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HEALTH AND SAFETY CODE - HSC

DIVISION 12. FIRES AND FIRE PROTECTION [13000 - 14959] (*Division 12 enacted by Stats. 1939, Ch. 60.*)

PART 2. FIRE PROTECTION [13100 - 13263] (*Part 2 enacted by Stats. 1939, Ch. 60.*)

CHAPTER 6. Propane Storage and Handling [13240 - 13244.5] (*Chapter 6 added by Stats. 1994, Ch. 1293, Sec. 1.*)

ARTICLE 1. General and Definitions [13240 - 13243.6] (*Article 1 added by Stats. 1994, Ch. 1293, Sec. 1.*)

13240. This chapter shall be known, and may be cited, as the Propane Storage and Handling Safety Act.

(*Added by Stats. 1994, Ch. 1293, Sec. 1. Effective January 1, 1995.*)

13240.1. For the purposes of this chapter, the following terms have the following meanings:

- (a) "Propane storage system" or "system" means any tank or collection of tanks or other vessels that are intended or used for the commercial purpose of storing more than 18,000 gallons of propane.
- (b) "Odorized propane" means propane to which ethyl mercaptan or any other odorizing substance is added.

(*Added by Stats. 1994, Ch. 1293, Sec. 1. Effective January 1, 1995.*)

13241. Prior to January 1, 1996, the State Fire Marshal in conjunction with the Occupational Safety and Health Standards Board shall, after public hearings, adopt by reference the 1992 edition of the NFPA 58 Standard for the Storage and Handling of Liquefied Petroleum Gases, or as this 1992 edition may be subsequently amended or supplemented. It is the intent of the Legislature that the NFPA 58 Standard supersede any inconsistent state standards, including, but not limited to, Sections 470 to 494, inclusive, of Chapter 4 of Title 8 of the California Code of Regulations, except where Sections 470 to 494, inclusive, of Chapter 4 of Title 8 of the California Code of Regulations contain a more stringent safety standard than that contained in the NFPA 58 Standard. Nothing in this section prohibits the board from adopting more stringent standards than those contained in the NFPA 58 Standard.

(*Added by Stats. 1994, Ch. 1293, Sec. 1. Effective January 1, 1995.*)

13242. The State Fire Marshal, in cooperation with the Department of Industrial Relations as appropriate, shall do all of the following:

- (a) Prior to January 1, 1997, inspect and certify the safety of all propane storage systems existing on January 1, 1995.
- (b) Adopt regulations setting forth safety standards for the siting and construction of fixed propane storage systems. These standards shall be prepared, adopted, and submitted for approval as building standards pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 of Division 13.
- (c) Adopt propane storage system fire safety compliance requirements setting forth propane fire safety handling standards relating to propane storage systems.
- (d) Adopt regulations setting forth minimum training and other qualifications for personnel handling propane storage systems, including, but not limited to, continuing education requirements.
- (e) Issue operator certificates to persons that comply with minimum training and other qualifications for personnel handling propane storage systems.
- (f) Adopt standards setting forth minimum training and other qualifications for firefighting personnel responding to a fire involving a propane storage system.
- (g) Upon completion of inspection of propane storage systems as required by subdivision (b), the Division of Occupational Safety and Health and the State Fire Marshal shall report to the Legislature on the condition of propane storage systems statewide. The report shall include identification and location of the propane storage systems inspected; identification of fire safety violations, if any, at each system inspected, and a determination of whether the fire safety violation was significant or minor. The report shall also

include what remedial actions were taken, or were proposed to be taken, to correct the violations, and whether the propane storage system is in compliance with current fire safety requirements.

The Division of Occupational Safety and Health and the State Fire Marshal shall also recommend in the report, after consulting with representatives of the propane industry, any corrective or remedial legislation necessary to ensure future compliance with fire safety requirements, including, but not limited to, future fire safety inspection requirements, including the recommended frequency of these inspections.

(Added by Stats. 1994, Ch. 1293, Sec. 1. Effective January 1, 1995.)

13243. The Department of Industrial Relations shall on or before January 1, 1996, develop a propane storage system inspection training curriculum and certification program for inspectors who are authorized to inspect propane storage system pressure vessels. The training curriculum shall include, but is not limited to, training and enforcement procedures for the NFPA 58 Standard, Article 82 of the Uniform Fire Code Standards, and the propane storage system fire safety compliance requirements adopted pursuant to subdivision (d) of Section 13242.

(Added by Stats. 1994, Ch. 1293, Sec. 1. Effective January 1, 1995.)

13243.3. Any requirements adopted as provisions of the federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.) shall supersede this measure.

(Added by Stats. 1994, Ch. 1293, Sec. 1. Effective January 1, 1995.)

13243.6. Any costs incurred by state agencies or departments pursuant to this article, that are not funded through fees pursuant to Section 13244.5, shall be funded from existing resources.

(Added by Stats. 1994, Ch. 1293, Sec. 1. Effective January 1, 1995.)