

220 CMR: DEPARTMENT OF PUBLIC UTILITIES

220 CMR 104.00: PETROLEUM GAS PLANTS

Section

104.01: Petroleum Gas Plants

104.02: Applications for Exceptions and Waivers

104.01: Petroleum Gas Plants

All liquefied petroleum gas plants in Massachusetts shall be constructed, operated, and maintained according to the requirements of National Fire Protection Association 59 Utility LP-Gas Plant Code (2004) (NFPA 59), and applicable provisions of 220 CMR 101.00: *Massachusetts Natural Gas Pipeline Safety Code* and 49 CFR Parts 40, 192, and 199.

104.02: Applications for Exceptions and Waivers

- (1) A gas corporation or municipal gas department may make written request to the Department of Public Utilities (Department) for exception from any of the provisions of NFPA 59 or 220 CMR 104.01. The Department may, after consideration, and the payment of the appropriate fee, issue the requested exception or modification to the specific gas corporation or municipal gas department requesting such exception. Upon request or in an emergency, a verbal exception may be granted by the Department. This verbal request for grant of exception must be subsequently confirmed in writing to the Department within seven days of the time the exception is granted.
- (2) The Department may issue a waiver to a gas corporation or municipal gas department from provisions of 49 CFR Part 40, 192, or 199 of the federal regulations, providing that the waiver pertains to an intrastate facility and the Department gives notice of such waiver to the U.S. Department of Transportation at least 60 days before the waiver is to become effective.

REGULATORY AUTHORITY

220 CMR 104.00: M.G.L. c. 164, §§ 66, 76, 76C, and 105A.