**02-658**

**Maine State Fuel Board**

Maine Administrative Procedure Act

2015 - 2016 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 2015-2016 RULE-MAKING ACTIVITY**: The board adopted Chapters 1 through 13 in August of 2014 with the exception of Chapter 13, Section 13.7 to receive additional public comment. Public comments on Section 13.7 were taken on August 13, 2015 and adoption of Section 13.7 is now scheduled for late 2015 or in 2016. Additionally, the board will review and make changes to Chapters 3 and 4 pursuant to PL 2015, Chapter 169. Some of the changes to Chapters 3 and 4 would distinguish an oil burner technician and a solid fuel technician, and add a pellet-fired authority to the oil burner technician license. The board will also review Chapter 6 and may adopt and incorporate technical codes and standards that apply to the installation of fuel burning equipment, chimneys, fireplaces and vents.

**CHAPTER 1**: Definitions

STATUTORY BASIS: 32 M.R.S. §18123(2)

PURPOSE (of the rule): This chapter clarifies terms in the law and these rules. The Board may review and revise its rules to ensure clarity and conformity with the enabling statute.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

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. The Board may review and revise its rules to ensure clarity and conformity with the enabling statute.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

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. The Board may review and revise its rules to ensure clarity and conformity with the enabling statute.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

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. The Board may review and revise its rules to ensure clarity and conformity with the enabling statute.

SCHEDULE FOR ADOPTION: 2016

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. The Board may review and revise its rules to ensure clarity and conformity with the enabling statute.

SCHEDULE FOR ADOPTION: 2016

Listing of AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated

**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. The Board may review and revise its rules to ensure clarity and conformity with the enabling statute, and may update standards as needed.

SCHEDULE FOR ADOPTION: 2016

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 standards under unusual circumstances. This chapter provides the board with the discretion to alter installation standards after appropriate technical consideration. The Board may review and revise its rules to ensure clarity and conformity with the enabling statute.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

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, devices and standards for the reduction of fire hazards associated with oil fired equipment used in residential, commercial and industrial applications. The Board may review and revise its rules to ensure clarity and conformity with the enabling statute.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

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. The Board may review and revise its rules to ensure clarity and conformity with the enabling statute.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

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 gases. The Board may review and revise its rules to ensure clarity and conformity with the enabling statute.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

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 waste oil burning equipment and accessory equipment installations. The Board may review and revise its rules to ensure clarity and conformity with the enabling statute.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

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. The Board may review and revise its rules to ensure clarity and conformity with the enabling statute.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

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. The Board may review and revise its rules to ensure clarity and conformity with the enabling statute. The Board will continue the rulemaking process for Section 13.7 on the installation of conversion burners.

SCHEDULE FOR ADOPTION: 2016

Listing of AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.