written Exam…(A & B-1 Permits)

(b) Bulk Plant Installation/Repairs…Written Exam…(A, B-1, & D Permits)

(c) Cargo Tank Inspection…Practical Evaluation…(A, B-1, & C-2 Permits)

(d) Cylinder & Motor Fuel Dispensing…Written Exam & Practical Evaluation…(A, B-1, F, & F-1 Permits)

(e) DOT Cylinder Requalification…Practical Evaluation…(A, B-1, & C-2 Permits)

(f) Legal Compliance (Mandatory for all test applicants)… Written Exam…(All Permits)

(g) Engine Fuel Systems…Written Exam…(A, B-1, & C-1 Permits)

(h) Meter Calibration…Practical Evaluation…(E Permits)

(i) Railcar Loading/Unloading…Practical Evaluation…(A, B-1, & B Permits)

(j) Service Technician (Recreational Vehicles)…Written Exam…(A, B-1, & C Permits)

(k) Service Technician (Residential & Commercial)…Written Exam…(A, B-1, & C Permits)

(l) Tank Install/Removal/Inspect (Non-Bulk Plant)…Written Exam…(A & B-1 Permits)

(m) Transport Driver…Written Exam…(A, B-1, & B Permits)

(6) For written competency examinations certain resource materials are allowed for use during the exam. However, any examinee caught writing in resource materials or otherwise attempting to transcribe or record any part of the written exam will be failed and dismissed from the examination. The resource material(s) will be retained by the exam proctor as evidence and returned at the proper time. Those dismissed from the examination must wait 90 days to reapply for examination. Examinees dismissed from the examination that refuse to yield the resource material(s) in question shall not be eligible to reapply for future examinations. The following resource materials will be allowed during examination but they will not be supplied by the Alabama LP-Gas Board:

(a) NFPA 58 (Current Adopted Edition)

(b) NFPA 54 (Current Adopted Edition)

(c) NFPA 1192 (Current Adopted Edition)

(d) Code of Federal Regulations Title 49 (49 CFR)

(e) Alabama LP-Gas Board Administrative Code

(f) Alabama LP-Gas Board Laws

(7) Written competency examinations, regardless of the number of endorsement credentials sought, shall be limited to four hours per day for each examinee. Endorsement credentials may be obtained in stages if necessary.

(8) This administrative code is not retroactive, and it shall not apply to permit holders and their employees that met board requirements to work unsupervised prior to adoption of this regulation. However, employees changing employment after adoption of this code or those who failed to successfully complete prior board testing and/or practical evaluation requirements must meet the requirements of this regulation as if a new employee in the industry.

(9) If any part of this regulation is declared invalid or unconstitutional, such declaration shall not affect the part which remains.
Author: Leonard Pakruda, Alabama LP-Gas Board Rules & Regulation Committee, 2016
Statutory Authority: Code of Ala. 1975, §9-17-103.
History: Filed September 13, 1982. **Amended:** Filed July 10, 1997; effective August 14, 1997. **Repealed and New Rule:** October 13, 2016; effective November 28, 2016; operative April 3, 2017.

530-X-2-.12 Class A Permit Applicants - Specific Requirements.

(1) New Class A permit applicants not holding another Class A permit in Alabama shall not begin any business activities until their permit is approved by the board and advised in writing by the Administrator. Business activities include, but are not limited to, advertising, construction, sales, or deliveries.

(2) New applicant(s) shall appear before the board at such time as their application is considered. Persons other than the person(s) whose signature appears on the application may be required to appear before the board in consideration of the application. All persons required to appear shall be expected to explain and support their application and experience in any manner which members of the board deem relevant to carry out their responsibility to protect the health and safety of the public. Application, attachments, and board hearings shall attempt to resolve the question of the applicant's qualifications to enter the retail LP-gas business. Factors to be considered and prerequisite requirements are as follows:

(a) Applicant’s experience and knowledge of the LP-gas industry. The owner applicant, or designated employee representative, must have previous retail experience under a Class A permit holder or comparable out-of-state business for a period of at least five years to be verified by the administrator of the board.

(b) Applicant’s knowledge, technical ability, and adherence to safety standards adopted by the board. Prior to board consideration, the owner applicant, or a designated employee representative, must demonstrate safety knowledge and experience by obtaining through board examination the following employee competency endorsement credentials regardless of whether these specific tasks will initially be performed under the permit:

1. Bobtail Driver

2. Bulk Plant Installation/Repairs

3. Cylinder & Motor Fuel Dispensing

4. Legal Compliance

5. Service Technician (Residential & Commercial)

6. Tank Install/Removal/Inspect

(c) Applicant's proposed facilities and equipment.

(d) Other factors the board may deem important and relevant in qualifying persons as LP-gas dealers.

(3) After initial approval of a Class A permit application by the board, the following items must be completed, inspected, and approved within 180 days and prior to the board administrator issuing a final permit:

(a) A bulk storage plant for use by the permit holder with a minimum amount of qualifying storage totaling 30,000 gallons water capacity in compliance with Code of Ala. 1975, §9-17-107. If the container is leased, it must be for the exclusive use of the applicant and their customers and not shared as qualifying storage with another permit holder.

(b) All cargo tank delivery vehicles to be used in the business, if applicable.

(c) Any cylinder filling dispensers placed in operation by the permit holder, if applicable.

(d) Submission to the board administrator of training records and written experience for each employee specific to the job tasks they will perform.

(e) Applicant's employees must obtain endorsement credentials specific to the job tasks that each will perform unsupervised as detailed in *Alabama Administrative Code 530-X-2-.11 Employee Competency* Requirements

(4) Any person may testify at board hearings on pending applications. Persons desiring to testify should notify the board administrator in writing at least twenty-four (24) hours prior to the board meeting in which the application is to be heard.

If any part of this regulation is declared invalid or unconstitutional, such declaration shall not affect the part which remains.
Author: Leonard Pakruda, Mark Nelson
Statutory Authority: Code of Ala. 1975, §9-17-105.
History: Filed September 13, 1982. Adopted January 7, 1993.
Amended: Filed February 6, 1997; effective March 13, 1997.
Amended: Filed October 13, 2011; effective November 17, 2011.

Repealed and New Rule: Filed July 5, 2018; effective August 19, 2018. **Amended:** Published October 29, 2021; effective December 13, 2021.

530-X-2-.13 Permit Applications (Repealed 8/6/14).

(REPEALED)
Author:
Statutory Authority: Code of Ala. 1975, §9-17-105.
History: Filed September 13, 1982. **Amended:** Filed October 5, 1984. **Repealed and Replaced:** Filed April 14, 1995; effective May 19, 1995. **Repealed:** Filed July 2, 2014; effective August 6, 2014.

530-X-2-.14 Liquefied Petroleum Motor Fuel Flat Rate Fees (Repealed 8/6/14).

(Repealed)
Author:
Statutory Authority: Code of Ala. 1975, §9-17-105.
History: Filed September 13, 1982. **Amended:** Filed July 2, 2014; effective August 6, 2014.

530-X-2-.15 Qualifications Of Persons Performing Work On LP-Gas Systems.

(1) In the interest of safety and for the protection of life and property, it shall be required of any end user or person who authorizes the maintenance and/or repair, installation, adjustment, and servicing of liquefied petroleum gas appliances, containers, and/or systems in the State of Alabama to insure that any person, firm or corporation that they may employ and/or authorize to make such repair has a current Class A or Class C permit issued by the Alabama Liquefied Petroleum Gas Board to perform maintenance and/or repairs, installation, adjustments, and/or servicing of any liquefied petroleum gas appliances, containers, and/or systems.

(2) It is unlawful for any person, firm, or corporation to repair, install, adjust, and/or service any liquefied petroleum gas appliances, components, containers, and/or systems in this state unless such person has first met all of the lawful requirements and has first obtained a valid permit issued by the Alabama Liquefied Petroleum Gas Board.

(3) Any person, firm or corporation violating any provision of this regulation, upon conviction, shall be subject to penalties as prescribed by Code of Ala. 1975, §9-17-109(a).

(4) If any part of this regulation is declared invalid or unconstitutional, such declaration shall not affect the part which remains.
Author: Mark Nelson
Statutory Authority: Code of Ala. 1975, §9-17-105.
History: Filed July 12, 1985. **Amended:** Filed May 12, 2010; effective June 16, 2010.

530-X-2-.16 LP-Gas Containers/Replacement/Removal/Repair.

(a) LP-gas containers that are leased or loaned to customers by Class A or B-1 permit holders must be removed from lessee's property within 90 days after notification from the lessee or duly authorized legal representative that the container is no longer desired. The Administrator of the Alabama LP-Gas Board may issue an exemption in writing beyond the 90-day limit for extenuating circumstances.

(b) If a Class A or B-1 permit holder disconnects and/or replaces an LP-gas container owned by another Class A or B-1 permit holder, the following conditions apply:

1. The Class A or B-1 permit holder that disconnects or moves the original tank must cap or plug either the service valve or regulator outlet on the tank being disconnected.

2. The Class A or B-1 permit holder that disconnects and moves the original tank must make sure that the disconnected tank is left in an upright position, substantially level, and on a firm masonry foundation.

(c) No person shall install, repair, pump product into, or extract product from a LP-gas container without written authorization from the owner of the tank, or at the direction of an emergency response agency such as the fire or police department. A lessee cannot grant such authority. The burden of determining proper ownership of a container is on the entity desiring to install, repair, pump product into, or extract product from a LP-gas container of questionable ownership.

(d) LP-gas containers owned by Class A or B-1 permit holders must be clearly marked with "Property of _____ Telephone Number _____" in order for allegations of illegal installation, repair, filling, or extracting of LP-gas product to be investigated by the Alabama Liquefied Petroleum Gas Board.

(e) Any entity that repairs an LP-gas storage container must be qualified and properly permitted by the Alabama Liquefied Petroleum Gas Board.

Author: Alabama LP-Gas Board Rules and Regulations Committee, 2011
Statutory Authority: Code of Ala. 1975, §9-17-103.
History: Emergency Adoption: Filed October 4, 1985. Permanent Adoption: Filed January 9, 1986. **Repealed:** Filed August 4, 1994; effective September 8, 1994. **New Rule:** Filed July 29, 2011; effective September 2, 2011.

530-X-2-.17 LP-Gas Fee Rate.

(1) Code of Ala. 1975, §9-17-106 authorizes the Alabama Liquefied Petroleum Gas Board to collect an LP-gas fee on each gallon of LP-gas sold or otherwise exchanged in the State of Alabama. The board is authorized to lower or raise the LP-gas fee, but at no time may the board raise the fee above the rate of one-half of one cent per gallon. Effective October 1, 2018, the LP-gas fee rate is one-half of one cent (.005) per gallon.

Author: Mark Nelson
Statutory Authority: Code of Ala. 1975, §9-17-103, as amended.
History: Filed July 12, 1991. **Repealed:** Filed May 12, 2010; effective June 16, 2010. **New Rule:** Filed July 25, 2013; effective August 30, 2013. **Repealed:** Filed October 9, 2015; effective November 13, 2015. **New Rule:** Filed July 5, 2018; effective August 19, 2018.

530-X-2-.18 Reciprocity With Alabama Plumbers And Gas Fitters Examining Board.

(1) An individual who holds a current Master Gas Fitter card from the Alabama Plumbers and Gas Fitters Examining Board ("Gas Fitters Board") may apply for reciprocity from the Alabama Liquified Petroleum Ga Board ("LP Gas Board") to obtain *an Employee Competency Card with Service Technician (Residential and Commercial)* and *Legal Compliance* endorsements under the following conditions:

(a) The reciprocity shall only fulfill the written examination requirements of the LP Gas Board as outlined in *Alabama Administrative Code 530-X-2-.11 Employee Competency Requirements* to obtain an *Employee Competency Card with Service Technician* (Residential and Commercial) and Legal Compliance endorsements.

(b) Master Gas Fitters seeking to take advantage of this reciprocal agreement must either be already employed by an existing Class A, B-1, or C permit holder with the LP Gas

Board, or they must obtain a Class C permit from the LP Gas Board in conjunction with the *Employee Competency Card*. All application requirements as detailed in the *Alabama Administrative Code* must be completed.

(2) Applicants must provide copies of their Master Gas Fitter card for verification that it is current and in good standing with the Gas Fitters Board.

(3) The LP Gas Board serves the right to refuse reciprocity to any applicant with a negative disciplinary history as documented by the Gas Fitters Board.

Author: Mark Nelson
Statutory Authority: Code of Ala. 1975, §9-17-103.
History: Filed July 12, 1991. **Repealed:** Filed January 21, 1994; effective February 25, 1994. **New Rule:** Published July 29, 2022; effective September 12, 2022.