

DECISION MEMORANDUM

**TO: COMMISSIONER KJELLANDER
COMMISSIONER SMITH
COMMISSIONER HANSEN
COMMISSION SECRETARY
COMMISSION STAFF**

FROM: DON HOWELL

DATE: OCTOBER 24, 2003

**RE: UPDATING THE COMMISSION'S SAFETY AND ACCIDENT REPORTING
RULES, IDAPA DOCKET NO. 31-1101-0301 (CASE NO. RUL-G-03-1)**

On October 1, 2003, the Commission caused to be published in the Administrative Bulletin a Notice that it intended to amend its Safety and Accident Rules 202 and 203, IDAPA 31.11.01.202 and .203. In its Notice of Rulemaking, the Commission proposed to adopt the 2003 Edition of the International Fuel Gas Code (IFGC) in Rule 202. The Commission also proposed to adopt by incorporation the 2003 Edition of the International Mechanical Code (IMC) that explicitly refers to gas or gas-burning appliances.

The 2003 Editions of the IFGC and IMC would replace the 1999 Edition of the National Fuel Gas Code and the 2000 Edition of the Uniform Mechanical Code, respectively. Both the IFGC and the IMC are published by the International Code Council. *Idaho Code* §§ 39-4109 and 39-4116 permit local governments to adopt various international codes published by the International Code Council. Most, if not all, communities that have adopted a fuel gas code have adopted the IFGC. Likewise, nearly all communities that have adopted a mechanical code have adopted the IMC.

The Commission's Notice invited interested persons to submit written comments no later than October 22, 2003. Intermountain Gas Company submitted the only public comment and it supported the proposed changes. The Legislative Services Office did indicate that the Senate and House Subcommittees for Review of Administrative Rules did examine the proposed changes. Legislative Services stated that no "meeting will be held, and we are pleased to report that no objections will be filed [to the proposed rulemaking]." The proposed amendments to the Safety and Accident Reporting Rules 202 and 203 are attached for your consideration.

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COMMISSION DECISION

Does the Commission wish to adopt the proposed rule as a pending rule?

Does the Commission wish to issue a Notice of Pending Rule to be published in the
Administrative Bulletin on January 7, 2004?



Don Howell

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DECISION MEMORANDUM

THE FOLLOWING IS THE TEXT OF DOCKET NO. 31-1101-0301

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

01. Adoption By Reference. The Commission adopts by reference the ~~NFPA 54 ANSI Z223.1 National International Fuel Gas Code, 1999 2003 Edition and the errata 99-1 dated April 123, 2003. The 1999 Edition of the National Fuel Gas Code is designated as ANSI Z223.1-1999 by the American National Standards Institute, Inc. (ANSI), and as NFPA 54-1999 by the National Fire Protection Association (NFPA).~~ The National International Fuel Gas Code is jointly published by the American Gas Association, Codes and Standards, 400 N. Capitol Street, NW, Washington, D.C. 20001, and the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts 02269-9101, and International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041. The Code is available from ~~them~~ the Code Council and may be ordered online at www.iccsafe.org. Telephone orders may be placed by calling toll-free ~~1-800-344-3555~~ 284-4406. ()

02. Utility Compliance. All gas corporations subject to the jurisdiction of this Commission are required to abide by applicable provisions of the National International Fuel Gas Code and to connect for service and light only those installations that: (3-30-01)()

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. (4-1-98)()

203. UNIFORM INTERNATIONAL MECHANICAL CODE (UIMC) (Rule 203).

01. Adoption By Reference. The Commission adopts by reference those portions of the Uniform 2003 International Mechanical Code 2000 Edition and the undated first errata explicitly referring to gas or gas-burning appliances; ~~provided, however, that unvented room heaters not meeting the requirements of Section 807(e) of the Uniform Mechanical Code may be connected for service if they comply with Sections 6.24 and 7.2 of the National Fuel Gas Code.~~ The Uniform International Mechanical Code 2000 Edition is published by the International Association of Plumbing and Mechanical Officials Code Council, 20001 South Walnut Drive, Walnut, California 91789-2925 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041 and may be ordered by calling toll-free 800-284-4406 or online at www.iccsafe.org. ()

02. Utility Compliance. Gas corporations subject to the jurisdiction of this Commission are required to abide by applicable provisions of the Uniform International Mechanical Code and to connect for service and light only those installations that: (3-30-01)()

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 Uniform International Mechanical Code; ~~provided, however, that unvented room heaters not meeting the requirements of Section 807(e) of the Uniform Mechanical Code may be connected for service if they comply with Sections 6.24 and 7.2 of the National Fuel Gas Code~~ as a condition of receiving service or continuing to receive service. (4-1-98)()