

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control No. _____ Department or Agency Alabama Liquefied Petroleum Gas Board

Rule No. 530-X-2-.03

Rule Title: Metering Device Calibration Requirements

_____ 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 04/18/2016

(DATE FILED)
(STAMP)

ALABAMA LIQUEFIED PETROLEUM GAS BOARD

NOTICE OF INTENDED ACTION

RULE NO. & TITLE:

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

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION: To adopt the National Institute of Standards and Technology *NIST Handbook 44 2016 Section 3.32* as the state standard for calibration of LP-gas liquid meters.

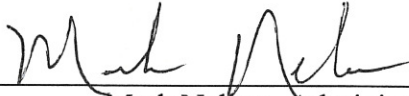
TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held July 7, 2016 at 10:00 a.m., at the AUM Center for Lifelong Learning, 75 TechnaCenter Drive, Montgomery, AL 36117.

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, (334-241-8887), or via email at mark.nelson@lpgb.alabama.gov. Individuals may also submit their views at the public hearing.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
July 7, 2016 at the scheduled Public Hearing

CONTACT PERSON AT AGENCY:

Mark Nelson, Administrator
777 S. Lawrence St., Suite 100
Montgomery, AL 36104
Telephone: 334-241-8887
Fax: 334-240-3255
Email: mark.nelson@lpgb.alabama.gov



Mark Nelson, Administrator
Alabama Liquefied Petroleum Gas Board

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

(1) ~~To secure the use of and substantial accuracy of all liquid dispensing liquefied petroleum gas meters through which liquefied petroleum gas is sold in the State of Alabama.~~ (a) 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, ~~he~~ they shall be required to furnish a suitable type meter equipped with an automatic temperature compensator to adjust the indication and registration of the measured volume of product to the volume at 15°C (60°F) for the dispensing of liquefied petroleum gas. Entities calibrating these meters must ~~and~~ also furnish ~~this~~ the board ~~(on forms provided by this Board)~~ written certification of the substantial accuracy of said meters as used in the dispensing system. ~~A plus or minus (+ or -) tolerance of two percent (2%) shall be considered to constitute substantial accuracy.~~ 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 ~~each twelve (12) months hereafter~~ annually. ~~This~~ 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 ~~for~~ sales to the consumer shall be calibrated ~~for accuracy of a plus or minus (+ or -) tolerance of two percent (2%)~~ 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.

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

(b) (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) work days 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.

(e) (5) The expense or expenses of said services shall be borne by persons, firms or corporations affected by this rule.