

DECISION MEMORANDUM

**TO: COMMISSIONER KJELLANDER
 COMMISSIONER RAPER
 COMMISSION SECRETARY
 COMMISSION STAFF**

**FROM: DON HOWELL
 DEPUTY ATTORNEY GENERAL**

DATE: JULY 16, 2015

**SUBJECT: UPDATING THE COMMISSION’S SAFETY AND ACCIDENT
 REPORTING RULES, DOCKET NO. 31-1101-1501**

The Commission’s Safety and Accident Reporting Rules (IDAPA 31.11.01) adopt by reference several national safety codes applicable to electric, telephone and natural gas utilities and federal safety regulations applicable to natural gas and pipeline utilities. Currently, Rule 201 adopts the 2011 edition of 49 Code of Federal Regulations (CFR) Parts 191-193, 195 and 199 addressing the construction and operation of natural gas pipelines. Next, Rule 202 incorporates by reference the 2012 edition of the International Fuel Gas Code (IFGC) published by the International Code Council. Finally, Rule 203 incorporates by reference the 2012 edition of the International Mechanical Code (IMC) for natural gas or gas-burning appliances.

Staff recommends that the Commission update these three safety rules by adopting the 2015 edition of the IMC, the 2015 edition of the IFGC, and the October 1, 2014 edition of the pipeline safety CFRs.

CFR CHANGES SINCE 2010

Rule 201 applies to natural gas and pipeline utilities in Idaho. The Commission’s Rule 201 currently adopts by incorporation the 2011 edition of the federal pipeline safety regulations issued by the Pipeline and Hazardous Material Safety Administration (PHMSA). There are no major revisions to the 2011 edition of the federal Pipeline Safety Regulations.

RULE 202 – INTERNATIONAL FUEL GAS CODE

The Commission’s Rule 202 adopts the 2012 edition of the International Fuel Gas Code (IFGC). There are several revisions included in the 2015 edition of the IFGC. First, the International Code Council has added Section 307.6 regarding the operation of new condensation

pumps located in uninhabitable spaces. Second, Sections 402.2 and Tables 402.4(3) and 402.4(4) have been revised to address volumetric flow rates of new gas appliances above 2,000 feet in elevation and Schedule 40 metallic pipe. Finally, Sections 404.5 through 404.7.3 have been revised to improve the integrity of new piping systems in concealed locations.

RULE 203 – INTERNATIONAL MECHANICAL CODE

Rule 203 currently adopts by incorporation the 2012 edition of the International Mechanical Code (IMC) applicable to gas or gas-burning appliances. There are several revisions included in the 2015 edition to the IMC. First, Section 505.3 requires common exhaust systems for new domestic kitchens in multistory buildings to comply with revised design requirements. Sections 507.1 through 507.1.2 revised design features for new commercial kitchens using natural gas. Section 601.5 has revised the return air opening standards. Finally, Section 412.6 addresses the transfer of LP-gas dispensing operations and safety clearances.

STAFF RECOMMENDATION

Staff recommends that the Commission update its Safety Rules 201, 202, and 203 as described above and set out in the attached proposed amendments. Adoption of the current Safety Codes and the CFRs will make these rules consistent with federal safety regulations concerning natural gas and pipeline utilities.

COMMISSION DECISION

Should Rules 201, 202, and 203 of the Commission's Safety and Accident Reporting Rules be updated by the adoption of the 2014 edition of pipeline safety CFRs and the 2015 editions of the IFGC and the IMC? Does the Commission wish to forward these proposed changes to the Administrative Rules Coordinator for publication in the next Administrative Bulletin?

Don Howell
Don Howell
Deputy Attorney General

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**IDAPA 31
TITLE 11
CHAPTER 01**

**31.11.01 - SAFETY AND ACCIDENT REPORTING RULES
FOR UTILITIES REGULATED
BY IDAHO PUBLIC UTILITIES COMMISSION**

201. FEDERAL NATURAL GAS SAFETY REGULATIONS (RULE 201).

The Commission incorporates by reference Part 260.9, Title 18 (April 1, 2014) and Parts 191, 192, 193, 195, and 199, Title 49, the Code of Federal Regulations (October 1, 2014), except that federal accident reporting requirements contained in the rules adopted by reference in Rule 201 are replaced for state reporting purposes by orders of the Commission or rules of the Commission. These regulations are found in the Code of Federal Regulations, available on the web from the U.S. Government Bookstore, <http://bookstore.gpo.gov>, and click on “Code of Federal Regulations,” or by calling toll-free 866-512-1800. The incorporated CFR Parts are also available in electronic format at www.gpoaccess.gov/cfr/index.html. All gas and pipeline corporations subject to the Commission’s jurisdiction are required to abide by applicable provisions of these federal regulations adopted by reference. ~~(3-29-12)~~(____)

202. INTERNATIONAL FUEL GAS CODE (IFGA) (Rule 202).

01. Incorporation by Reference. The Commission incorporates by reference the International Fuel Gas Code, 2012~~5~~ Edition except for Part 2 of Chapter 1. The International Fuel Gas Code is published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D.C. 20001-2070. The Code is available from the Code Council and may be ordered online at www.iccsafe.org/Store/Pages/default.aspx. Telephone orders may be placed by calling toll-free 800-786-4452. ~~(3-29-12)~~(____)

02. Utility Compliance. All gas corporations subject to the jurisdiction of this Commission are required to abide by applicable provisions of the International Fuel Gas Code and to connect for service and light only those installations that: (3-20-04)

a. Have been inspected and approved by authorized agencies; or (4-1-98)

b. When inspecting agencies do not exist, to require their customers to abide by applicable provisions of the International Fuel Gas Code as a condition of receiving service or continuing to receive service. (3-20-04)

203. INTERNATIONAL MECHANICAL CODE (IMC) (Rule 203).

01. Incorporation by Reference. The Commission incorporates by reference those portions of the 2012~~5~~ International Mechanical Code explicitly referring to gas or gas-burning appliances except Part 2 of Chapter 1. The International Mechanical Code is published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D.C. 20001-

2070 and may be ordered by calling toll-free 800-786-4452 or online at www.iccsafe.org/Store/Pages/default.aspx. ~~(3-29-12)~~()

02. Utility Compliance. Gas corporations subject to the jurisdiction of this Commission are required to abide by applicable provisions of the International Mechanical Code and to connect for service and light only those installations that: (3-20-04)

a. Have been inspected and approved by authorized agencies; or (4-1-98)

b. When inspecting agencies do not exist, to require their customers to abide by applicable provisions of the International Mechanical Code as a condition of receiving service or continuing to receive service. (3-20-04)