

Title 19: Department of Insurance

Part 7: State Fire Marshal

Part 7, Chapter 13: Amendment of NFPA Standards Regarding the Use and Display of Nameplates on Stationary Liquefied Compressed Gas Containers

Rule 13.01: Purpose

The purpose of this Regulation is to amend certain National Fire Protection Association (“NFPA”) standards regarding the use and display of nameplates on stationary liquefied compressed gas containers.

Source: Miss. Code Ann. § 75-57-9; § 75-57-105 (Rev. 2016).

Rule 13.02: Authority

This Regulation is promulgated by the Department of Insurance (“Department”) on behalf of the Liquefied Compressed Gas Board (“Board”) in accordance with Miss. Code Ann. §§ 75-57-105 and 75-57-9 (Rev. 2016), and in accordance with the Mississippi Administrative Procedures Law, Miss. Code Ann. § 25-43-1.101, *et seq.* (Rev. 2018).

Source: Miss. Code Ann. § 25-43-1.101, *et seq.* (Rev. 2018); § 75-57-9; § 75-57-105 (Rev. 2016).

Rule 13.03: Scope

This Regulation shall apply to all stationary liquefied compressed gas containers.

Source: Miss. Code Ann. § 75-57-9; § 75-57-105 (Rev. 2016).

Rule 13.04: Amendment of NFPA Standards

NFPA 58 (2017) Section 5.2.8.3 is amended to include the following language:

A stationary container with the water capacity of 1,000 gallons or larger, that does not have a nameplate in accordance with NFPA 58 (2017) Section 5.2.8.3, may remain in service if:

- (1) the Department’s Liquefied Compressed-Gas Division (“LC-Gas Division”) determines that an accurate nameplate replacement can be created and attached to the container, and the LC-Gas Division approves of such replacement and attachment; or

(2) the LC-Gas Division is familiar with the container, has previously inspected and approved the container at its current location, and, at its discretion, issues an official determination letter stating that the container is allowed to remain in service. However, if allowed to remain in service, the container cannot be moved to a different location; otherwise, it must be discontinued from service. The LC-Gas Division official determination letter discussed in this subsection shall remain at the property where the container is located and it shall be produced for inspection to any person upon request.

A stationary container with the water capacity of less than 1,000 gallons, that does not have a nameplate in accordance with NFPA 58 (2017) Section 5.2.8.3, may remain in service only if the LC-Gas Division determines that an accurate nameplate replacement can be created and attached to the container, and the LC-Gas Division approves of such replacement and attachment. Under no other circumstance shall such container remain in service.

Source: Miss. Code Ann. § 75-57-9; § 75-57-105 (Rev. 2016).

Rule 13.05: Future Application of Amended NFPA Standards

Section numbers, section titles, and chapter titles are subject to change in future versions of the NFPA 58 standards. Therefore, language included herein that amends NFPA 58 (2017) Section 5.2.8.3, shall apply to future versions of the NFPA 58 standards and shall be read as amending the most applicable code section in the version of those standards in order to fulfill the purpose and overall intent of this Regulation.

Source: Miss. Code Ann. § 75-57-9; § 75-57-105 (Rev. 2016).

Rule 13.06: Violations and Penalties

If a person services, places into service, and/or continues in service a stationary liquefied compressed gas container that is not in compliance with the provisions of this Regulation, such person shall be considered in violation of Miss. Code Ann. §§ 75-57-47, 75-57-107 and 75-57-109 (Rev. 2016), and may be subject to monetary penalties and/or other disciplinary action as determined by the Board.

Source: Miss. Code Ann. § 75-57-47; § 75-57-107; § 75-57-109 (Rev. 2016).

Rule 13.07: Conflicts

If any section or portion of a section of this Regulation conflicts with current and/or future NFPA standards, this Regulation shall govern.

Source: Miss. Code Ann. § 75-57-35 (Rev. 2016).

Rule 13.08: Severability

If any section or portion of a section of this Regulation or the application thereof is held by a court to be invalid, such invalidity shall not affect any other provision of that section or application of this Regulation which can be given effect without the invalid provision or application, and to this end the provisions of this Regulation are declared to be severable.

Source: Miss. Code Ann. § 75-57-1, *et seq.*; § 75-57-101, *et seq.* (Rev. 2016).

Rule 13.09: Effective Date

This Regulation shall become effective thirty (30) days after filing for final adoption with the Office of the Secretary of State.

Source: Miss. Code Ann. § 25-43-3.112; § 25-43-3.113 (Rev. 2018).