

APA-1
07/04

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control No. _____ Department or Agency Alabama Liquefied Petroleum Gas Board
Rule No. 530-X-2-.06
Rule Title: STORAGE AND HANDLING OF LIQUEFIED PETROLEUM GAS CODES.
_____ New X Amend _____ Repeal _____ Adopt by Reference _____

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer Mark Nelson

Date 10/17/2012

(DATE FILED)
(STAMP)

APA-2
07/04

ALABAMA LIQUEFIED PETROLEUM GAS BOARD

NOTICE OF INTENDED ACTION

RULE NO. & TITLE:

530-X-2-.06 "STORAGE AND HANDLING OF LIQUEFIED PETROLEUM GAS CODES"

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION: The intent of the proposed amendment to this regulation is to adopt section 2-3.1.5 of the 1998 Edition of NFPA 58 that was deleted by the Alabama LP-Gas Board when the remainder of the document was adopted January 14, 1999. The section in question requires overfill prevention device valves (OPD) on specified cylinders used to transport LP-gas.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held January 10, 2013 at 10:00 a.m., in the 2nd floor conference room located at the Alabama Liquefied Petroleum Gas Board, 777 South Lawrence Street, Montgomery, AL 36104. Copies of the proposed rule(s) can be obtained at www.lpgb.alabama.gov.

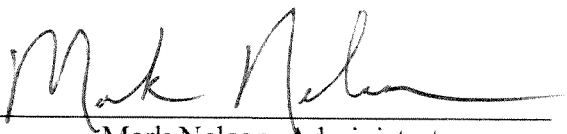
All interested parties may present their views in writing to the Administrator of the Alabama Liquefied Petroleum Gas Board, P.O. Box 1742, Montgomery, AL 36102-1742, (334-242-5649) Individuals desiring may also appear in person and present their views orally at the public hearing.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

January 10, 2013 at the scheduled Public Hearing

CONTACT PERSON AT AGENCY:

Mark Nelson, Administrator
777 S. Lawrence St., Suite 100
Montgomery, AL 36104
Telephone: 334-242-5649
Fax: 334-240-2255



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board

530-X-2-.06 STORAGE AND HANDLING OF LIQUEFIED PETROLEUM GAS CODES. That the publication designated as NFPA No. 58, 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 No. 58 shall not be repealed by the adoption of this rule.

- (a) That any supplementary rules and regulations to said NFPA ~~Pamphlet~~ No. 58 adopted by the National Fire Protection Association at some future date ~~shall~~ must also be adopted by ~~this~~ the Alabama Liquefied Petroleum Gas Board prior to enforcement in Alabama. NFPA 58 (1998 Edition), in its entirety, is the current edition adopted by the Board.

Authors: Leonard Pakruda, Mark Nelson, Ken Coker

Statutory Authority: Code of Ala. 1975, §9-17-103, as amended.

History: September 13, 1982. **Amended:** Filed May 12, 2010; Effective June 16, 2010.

Amended: _____ **Effective:** _____