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Date: Thursday, May 12, 2022 3:18:15 PM



General Comment

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Chapter 9 (SB 1582 and SB 1668, 2021)

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Comments concerning proposed rulemakings

Proposed §9.7(i) Applications for Licenses, Manufacturer Registrations, and Renewals. and §9.140. System Protection Requirements. (8) and Table 9.140 (12) These all have the common requirement of obtaining a 24-hour emergency telephone number. The current requirement found in Table 9.140(12) only applies to installations where Self-service dispensers, storage racks for DOT cylinders or forklifts cylinders are stored, licensee installations greater than 4001-gallon storage or licensee DOT filling or service stations are located. New proposed §9.7(l) applies to all licensee or registration applicants as part of the Commission's licensing requirements. This requires that many licensees and registrants provide a 24-hour emergency number when they have no hazard exposure. This would be required of all plumbers and HVAC tech registrants, all licensees in the following New §9.7(i) would require this number to be submitted to the Commission categories who do not store LP-Gas on site: Category A, A1, A2, B, C, D, L, M, N, and O. The 24-hour emergency response number required in Table 9.140(12) is for the benefit of emergency first responders in the case of an emergency event, primarily after hours. Limiting this information to the Commission's data base would create a barrier to the first responders receiving critical information in the first few hours of an event. The telephone number required in Table 9.140(13) was developed for the Commission field inspectors to know who was responsible for specific installations and how to contact these people. Both Table 9.140(12) and (13) numbers are critical for the safety of the general public. §9.55. PERC Outside Instructor Training. This is an example of regulatory overkill. The intent is to allow recognition of PERC training. PERC establishes its'

own trainer certification protocol and the Commission should accept the PERC certifications of training. All the rest of the rulemaking is a barrier to the acceptance of PERC curriculum. There is no need to require PERC trainers to register or pay a trainer fee. The Commission adds nothing of value to safety by these requirements. §9.134. Connecting Container to Piping (d) A licensee is not required to submit LPG Form 22 pursuant to subsection (c) of this section only if the piping system is currently in service and no new piping is installed, the system is in good 17 working order, and the installer cannot be determined. Some form of formal notification is needed to allow a licensee to service an installation where the installer is not known. This may be a new installation or one made many years ago. §9.134(c) provides that the licensee may serve an installation made by an unlicensed or unknown installer provided that the licensee has proven the installation to be leak free and is in accordance to the Chapter 9 rules. The notification step protects the licensee by acknowledging that they performed the requirements in paragraph (c). It also provides the Commission with the information that there may be illegal activities being performed in an area. The form 22 may not be the best form to use but it was the only form developed at the time that this section was adopted. I suggest that a new form is developed that provides the required information but does not place a requirement on the Commission to investigate every occurrence reported. This would provide protection to the public, protection to the servicing licensee and information to the field inspectors.

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