**02-658**

**Maine State Fuel Board**

Maine Administrative Procedure Act

2014-2015 Regulatory Agenda

AGENCY UMBRELLA-UNIT NUMBER: **02-658**

AGENCY NAME: Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation, **Maine State Fuel Board**

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**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**EXPECTED 2014-2015 RULE-MAKING ACTIVITY**: The board is in the process of repealing its current rules and replacing them with the following chapters. A public hearing on these chapters was held on December 10, 2013 and on February 28, 2014 the Maine Fuel Board adopted Chapters 1 through 13.However, additional public comments were taken on Chapter 13 on May 14, 2014 and adoption of Chapter 13 is now scheduled for August 21, 2014.

**CHAPTER 1**: Definitions

STATUTORY BASIS: 32 M.R.S. §18123(2)

PURPOSE (of the rule): This chapter is promulgated to clarity wording of the laws and these rules.

SCHEDULE FOR ADOPTION: February 28, 2014.

Listing of AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 2**: Advisory Rulings

STATUTORY BASIS: 5 M.R.S. §§ 8051, 9001(4)

PURPOSE (of the rule): This chapter establishes guidelines relating to advisory rulings.

SCHEDULE FOR ADOPTION: February 28, 2014.

Listing of AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 3**: Categories and responsibilities of licensure

STATUTORY BASIS: 32 M.R.S. §18123(2)

PURPOSE (of the rule): This chapter describes the duties and responsibilities for licensure.

SCHEDULE FOR ADOPTION: February 28, 2014.

Listing of AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 4**: Qualifications for licensure

STATUTORY BASIS: 32 M.R.S. §18123(2)

PURPOSE (of the rule): This chapter sets forth the qualifications for licensure and describes the application and examination process.

SCHEDULE FOR ADOPTION: February 28, 2014.

Listing of AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 5**: Use of other license authorities.

STATUTORY BASIS: 32 M.R.S. §18123(2)

PURPOSE (of the rule): This chapter sets forth the requirements for licensed master and journeyman oil and solid fuel technicians to gain licensed experience as an apprentice to qualify for an additional license authority.

SCHEDULE FOR ADOPTION: February 28, 2014.

Listing of AFFECTED PARTIES: Licensees

**CHAPTER 6**: Adoption of Standards and Rules

STATUTORY BASIS: 32 M.R.S. §18123(2)

PURPOSE (of the rule): This chapter sets forth the standards for installation of any oil and solid fuel burning equipment, propane and natural gas equipment, chimneys, fireplaces and vents. These rules may be reviewed and revised in 2014 and 2015 by adopting and incorporating technical codes and standards that apply to these installations.

SCHEDULE FOR ADOPTION: February 28, 2014.

Listing of AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 7**: Modification of standards

STATUTORY BASIS: 32 M.R.S. §18123(2)

PURPOSE (of the rule): This chapter allows the board to authorize modifications to installation under unusual circumstances. This chapter provides the board with the discretion to alter installation standards after appropriate technical consideration.

SCHEDULE FOR ADOPTION: February 28, 2014.

Listing of AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 8**: Installation of oil burning equipment.

STATUTORY BASIS: 32 M.R.S. §18123(2)

PURPOSE (of the rule): This chapter sets forth the guidelines for the installation of oil burning equipment with necessary safety controls, devises and standards for the reduction of fire hazards associated with oil fired equipment used in residential, commercial and industrial applications.

SCHEDULE FOR ADOPTION: February 28, 2014.

Listing of AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 9**: Installation of solid fuel burning equipment.

STATUTORY BASIS: 32 M.R.S. §18123(2)

PURPOSE (of the rule): The purpose of this chapter is to specify the proper installation of solid fuel burning equipment in accordance with NFPA # 211.

SCHEDULE FOR ADOPTION: February 28, 2014.

Listing of AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 10**: Chimneys

STATUTORY BASIS: 32 M.R.S. §18123(2)

PURPOSE (of the rule): The primary purpose of this chapter is to set forth the rules governing the removal of waste gasses.

SCHEDULE FOR ADOPTION: February 28, 2014.

Listing of AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 11**: Installation of waste oil appliances and waste oil supply tanks.

STATUTORY BASIS: 32 M.R.S. §18123(2)

PURPOSE (of the rule): This chapter provides requirements for the use of waster oil burning equipment and accessory equipment installations.

SCHEDULE FOR ADOPTION: February 28, 2014.

Listing of AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 12**: Permits for aboveground and underground propane and natural gas storage facilities and rooftop installations.

STATUTORY BASIS: 32 M.R.S. §18123(2)

PURPOSE (of the rule): This chapter sets forth the requirements for permitting aboveground and underground propane and natural gas storage facilities and rooftop installations.

SCHEDULE FOR ADOPTION: February 28, 2104.

Listing of AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**CHAPTER 13**: Installation of propane and natural gas burning equipment.

STATUTORY BASIS: 32 M.R.S. §18123(2)

PURPOSE (of the rule): This chapter sets forth the guidelines for the installation of propane and natural gas burning equipment with necessary safety controls. A public hearing on this chapter was held in December of 2013.The Board adopted this chapter in February of 2014, however, it was determined that a portion of this chapter that was adopted was substantially different from the original language that received public comment and that additional comments on the new language was received at a public hearing on May 14, 2014.

SCHEDULE FOR ADOPTION: August 21, 2014.

Listing of AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.