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**Rules of**  
**Department of Agriculture**  
**Division 90—Weights and Measures**  
**Chapter 10—Liquefied Petroleum Gases**

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**Title 2—DEPARTMENT OF  
AGRICULTURE  
Division 90—Weights and Measures  
Chapter 10—Liquefied Petroleum  
Gases**

**2 CSR 90-10.001 Definitions and General Provisions**

*PURPOSE: This rule reflects the terms of the Missouri Propane Gas Commission.*

(1) Definitions. The following words and phrases shall mean:

(A) "Affiliated industry," any person or firm engaged in the manufacturing, assembling, and marketing of appliances, containers, and products used in the propane industry, the interstate or intrastate transportation or storage of propane, the installation or design of propane piping systems, or other such affiliation with the commercial, residential, or agricultural use of propane by consumers in Missouri;

(B) "Commission," the Missouri Propane Gas Commission;

(C) "Compressed natural gas" (CNG), a mixture of hydrocarbon gases and vapors, consisting principally of methane in gaseous form that has been compressed for use as a vehicular fuel;

(D) "Director," the executive director of the commission;

(E) "Director of the Missouri Department of Agriculture," the director of the Missouri Department of Agriculture or their designee;

(F) "Dispensing station," a system of compressors, safety devices, cylinders, piping, fittings, valves, regulators, gauges, relief devices, vents, installation fixtures, and other compressed natural gas equipment intended for use in conjunction with motor vehicle fueling by compressed natural gas but does not include a natural gas pipeline located upstream of the inlet of the compressor;

(G) "Liquefied petroleum gas," any material which is composed predominantly of any of the following hydrocarbons, or mixtures of the same: propane, propylene, butanes (normal butane or isobutane), and butylenes;

(H) "Motor vehicle," all vehicles except those operated on rails which are propelled by internal combustion engines and are used or designed for use in the transportation of a person or persons or property;

(I) "Person," any individual, group of individuals, partnership, association, cooperative, corporation, or any other entity;

(J) "Producer," the owner of the propane at the time it is recovered at a manufacturing facility, irrespective of the state where production occurs;

(K) "Propane," propane, butane, mixtures of propane and butane, and liquefied petroleum gas, as defined by the National Fire Protection Association Standard 58 for the storage and handling of liquefied petroleum gases;

(L) "Public member," a member of the commission who is a resident of Missouri, is a user of odorized propane, and is not related by the third degree of consanguinity to any retailer or wholesale distributor of propane;

(M) "Retail marketer," a business engaged primarily in selling propane gas, its appliances, and equipment to the ultimate consumer or to retail propane dispensers;

(N) "Transport," combination vehicle or vehicle used to haul propane for non-metered delivery; and

(O) "Wholesaler," "broker," or "reseller," a seller of propane who is not a producer and who does not sell propane to the ultimate consumer.

*AUTHORITY: section 323.010, RSMo Supp. 2010.\* Original rule filed Oct. 15, 2008, effective March 30, 2009. Amended: Filed June 13, 2011, effective Jan. 30, 2012.*

*\*Original authority: 323.010, RSMo 1947, amended 1994, 2007.*

**2 CSR 90-10.010 Installing, Metering, Transporting, Licensing for LPG**  
(Rescinded November 11, 1977)

*AUTHORITY: section 323.020, RSMo 1969. Original rule filed Sept. 8, 1969, effective Sept. 18, 1969. Rescinded: Filed July 13, 1977, effective Nov. 11, 1977.*

**2 CSR 90-10.011 Inspection Authority—Duties**

*PURPOSE: This rule sets out the authority and duties of the inspection authority and has been developed in the interest of safety to life and property. These rules do not apply to public utilities regulated by the Missouri Public Service Commission.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference mate-*

*rial. The entire text of the rule is printed here.*

(1) The director is the officer in charge of the safety in the storage, handling, transportation, and use of liquefied petroleum gas of the Missouri Propane Gas Commission referred to as the inspection authority.

(A) The director of the Missouri Department of Agriculture is the officer in charge of the collection of meter inspection fees and liquefied petroleum gas (LP gas) meter inspections.

(2) The inspection authority shall have discretionary authority to require annual leak testing of all LP gas piping systems serving schools, churches, nursing homes, resorts, mobile home parks, public housing, hospitals, amusement parks, summer camps (Boy Scout, Girl Scout, church, etc.), and other public buildings and institutions. It shall be the responsibility of the owner, administrator, superintendent, director, or other responsible person directly associated with any of the piping systems serving any of the listed public buildings, mobile home parks, summer camps (Boy Scout, Girl Scout, church, etc.), amusement parks, and institutions to assume full responsibility to secure the annual leak test of the LP gas system on or before September 1 of each calendar year with the exception of summer camps and amusement parks which shall be completed on or before May 1 of each calendar year. A copy of the test report shall be submitted to the inspection authority within five (5) days after completion of the test. Failure to complete the required annual leak tests may be due cause to consider the LP gas system unsafe for continued use and shall be reason to place the system out-of-service until the time a leak test is completed and the system found to be free of leaks and safe for continued operation.

(3) The standards for storage and handling of LPGs and the standards for the installation of gas appliances and gas piping as published in the National Fire Protection Association publications, Numbers 54, 2009 edition; 58, 2008 edition; and 1192, 2008 edition. All publications are published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269-9101, which are incorporated by reference, and will be adhered to by the inspection authority in the course of administering its duties. This rule does not incorporate any subsequent amendments or additions to the referenced material. These are adopted as rules in 2 CSR 90-10.020, 2 CSR 90-10.040, 2 CSR 90-10.060, and 2 CSR 90-10.090.



(4) For the purpose of ascertaining whether any container or system complies with all rules regulating the storage and handling of LPGs and the installation of appliances and piping—

(A) The inspection authority and/or the authorized agents, deputies and inspectors shall have free access, at reasonable times and upon reasonable notice, to any premises where a LP gas container or system is offered for sale, stored, being repaired, installed or being used; and

(B) Owners, operators, drivers, custodians and occupants of transport vehicles, during reasonable hours and upon reasonable request of the inspection authority, shall permit inspection of that vehicle.

(5) Any person, firm, corporation, or others making LP gas installations or supplying fuel for installations, upon reasonable request, shall furnish reasonable and pertinent information as may be considered necessary by the inspection authority to determine that there is compliance with the rules.

(6) An exception to these regulations may be approved by the inspection authority after sufficient evidence is supplied showing that the exception will provide a level of safety at least equivalent to that contemplated by the regulations.

(7) The provisions of these regulations shall not be construed as prohibiting the continued use of an installation which received the written approval of the inspection authority at the time of installation or was in compliance with safety standards and codes at the time of installation, unless circumstances of a hazardous nature justify correction for the benefit of public safety.

(8) If the director determines that any LP gas container constitutes an immediate danger to the public or property, s/he shall require the immediate removal of liquid and vapor LP gas from the container by a registered LP gas dealer or company. If the director determines that any LP gas appliance, equipment, or system constitutes an immediate danger to the public and property, s/he shall require the immediate disconnection by a registered LP gas dealer or company from the LP gas container.

*AUTHORITY: section 323.020, RSMo Supp. 2010.\* Original rule filed July 13, 1977, effective Nov. 11, 1977. Amended: Filed May 2, 1985, effective Sept. 27, 1985. Amended: Filed March 3, 1989, effective June 29, 1989. Amended: Filed April 3, 1990, effective June 28, 1990. Emergency amendment*

*filed Oct. 15, 2008, effective Oct. 25, 2008, expired April 22, 2009. Amended: Filed Oct. 15, 2008, effective March 30, 2009. Amended: Filed June 13, 2011, effective Jan. 30, 2012.*

*\*Original authority: 323.020, RSMo 1947, amended 1994, 1998, 2005, 2007.*

## 2 CSR 90-10.012 Registration—Training

*PURPOSE: This rule sets forth registration, training, and examination requirements for persons applying for or holding registrations to ensure the safety of life and property.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

(1) As a prerequisite to registration in this state and receiving a numbered certificate of registration to engage in the business of selling at retail liquefied petroleum gas (LP gas), or in the business of handling or transporting LP gas over the highways of this state, or in the business of installing and servicing equipment and appliances for use with LP gas in this state, application shall be made to the director on forms, prescribed for this purpose with such reasonable information as shall be deemed necessary, which may be obtained from the Missouri Propane Gas Commission at (573) 893-1073 and are incorporated by reference.

(2) Registration application approval will be granted upon meeting the requirements as referenced in form MPGC-1201, March 1, 2011, published by the Missouri Propane Gas Commission, 4110 Country Club Dr., Ste. 200, Jefferson City, MO 65109-0302 and incorporated by reference. This rule does not incorporate any subsequent amendments or additions to the referenced material.

(3) All persons applying for registration to engage in the business of handling, storing, or transporting LP gases or in the business of installing, repairing, or servicing piping, equipment, or appliances for use with LP gases shall be properly trained and experi-

enced in the work, familiar with all safety precautions required, and comply with all requirements of Chapter 323, RSMo, and the rules pursuant to it.

(4) Every individual applying for registration to engage in the business of handling, storing, or transporting LP gases or in the business of installing, repairing, or servicing piping, equipment, or appliances for use with LP gases must score at least seventy-five percent (75%) on a written examination administered or authorized by the Missouri Propane Gas Commission before approval of registration will be granted.

(5) Every individual handling LP gases or servicing appliances or equipment within any business involved in handling, storing, or transporting LP gases or involved in the installation, repairing, or servicing of piping, equipment or appliances for use with LP gases must attend and complete an initial training program as defined in 2 CSR 90-10.012(6), including the passing of a written examination. Every individual subject to the requirements of this section shall attend refresher training at least once every three (3) years. New employees shall be trained by their employer until such time that training is available through a training program approved by the director. The employer, or individual if self-employed, is responsible for ensuring compliance with this section.

(6) Each training program's curriculum must be based on the Propane and Education and Research Council (PERC) Certified Employee Training Program (CETP) or equivalent, structured to meet the trainee's needs, and contain information on applicable statutes and regulations governing liquefied petroleum gases. All training programs must be instructor-led by a competent trainer, include hands-on training or a skills assessment, and include an exam which requires a passing score of at least seventy percent (70%) and graded by a third-party grader. Programs must be approved by the commission or its designee initially and resubmitted for review and approval at least once every two (2) years or at such time change has been made; and any training program that, through audit, does not meet the approved training program criteria may be rejected for use by the commission or its designee.

(7) Residents of states other than Missouri who desire to engage in or continue to do business in this state shall submit an application for registration on forms MPGC-1219, MPGC-0910, and MPGC-1136, all published



in 2008, and furnished for this purpose by the director, which may be obtained from the publisher, Missouri Propane Gas Commission at (573) 893-1073, 4110 Country Club Dr., Ste. 200, Jefferson City, MO 65109-0302, which are incorporated by reference. This rule does not incorporate any subsequent amendments or additions to the referenced material. Qualifications and approval for this registration permit will be determined on the basis outlined in Chapter 323, RSMo. The information submitted shall be related to the requirements of this state and any additional provisions required by the LP gas inspection authority of their state residency in determining eligibility for registration.

(8) A registration application shall be filed and approved and a certificate of registration received before commencing operations by the classes described in this section. The registrant shall notify the inspection authority within ten (10) days after discontinuance of his/her individual operations, providing the name of his/her successor organization, if any. The classes are—

(A) Class I—General LP gas operator. The storage, sale, transportation, and distribution of LP gas at retail-wholesale and the installation, service, and repair of appliances, equipment, and piping for use with LP gas. This does not include LP gas carburetion or liquid meter service or repair;

(B) Class II—Installer and servicer of low pressure systems. The installation, service, and repair of appliances, equipment, and piping for use with LP gas. This class applies to only the low pressure portion of the LP gas system downstream of the first stage regulator and those systems addressed in NFPA 54;

(C) Class III—Installer and servicer of high pressure systems. The installation, service, and repair of piping and equipment for use with LP gas. This class applies to only the high pressure and liquid portion of the LP gas system and those systems addressed in NFPA 58;

(D) Class IV—Installer and servicer of high and low pressure. The installation, service, and repair of appliances, equipment, and piping for use with LP gas, the installation of LP gas cylinders and tanks, and the delivery of LP gas cylinders. This class applies to both high and low pressure portions of LP gas systems as addressed in NFPA 54 and NFPA 58;

(E) Class V—LP service station operator (metered sales). The retail operation of an LP gas service station consisting of LP gas storage containers, piping, pumps, and other pertinent equipment utilized to fill portable LP gas containers by weight;

(F) Class VI—LP gas dispenser operator (non-metered sales). The retail operation of an LP gas dispensing station consisting of an LP gas storage container(s), piping, pumps, and other pertinent equipment utilized to fill portable LP gas containers by weight;

(G) Class VII—Cylinder exchange dealer. The operation of an LP gas cylinder exchange business whereby Department of Transportation (DOT) cylinders are stored in a secured cage or area and exchanged with customers (full cylinder for empty cylinder). This does not include the filling of any cylinder or tank on premises;

(H) Class VIII—Cylinder seller and servicer. An operation or business engaged in the filling, distribution, and service of LP gas cylinders;

(I) Class IX—Carburetion system installer and servicer. An operation or business engaged in the installation and services of LP gas carburetion systems; and

(J) Class X—Liquid meter repairer and servicer. The installation, repair, and service of LP gas meters utilized for liquid LP gas deliveries, i.e., bobtail delivery truck meters.

(9) Each registrant shall be issued a certificate of registration which shall bear a permanent identifying number. This certificate shall be on file in the office at the address for which issuance was made.

*AUTHORITY: section 323.020, RSMo Supp. 2010.\* Original rule filed July 13, 1977, effective Nov. 11, 1977. Amended: Filed May 2, 1985, effective Sept. 27, 1985. Amended: Filed March 3, 1989, effective June 29, 1989. Amended: Filed Nov. 13, 1997, effective June 30, 1998. Amended: Filed Dec. 3, 2001, effective June 30, 2002. Emergency amendment filed Oct. 15, 2008, effective Oct. 25, 2008, expired April 22, 2009. Amended: Filed Oct. 15, 2008, effective March 30, 2009. Amended: Filed June 13, 2011, effective Jan. 30, 2012.*

*\*Original authority: 323.020, RSMo 1947, amended 1994, 1998, 2005, 2007.*

## 2 CSR 90-10.013 Installation Requirements

*PURPOSE: This rule sets out the minimum general standards governing design, construction, location, and installation of equipment for storing and handling liquefied petroleum gas. These minimum general standards are designed to assure the required safety for life and property. The requirements contained in this rule will insure the safety of life and property.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

(1) Prior to any installations at buildings of public assembly or use such as schools, churches, recreational halls, tourist courts, hotels, hospitals, sanitariums, convalescent homes, nursing homes, rest homes, four (4)-unit apartments and larger or similar types of public buildings having institutional occupancies, for new construction, major renovations or additions to these installations and mobile home parks, shopping center areas, service stations, bulk plants, industrial plants, and other similar locations of public gathering, form MPGC-0955 must be completed and submitted to the inspection authority. Form MPGC-0955, March 1, 2011, is published by the Missouri Propane Gas Commission, 4110 Country Club Dr., Ste. 200, Jefferson City, MO 65109-0302 and incorporated by reference. This rule does not incorporate any subsequent amendments or additions to the referenced material.

(2) The owner of a retail cylinder exchange cabinet shall submit a completed form MPGC-0955 to the commission within fifteen (15) days following the installation of a cylinder exchange cabinet.

(3) Form MPGC-0910 including detailed plans shall be furnished to the inspection authority for approval before installation of LP gas containers having a water capacity of over two thousand (2,000) gallons, or two (2) or more containers that are to be connected and have a combined capacity exceeding four thousand (4,000) gallons, or when LP gas in the liquid phase is to be withdrawn or of a container charging plant where portable containers are to be recharged and filled regardless of the capacity of the storage containers used as the supply for filling containers and cylinders. Form MPGC-0910, March 1, 2011, is published by the Missouri Propane Gas Commission, 4110 Country Club Dr., Ste. 200, Jefferson City, MO 65109-0302 and incorporated by reference. This rule does not incorporate any subsequent amendments or additions to the referenced material. When



approval is granted, one (1) copy of the plans will be returned to the party submitting the original proposal. Final inspection and approval is required before placing the installation into service. If installation of the proposed LP gas system has not begun within one hundred eighty (180) days from the date of approval by the state LP gas inspection authority, new plans shall be resubmitted prior to the time installation does begin.

(4) The following requirements shall be met on plans that shall be submitted to the inspection authority of Missouri for approval before starting construction:

(A) Two (2) complete copies of the plans shall be submitted to the inspection authority together with detailed specifications;

(B) Plans shall be on good quality paper, legible, and contain the information required by this section;

(C) Plans and specifications are to be accompanied by a written application on a form prescribed by the inspection authority and shall include the following:

1. The address of the proposed location and the name and mailing address of the owner or builder;

2. An outline of the boundary lines of the property owned or leased;

3. A diagram showing adjoining property on all sides and the distance to all adjacent buildings and roadways;

4. A diagram showing the location and sizes of each container or containers on the plot of ground to be used;

5. A diagram pinpointing each location where liquid transfer will be made, such as loading, unloading, and bottling;

6. A general layout of piping, pipe supports, and pipe protection; the location, size, and type of each important piece of equipment, gate valve, excess flow valve, pressure relief valve, hose, regulator, and all other important parts of the system planned;

7. The location of each building or shed to be built on the property and each sewer or drain opening;

8. The location of electrical lines and poles and telephone poles if located twenty-five feet (25') or less from storage tanks or liquid transfer areas;

9. The location of the electrical service pole;

10. The location of fences;

11. The dimensions of tank foundations, footings, reinforcements, and tank clearance above ground level;

12. Storage container dimensions, whether new or used, and the name of the manufacturer; and

13. All used containers of two thousand

(2,000) gallons water capacity or more to be reinstalled shall have all valves, including relief valves, removed and inspected; and

(D) All electrical equipment in vaporizer houses, pump houses, and cylinder filling rooms or other similar locations shall be of the type approved for use in Class 1, Group D, Hazardous Locations, of the *National Electrical Code*.

(5) All installations for use of LPGs in containers of sixty to one hundred ten (60–110) pounds, LP gas capacity, shall be provided with adequate and safe means of protection to assure that the cylinder is supported in its installed position and that there is reasonable protection from the elements.

(6) All commercial, industrial, and institutional LP gas storage systems shall be accessible for emergency fire fighting equipment.

(7) All LP gas storage tanks shall be installed a minimum distance of twenty feet (20') from all other Class I, II, and III liquids. In the event of a hazardous location, the LP gas inspection authority may require a greater distance and location up to a maximum distance of one hundred feet (100').

(8) All LP gas dispensers shall have form MPGC-0910 and site plans submitted as required by sections (3) and (4).

(9) All tanks of one thousand one (1,001) gallons aggregate water capacity or greater being used for liquid withdrawal shall have form MPGC-0910 and site plans submitted as required by sections (3) and (4).

(10) All LP gas dispensers shall have recommended fill procedures posted in a conspicuous location.

(A) All dispensers in the retail business of refilling of cylinders shall be equipped with a state-approved scale to be utilized for the safe filling of LP gas cylinders. LP gas cylinders of one hundred (100) pounds propane capacity or less shall be filled by weight only utilizing a state-approved scale. Cylinders of one hundred (100) pounds capacity or less shall not be filled from any LP gas delivery vehicle. An exception may be made by the inspection authority for cylinders utilized in hot air balloon service if the cylinders are approved for such service, have an accurate approved method of gauging, are in good condition, and are filled in a safe location away from any source of ignition.

(11) All leak checks shall be performed as per 2009 NFPA 54 8.2. Documentation shall be kept on file.

*AUTHORITY: section 323.020, RSMo Supp. 2010.\* Original rule filed July 13, 1977, effective Nov. 11, 1977. Amended: Filed May 2, 1985, effective Sept. 27, 1985. Amended: Filed March 3, 1989, effective June 29, 1989. Amended: Filed Nov. 13, 1997, effective June 30, 1998. Amended: Filed Dec. 3, 2001, effective June 30, 2002. Amended: Filed Oct. 15, 2008, effective March 30, 2009. Amended: Filed June 13, 2011, effective Jan. 30, 2012.*

*\*Original authority: 323.020, RSMo 1947, amended 1994, 1998, 2005, 2007.*

*Op. Atty. Gen. No. 86, Sturgis, 2-3-55. A private individual user of liquefied petroleum gas may transport over the highways of Missouri empty liquefied petroleum gas drums or such drums containing such gas without violating Basic Rule B.15 of the regulations promulgated under section 323.020, RSMo 1969.*

## 2 CSR 90-10.014 Storage

*PURPOSE: This rule sets out minimum general standards for the storage of liquefied petroleum gas and promotes safety for life and property. These requirements do not apply to public utility facilities regulated by the Missouri Public Service Commission.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

(1) All liquefied petroleum gas (LP gas) storage containers or storage systems where one (1) tank is used having a water capacity of one hundred (100) gallons or more, or where two (2) or more tanks are used having a total combined capacity of more than one hundred (100) gallons, and all related equipment located at or near containers which are installed on school grounds, public playgrounds, recreation park grounds, or any other playground areas where children in age



groups from preschool through grade twelve (12) have access shall be fenced with industrial type fence a minimum of six feet (6') high as to prevent tampering with the gas system.

(2) Where LP gas storage of five hundred (500) gallons or less is in use or where a hazard exists in connection with any size of underground storage system, reasonable protective methods, other than fencing, which are deemed necessary may be required.

(3) Containers of any size shall not be used for storage other than manufacturer's design and specifications; i.e., railcars, converted railcars, bulk delivery truck tanks both transport and bobtail cannot be utilized for fixed storage.

(4) All LP gas bulk storage containers, of four thousand (4,000) gallons water capacity (WC) or more shall have its pumps, piping, vaporizers, hoses, bulkheads, and related equipment protected from tampering by a metal chain link or equivalent industrial-type fence at least six feet (6') tall. All locations with one hundred (100) square feet or less fenced area shall have at least one (1) lockable access gate. All locations with more than one hundred (100) square feet fenced shall have at least two (2) lockable access gates.

(5) All aboveground LP gas storage containers shall be kept properly painted with a light reflective paint such as white or aluminum.

(6) All aboveground LP gas storage containers, two thousand (2,000) WC or more, and all dispensers shall be clearly marked PROPANE, FLAMMABLE, NO SMOKING on two (2) sides in a conspicuous location of the dispenser housing, fencing, or a combination thereof. All wording shall be in block-style letters with a minimum height of two inches (2") and a minimum width of one-fourth inch (1/4") on a contrasting background.

(7) Each LP gas bulk plant or system of two thousand (2,000) gallons WC or more and all dispensers engaged in retail shall have a sign displayed in a conspicuous location stating the name and telephone number of the nearest representative, agent, or owner of the system.

(8) Any LP gas storage container, including any container used for motor fuel, which has been damaged in any manner shall be repaired according to the requirements of the code it was manufactured under and shall be

hydrostatically tested prior to placing in service.

(9) Repair of any LP gas container shell, excluding valves, fittings, regulators, and attachments, shall be in conformance with the code under which the container was manufactured, and all repairs shall be performed only by a person certified under the code by which the container was manufactured.

(10) A copy of all container data information and repairs to the container shall be submitted to the inspection authority for review prior to installation of the container.

(11) LP gas storage containers supplying mobile home parks, schools, hospitals, domestic systems, or other public or institutional facilities shall not be utilized as a bulk storage plant for loading LP gas into any fuel delivery vessel or vehicle.

(12) At a bulk storage facility that the owner declares out-of-service, the tank or tanks shall be empty, only contain residual pressure, and be capped or plugged as close as practical to the positive shut-off valve just outside the tank or tanks. Before placing the tank or plant back into operation, form MPGC-0910 including detailed plans shall be furnished to the inspection authority for approval and approval must be granted by the inspection authority. Form MPGC-0910, March 1, 2011, is published by the Missouri Propane Gas Commission, 4110 Country Club Dr., Ste. 200, Jefferson City, MO 65109-0302 and incorporated by reference. This rule does not incorporate any subsequent amendments or additions to the referenced material.

*AUTHORITY: section 323.020, RSMo Supp. 2010.\* Original rule filed July 13, 1977, effective Nov. 11, 1977. Amended: Filed May 2, 1985, effective Sept. 27, 1985. Amended: Filed March 3, 1989, effective June 29, 1989. Amended: Filed Nov. 13, 1997, effective June 30, 1998. Amended: Filed Oct. 15, 2008, effective March 30, 2009. Amended: Filed June 13, 2011, effective Jan. 30, 2012.*

*\*Original authority: 323.020, RSMo 1947, amended 1994, 1998, 2005, 2007.*

## 2 CSR 90-10.015 Container, System, or Equipment Violations

*PURPOSE: This rule sets out the procedure to govern the inspection authority's actions in eliminating hazardous conditions which could result in serious property damage and loss of*

*life.*

(1) Any container, system, or equipment that has been determined through inspection by the inspection authority to violate these regulations so as to constitute a substantial hazard or violation which makes the container, system, or equipment unsafe for continued operation shall be so identified by the inspection authority through a notice or tag affixed to the container. The container, system, or equipment upon which the tag has been affixed shall not be used, nor shall liquefied petroleum gas be placed in the container, system, or equipment.

(2) Any container, system, or equipment that has been determined through inspection by the inspection authority to violate these rules and regulations but does not constitute an immediate hazard to life or property shall only be tagged if the defect or the violation is not corrected within five (5) days after written notification setting forth the violation or defect has been personally served upon or directed through the United States mail, certified mail, postage prepaid, returned receipt requested, to the owner, operator, or supplier of the container, system, or equipment. In the event the owner or supplier is not identified on the container, system, or equipment, notice to the occupant of the premises where the container, system, or equipment is located shall be deemed sufficient.

(3) The tag or notice attached to the container, system, or equipment, shall be the property of the commission and only shall be removed when defect or violation has been corrected. The tag is to be removed promptly after receiving notice of correction.

(4) Any underground container or system that is being maintained in violation of these rules so as to constitute a substantial hazard to public safety may be required to be removed for inspection by the inspection authority upon reasonable demand and notice.

*AUTHORITY: section 323.020, RSMo Supp. 2010.\* Original rule filed July 13, 1977, effective Nov. 11, 1977. Amended: Filed June 13, 2011, effective Jan. 30, 2012.*

*\*Original authority: 323.020, RSMo 1947, amended 1994, 1998, 2005, 2007.*

## 2 CSR 90-10.016 Meters for Measurement—Specifications and Proving

*PURPOSE: This rule sets out minimum general standards governing the design of meters used for measuring liquefied petroleum gas.*



*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

(1) All liquid meters used in the sale of liquefied petroleum gas (LP gas) shall be equipped with an effective vapor eliminator.

(2) Each vehicle tank used in the retail sale of LP gas shall be equipped with a meter for measurement of LP gas in terms of gallons and shall not be equipped with a bypass around the meter. A vapor equalization line is not a bypass and is not prohibited by this provision.

(3) LP gas sold or delivered to a retail customer by liquid measure shall be corrected for temperature to sixty degrees Fahrenheit (60 °F) with an automatic correction device or the quantity delivered shall be corrected for temperature of sixty degrees Fahrenheit (60 °F) in accordance with the Volume Correction Factor Table, nationally accepted as accurate within fair tolerances.

(4) When the delivery is made through a meter automatically corrected for temperature, the retail sales ticket shall show the metered adjusted gallons delivered.

(5) When the delivery is made through a meter not corrected automatically, the retail sales ticket shall show the metered gallons delivered, the temperature at the time of delivery and the corrected gallonage.

(6) A person, firm, or corporation owning or having in its possession an LP gas measuring device which is installed for use to measure liquid gallons to a retail customer in this state shall permit the device to be tested after reasonable request is made by the director of the Department of Agriculture and give full assistance and cooperation during the testing procedure. Tickets and other records of deliveries shall be made available upon request to determine that proper compliance and procedure is in effect for making deliveries to retail customers.

(7) When liquid meters are determined to be accurate within the tolerance limits in the

2008 edition of the National Institute of Standards and Technology Handbook 44, published by the National Institute of Standards and Technology, Weights and Measures Division, 100 Bureau Dr., Stop 2600, Gaithersburg, MD 20899-2600 and incorporated by reference, the director of the Department of Agriculture, immediately upon completion of the test, shall seal the meter in a manner so as to prevent tampering which would affect the accuracy of measurement. No person shall remove, break, or tamper with the meter seal without the written consent of the director of the Department of Agriculture. These requirements shall not preclude the necessity to make needed repairs to the metering device or to transfer to another tank. If it is necessary to break or remove the seal to accomplish repairs or transfer, written notice shall be given to the director of the Department of Agriculture within forty-eight (48) hours from the date the repairs or transfer is made. This rule does not incorporate any subsequent amendments or additions to the referenced material.

(8) When a liquid meter is found to be inaccurate beyond the tolerance allowed in the National Institute of Standards and Technology Handbook 44, after a test is made, it shall be conspicuously marked INACCURATE by the director of the Department of Agriculture and shall not be used for measuring liquid gallons to retail customers until it has been corrected within tolerance limits.

(9) Any registrant delivering a lesser amount of LP gas to a retail customer than is invoiced to the customer, if it is proven at a hearing conducted by the director of the Department of Agriculture for this purpose that the shortage of delivery and overbilling of the amount delivered was made with intent to defraud, shall be subject to having his/her registration permit suspended by the inspection authority.

*AUTHORITY: section 323.020, RSMo Supp. 2008.\* Original rule filed July 13, 1977, effective Nov. 11, 1977. Amended: Filed May 2, 1985, effective Sept. 27, 1985. Amended: Filed March 3, 1989, effective June 29, 1989. Amended: Filed Nov. 13, 1997, effective June 30, 1998. Amended: Filed Oct. 15, 2008, effective March 30, 2009.*

*\*Original authority: 323.020, RSMo 1947, amended 1994, 1998, 2005, 2007.*

**2 CSR 90-10.017 Mobile Homes**  
(Rescinded March 30, 2009)

*AUTHORITY: section 323.020, RSMo 1994. Original rule filed July 13, 1977, effective Nov. 11, 1977. Amended: Filed March 3, 1989, effective June 29, 1989. Amended: Filed Nov. 13, 1997, effective June 30, 1998. Rescinded: Filed Oct. 15, 2008, effective March 30, 2009.*

**2 CSR 90-10.018 Accidents**  
(Rescinded June 11, 1987)

*AUTHORITY: section 323.020, RSMo 1986. Original rule filed July 13, 1977, effective Nov. 11, 1977. Rescinded and readopted: Filed Oct. 4, 1981, effective Jan. 14, 1982. Rescinded: Filed March 18, 1987, effective June 11, 1987.*

**2 CSR 90-10.020 NFPA Manual No. 54, National Fuel Gas Code**

*PURPOSE: This rule regulates the installation of liquefied petroleum gas appliances and liquefied petroleum gas piping.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

(1) Standards contained in National Fire Protection Association (NFPA) Manual No. 54, *National Fuel Gas Code*, 2009 edition, published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269-9101, are incorporated herein by reference. This rule does not incorporate any subsequent amendments or additions to the referenced material. The balance of this rule sets forth requirements for liquefied petroleum gas (LP gas) applications not covered in the manual. The scope of National Fire Protection Association (NFPA) Manual No. 54, *National Fuel Gas Code*, 2009 edition, is to develop fire safety codes, standards, recommended practices, and manuals, as may be considered desirable, covering the installation of piping and appliances using fuel gases such as natural gas, manufactured gas, liquefied petroleum gas, and liquefied petroleum gas-air mixture.





(2) The repair or welding of LP gas appliance heat exchangers is strictly prohibited.

*AUTHORITY:* section 261.023.6, RSMo 2000 and section 323.020, RSMo Supp. 2010.\* Original rule filed Jan. 24, 1968, effective Feb. 3, 1968. Amended: Filed Sept. 8, 1969, effective Sept. 18, 1969. Amended: Filed May 13, 1977, effective Jan. 13, 1978. Amended: Filed May 2, 1985, effective Sept. 27, 1985. Amended: Filed March 3, 1989, effective June 29, 1989. Amended: Filed Nov. 13, 1997, effective June 30, 1998. Amended: Filed Dec. 3, 2001, effective June 30, 2002. Amended: Filed Oct. 15, 2008, effective March 30, 2009. Amended: Filed June 13, 2011, effective Jan. 30, 2012.

\*Original authority: 261.023.6, RSMo 1973 and 323.020, RSMo 1947, amended 1994, 1998, 2005, 2007.

**2 CSR 90-10.030 NFPA Manual No. 54A, Industrial Gas Piping and Equipment**  
(Rescinded January 13, 1978)

*AUTHORITY:* section 323.020, RSMo 1969. Original rule filed Sept. 8, 1969, effective Sept. 18, 1969. Rescinded: Filed June 1, 1977, effective Jan. 13, 1978.

**2 CSR 90-10.040 NFPA Manual No. 58, Storage and Handling of Liquefied Petroleum Gases**

*PURPOSE:* This rule regulates the storage and handling of liquefied petroleum gases. The balance of the rule sets forth installation procedures required for liquefied petroleum gas carburetion which are not contained in National Fire Protection Association Manual No. 58.

*PUBLISHER'S NOTE:* The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) This rule incorporates by reference National Fire Protection Association (NFPA) Manual No. 58, *Storage and Handling of Liquefied Petroleum Gases*, 2008 edition, published by the National Fire Protection

Association, 1 Batterymarch Park, Quincy, MA 02269-9101, as the current standard for the storage and handling of liquefied petroleum gases (LP gas). This rule does not incorporate any subsequent amendments or additions to the referenced material.

(2) All equipment shall be installed and maintained in compliance with the safety standards and in conformity with the rules.

(3) At all LP gas dispensers, it shall be the dispenser owner's responsibility to provide initial training to persons who dispense propane. It shall be illegal for any person other than the trained person to operate the dispensing device. It shall be the responsibility of the owner or manager of each business, where a dispenser is located and operated, to ensure dispenser operators successfully complete training every three (3) years through a training program approved by the director.

(4) The written Fire Safety Analysis, required by the 2008 edition of the National Fire Protection Association's Pamphlet 58, *Liquefied Petroleum Gas Code*, 6.25.3, published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269-9101, and incorporated by reference, shall be prepared by a person approved by the Missouri Propane Gas Commission, who has relevant experience and is knowledgeable of the practices of the LP gas industry. Except for an engineered facility, the Fire Safety Analysis may be prepared by the owner of the facility in cooperation with the local fire department and/or fire marshal. The Fire Safety Analysis for an engineered facility, such as one that incorporates refrigerated storage, automated fuel standby (either industrial or utility), or pipeline terminals, shall be prepared, stamped, and signed by a professional engineer who has relevant experience in LP gas or fire protection. This rule does not incorporate any subsequent amendments or additions to the referenced material.

*AUTHORITY:* section 261.023.6, RSMo 2000 and section 323.020, RSMo Supp. 2010.\* Original rule filed Jan. 24, 1968, effective Feb. 3, 1968. Amended: Filed Sept. 8, 1969, effective Sept. 18, 1969. Amended: Filed Nov. 1, 1972, effective Nov. 10, 1972. Amended: Filed May 13, 1977, effective Jan. 13, 1978. Emergency amendment filed March 27, 1981, effective April 7, 1981, expired July 10, 1981. Amended: Filed March 27, 1981, effective July 11, 1981. Amended: Filed May 2, 1985, effective Sept. 27, 1985. Amended: Filed March 3, 1989, effective June 29, 1989. Amended: Filed Nov. 13, 1997, effective

June 30, 1998. Emergency amendment filed June 20, 2002, effective June 30, 2002, expired Dec. 30, 2002. Amended: Filed Dec. 3, 2001, effective June 30, 2002. Amended: Filed Oct. 15, 2008, effective March 30, 2009. Amended: Filed June 13, 2011, effective Jan. 30, 2012.

\*Original authority: 261.023.6, RSMo 1973 and 323.020, RSMo 1947, amended 1994, 1998, 2005, 2007.

*McConnell v. Pic-Walsh Freight Co.*, 432 SW2d 292 (Mo. 1968). Plaintiff, employee of an LP gas company was not contributorily negligent as a matter of law when he over-filled an LP gas tank on one (1) of defendant's trucks after being assured by defendant's employees that the tank was empty; plaintiff having no way of knowing the level of gas due to broken gauge. Defendant claimed plaintiff was negligent per se because he violated safety rules concerning the filling of tanks inside a building, but court held that "all reasonable minds would not conclude that the infractions were the proximate cause of the injury in this case, and therefore . . . plaintiff is not as a matter of law barred from recovery."

**2 CSR 90-10.050 NFPA Manual No. 30, Flammable and Combustible Liquids Code**  
(Rescinded September 27, 1985)

*AUTHORITY:* section 323.020, RSMo 1978. Original rule filed July 20, 1967, effective July 30, 1967. Amended: Filed July 27, 1970, effective Aug. 6, 1970. Amended: Filed Nov. 1, 1972, effective Nov. 10, 1972. Amended: Filed May 13, 1977, effective Jan. 13, 1978. Amended: Filed Nov. 12, 1982, effective Feb. 11, 1983. Rescinded: Filed May 2, 1985, effective Sept. 27, 1985.

**2 CSR 90-10.060 NFPA Manual No. 59, LP Gases at Utility Gas Plants**  
(Rescinded January 30, 2012)

*AUTHORITY:* section 323.020, RSMo 1986. Original rule filed May 13, 1977, effective Jan. 13, 1978. Amended: Filed May 2, 1985, effective Sept. 27, 1985. Rescinded: Filed June 13, 2011, effective Jan. 30, 2012.

**2 CSR 90-10.070 NFPA Manual No. 501A, Manufactured Home Installations**  
(Rescinded January 30, 2012)

*AUTHORITY:* section 323.020, RSMo 1986. Original rule filed May 13, 1977, effective Jan. 13, 1978. Amended: Filed May 2, 1985, effective Sept. 27, 1985. Rescinded: Filed



June 13, 2011, effective Jan. 30, 2012.

**2 CSR 90-10.080 Federal Housing and Urban Development (HUD) Standards Part 3280, Manufactured Home Construction and Safety Standards**

(Rescinded June 29, 1989)

*AUTHORITY: section 323.020, RSMo 1986. Original rule filed May 13, 1977, effective Jan. 13, 1978. Amended: Filed May 2, 1985, effective Sept. 27, 1985. Rescinded: Filed March 3, 1989, effective June 29, 1989.*

**2 CSR 90-10.090 NFPA Manual No. 1192, Chapter 5, Standard for Recreational Vehicles**

*PURPOSE: This rule regulates the design, manufacturing, installation, and inspection of recreational vehicle heating systems and related systems.*

(1) The scope of National Fire Protection Association Manual No. 1192, Chapter 5, *Standard on Recreational Vehicles*, 2008 edition, published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269-9101, covers the heat producing appliances and fuel systems within or on recreational vehicles. Whenever nationally recognized standards for heat producing appliances and fuel systems and this Chapter 5 differ, the requirements of the latter shall apply.

*AUTHORITY: section 323.020, RSMo Supp. 2010.\* Original rule filed May 13, 1977, effective Jan. 13, 1978. Amended: Filed May 2, 1985, effective Sept. 27, 1985. Amended: Filed March 3, 1989, effective June 29, 1989. Amended: Filed June 13, 2011, effective Jan. 30, 2012.*

*\*Original authority: 323.020, RSMo 1947, amended 1994, 1998, 2005, 2007.*

**2 CSR 90-10.100 Inspection of School Buses Propelled by Liquefied Propane Gas**

(Rescinded March 30, 2009)

*AUTHORITY: section 323.020, RSMo 1986. Original rule filed Oct. 13, 1982, effective Feb. 11, 1983. Amended: Filed May 2, 1985, effective Sept. 27, 1985. Amended: Filed March 3, 1989, effective June 29, 1989. Rescinded: Filed Oct. 15, 2008, effective March 30, 2009.*

**2 CSR 90-10.120 Reporting of Odorized LP Gas Release, Fire, or Explosion**

*PURPOSE: This rule requires reporting of a release, fire, or explosion involving odorized liquefied petroleum gas (LP gas).*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

(1) In addition to National Fire Protection Agency (NFPA) 58, 2008 edition, 14.4.3.3, at the earliest practical moment or within two (2) hours following discovery, the owner, manager, or operator of a vehicle or equipment regulated by this chapter shall notify the Missouri Propane Gas Commission by telephone of any event involving odorized liquefied petroleum gas (LP gas) release, fire, or explosion which:

- (A) Caused a death or any personal injury requiring hospitalization; or
- (B) Required taking an operating facility out of service; or
- (C) Resulted in uncontrolled gas release, fire, or explosion requiring an emergency response; or
- (D) Caused an estimated damage to the property of the operator, others, or both totaling five thousand dollars (\$5,000) or more, including gas loss; or
- (E) Could reasonably be judged as significant because of rerouting of traffic or evacuation of buildings; or
- (F) Is required to be reported to any other state or federal agency (such as the Missouri Department of Public Safety or the United States Department of Transportation).

(2) The telephonic notice required by section (1) shall be made to the commission at (573) 893-1073 and shall include the following:

- (A) Name of reporting person;
- (B) Location of leak or incident;
- (C) Time of incident;
- (D) Fatalities and personal injuries;
- (E) Phone number of reporting person;
- (F) Status of incident regarding immediate hazard; and
- (G) Other significant facts relevant to the incident.

(3) Following the initial telephone report, the person who made the telephone report or an authorized company representative shall submit a properly completed form MPGC-5524 to the director within fourteen (14) calendar days of the date of initial telephone notification unless an extension is authorized by the director to allow more time for investigation or research. Form MPGC-5524, January 2011, is published by the Missouri Propane Gas Commission, 4110 Country Club Dr., Ste. 200, Jefferson City, MO 65109-0302 and is incorporated by reference. This rule does not incorporate any subsequent amendments or additions to the referenced material.

*AUTHORITY: section 323.025, RSMo Supp. 2010.\* Original rule filed June 13, 2011, effective Jan. 30, 2012.*

*\*Original authority: 323.025, RSMo 2007.*