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August 01, 2008

**New Liquefied Petroleum Gas Law (ACT 203)
Requires Notification by Supplier and User
Effective October 1, 2008**

Changes in the Wisconsin Liquid Petroleum Gas law s. 101.16, Stats, now mandate notification requirements between Retail Suppliers and their users and vice versa, starting October 1, 2008.

This notice outlines your responsibility under the law as the retail supplier, owner, and lessee, installing contractor of appliances or user of a propane gas system. For the safety and the safety of others, it is essential that you satisfy your notification requirements. Failure to comply with your legal obligations can result in penalties and other liabilities.

DEFINITIONS

101.16 (1) (c) “Propane gas system” means an assembly consisting of one or more containers that has a total water capacity of at least 100 gallons and a means of conveying propane gas from the container or containers to a point of connection with devices used to consume the propane gas. A “propane gas system” includes all piping and other components associated with the assembly that are used to control the quantity, flow, pressure, and physical state of the propane gas.

101.16 (1) (d) “Retail supplier” means a person engaged in the business of filling containers that have a water capacity of at least 4 pounds with liquefied petroleum gas that is intended to be used directly from the containers as fuel. “Retail supplier” does not include a person who fills such containers with liquefied petroleum gas for the person’s own use.

REQUIREMENTS TO PROVIDE INFORMATION.

101.16 (4) (a) The person actually performing the work of installing equipment using liquefied petroleum gas for fuel purposes, shall furnish the user of the equipment, a statement, the form of which shall be prescribed by the department (SBD-9656), showing that the design, construction, location, and installation of the equipment conforms with the rules promulgated by the department in this section.

The SBD-9656 form can be found at <http://commerce.wi.gov/SB/SB-DivForms.html#Gas>, and then click on Gas Systems.

101.16 (4) (b) 1. A person who owns, leases, or uses a propane gas system and who is a customer of a retail supplier shall notify the retail supplier of propane gas for the propane gas system of any interruption in the operation of the propane gas system due to the replacement, modification, repair, or servicing of the propane gas system by any person other than the retail supplier. The customer shall provide the notice at least 7 days in advance of the interruption in the operation of the propane gas system, except as provided in subd. 2. The retail supplier, or the person replacing, modifying, repairing, or servicing the propane gas system, shall perform a check for leaks or other defects in the propane gas system before placing the propane gas system back into operation in the manner required by rule. If the interruption of a propane gas system subject to subd. 1. is due to emergency repair or servicing, the customer shall provide the notice to the retail supplier as soon as possible and no later than 24 hours after the repair or servicing is completed.

101.16 (4) (c) Each retail supplier filling a container that is part of a propane gas system shall provide written notice to each customer subject to par. (b) of the customer's duty under par. (b) before the retail supplier's first delivery of propane gas to that customer and shall provide subsequent notices on an annual basis. The notice shall include all of the following information concerning the duty to notify under par. (b):

1. The name, address, and telephone number of the retail supplier.
2. The purpose of giving the notification to the retail supplier.
3. A description of the type of propane gas system that is subject to the notification requirement.
4. A description of the types of activities that constitute a replacement, modification, repair, or servicing of a propane gas system.
5. A copy of the provisions under s. 101.16 (4) (b).

NEW LICENSING REQUIREMENTS

The law also mandates new Licensing requirements that will take effect August 1, 2009

101.16 (3g) (a) As of August 1, 2009, no person may engage in the business of filling containers with liquefied petroleum gas that is intended to be used directly from the containers as fuel, unless the person holds a license issued by the department as a licensed liquefied gas supplier or liquefied gas supplier-restricted, except as provided under either of the following conditions:

1. The business is engaged in only filling containers that have a water capacity of less than 4 pounds.
2. The filling of the containers with liquefied petroleum gas is for the person's or the entity's own use.

101.16 (3g) (b) A person who holds a license as a licensed liquefied gas supplier-restricted shall be limited to filling only department of transportation cylinders with liquefied petroleum gas.

Note: Under s. 101.16 (1) (c), Stats., a "department of transportation cylinder" means a container that holds liquefied petroleum gas and that meets the specifications established by the federal department of transportation.

The Department offers an e-mail subscription service that provides electronic notification of news that could be of interest to you. To sign up for this service, visit <http://commerce.wi.gov/SB/SB-DivEmailSignup.html> and select "gas systems" and any other program of interest. You will receive email notices as program forms, checklists and codes are updated.

The changes made in Wisconsin Liquid Petroleum Gas Law (ACT 203) put greater emphasis on limiting propane gas leaks to prevent serious accidents that could affect the safety of you and others.

Sincerely,

Staff members – Department of Commerce, Safety and Buildings Division, Gas Systems Program

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