

RULES
OF
SAFETY FIRE COMMISSIONER
CHAPTER 120-3-12
RULES AND REGULATIONS
FOR
THE STORAGE AND HANDLING OF ANHYDROUS AMMONIA

TABLE OF CONTENTS

120-3-12-.01 Promulgation and Purpose
120-3-12-.02 Administration
120-3-12-.03 Definitions
120-3-12-.04 Special Provisions
120-3-12-.05 Adoption of Standards for the Storage and Handling of Anhydrous Ammonia
120-3-12-.06 Severability
120-3-12-.07 Forms

120-3-12-.01 Promulgation and Purpose

(1) These Rules and Regulations for the Storage and Handling of Anhydrous Ammonia are promulgated by the Georgia Safety Fire Commissioner in accordance with an Act creating the Office of Georgia Safety Fire Commissioner, Georgia Laws, 1949, p. 1057, as amended.

(2) The purpose of these Rules and Regulations is to prevent loss of life, injury of persons, and loss or damage to property in the handling, use, manufacture, storage, and transportation of anhydrous ammonia. These rules and regulations supersede former rules and regulations promulgated by the Georgia Safety Fire Commissioner pertaining to anhydrous ammonia when such are in conflict with these rules and regulations.

120-3-12-.02 Administration

(1) It is prohibited for any person to manufacture, sell, store, transport, possess, or use anhydrous ammonia, except in conformance with these rules and regulations.

(2) Requirements for Permit:

(a) It is prohibited for any person to manufacture, sell, store, transport, or store for transportation or sale, anhydrous ammonia in the State of Georgia except by authority of a written permit issued by the State Fire Marshal in conformance

with these rules and regulations, provided that no person operating under an Interstate Commerce Commission, Department of Transportation or Georgia Public Service Commission permit, and in accordance with the requirements of those agencies, shall be required to obtain a permit from the State Fire Marshal for transportation or storage for transportation of anhydrous ammonia.

(b) Application for Permit:

1. The applicant for a permit required by these rules and regulations shall, at his own expense, furnish in writing such information as the State Fire Marshal may require concerning the purpose for which the permit is requested.

2. Pursuant to O.C.G.A. Section 25-2-4.1, the application for a permit shall be accompanied by the mandatory permit fee, payable to the Safety Fire Commissioner.

3. Submission of Plans:

(i) Complete plans and specifications for all systems involving the storage of over 2,000 water gallons of anhydrous ammonia shall be submitted in duplicate to and receive approval by the State Fire Marshal before installation is started. Such plans shall be drawn to scale and be of sufficient detail and clarity as necessary to indicate the nature and character of the proposed system and its compliance with this Chapter. One copy of the plans shall be retained by the State Fire Marshal and one copy shall be returned to the applicant with the approval or disapproval indicated thereon. A copy of the approved plans shall be kept available at the construction site for inspection by authorized representatives of the State Fire Marshal. Pursuant to O.C.G.A. Section 25-2-4.1, the plans shall be accompanied by the mandatory plan review fee, payable to the Safety Fire Commissioner. Pursuant to O.C.G.A. Section 25-2-16, the plans shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Safety Fire Commissioner or his designee.

(ii) For all other systems which require a permit but which involve the storage of 2,000 water gallons or less of anhydrous ammonia, a final inspection shall be obtained from the State Fire Marshal before the permit can be issued.

(3) Records:

(a) All persons required by these rules and regulations to obtain a permit shall keep an accurate record of each sale or delivery. Such records shall be in clear, legible writing showing the name and address of purchasers, the quantity purchased, and the location of the operation at which said anhydrous ammonia is to be used, stored or delivered. Such records shall be kept by such person, firm or corporation in its principal place of business in this State. These records shall be subject to examination by the State Fire Marshal and/or his authorized assistants. The State Fire Marshal and/or his authorized assistants may at any time require any person, firm or corporation to produce such records for the current calendar year and the immediate preceding full calendar year.

(4) Miscellaneous Provisions:

(a) It is prohibited for any person to introduce anhydrous ammonia into any container which does not meet the standards of these rules and regulations.

(b) It is prohibited for any person, firm or corporation to sell, deliver or otherwise convey anhydrous ammonia to any person, firm or corporation not equipped to handle or store same in conformance with the requirements of these regulations.

(c) It shall be prohibited for any person, firm or corporation to introduce anhydrous ammonia into a tank or container which has previously contained liquefied petroleum gas without written permission from the State Fire Marshal.

(5) Revocation of Permit:

(a) The State Fire Marshal may revoke a permit or approval issued under the provisions of the law or regulations in the event there has been any false statement or misrepresentation as to a material fact in the application upon which the permit or approval was based.

(b) The permit may be revoked for cause after notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner; provided, however, that the Safety Fire Commissioner may revoke any license prior to notice and hearing if he determines, upon recommendation of the State Fire Marshal, that the situation involves an imminent peril to the public health, safety, and welfare and that the situation therefore requires emergency action. An emergency revocation shall contain reasons and findings for the determination, and shall be accompanied by a notice of opportunity for a hearing, which may provide that a hearing will be held if and only if the aggrieved person requests a hearing within ten (10) days of receipt of the revocation and notice.

120-3-12-.03 Definitions

The definitions contained in this section are in addition to or in clarification of those contained in the adopted standards.

- (1) COMMISSIONER. The Georgia Safety Fire Commissioner.
- (2) AUTHORITY HAVING JURISDICTION. The State Fire Marshal of Georgia.
- (3) ICC. The Interstate Commerce Commission.
- (4) DOT. The United States Department of Transportation.

NOTE: On April 1, 1967, certain functions of the U.S. Interstate Commerce Commission (ICC) were transferred to the U.S. Department of Transportation (DOT). An approval of certification label, marking, tag or other document bearing either marking, ICC or DOT, is acceptable wherever these rules and regulations specify ICC approval.

- (5) GPSC. The Georgia Public Service Commission.
- (6) PERMIT. An anhydrous ammonia permit is the written authority of the State Fire Marshal, issued pursuant to these rules and regulations, to manufacture, sell, transport, or store for transportation or sale, anhydrous ammonia in the State of Georgia.
- (7) PERSON. Any individual, firm, co-partnership, corporation, company,

association, joint stock association, and including any trustee, receiver, assignee or personal representative thereof.

(8) BULK STORAGE. Storage of bulk liquids, 2,000 gallons or more received by a tank vessel, pipeline, tank car, or tank vehicle for the purpose of distributing.

120-3-12-.04 Special Provisions

(1) Reporting of fires or serious accidents:

(a) Every person required by these rules and regulations to have a permit and who suffers a fire or serious accident involving anhydrous ammonia shall make report thereof in writing as soon as possible to the State Fire Marshal. A serious accident shall be interpreted to mean one in which loss of life, hospitalization of persons, or loss or damage to property involving \$100.00 or more results from the accident.

(2) Advising appropriate authorities of situations presenting a hazard to the public:

(a) Every person required by these rules and regulations to have a permit and having knowledge of a situation or condition involving anhydrous ammonia which creates a hazard to the public shall advise local authorities immediately and the State Fire Marshal as soon as practicable.

(3) Modification:

(a) Upon receipt of a sworn affidavit from the owner stating all relevant facts and circumstances and such other information as may be required, the State Fire Marshal may recommend to the Commissioner that specific requirements of this Chapter and the NFPA codes, standards and recommended practices adopted herein, be modified to allow alternative arrangements that will secure as nearly equivalent measures as practical for the prevention of injury to persons and property. The Commissioner in his discretion may accept the State Fire Marshal's recommendation and grant the requested modification.

120-3-12-.05 Adoption of Standards for the Storage and Handling of Anhydrous Ammonia

(1) The standards recommended by "The Fertilizer Institute" (formerly the Agricultural Ammonia Institute) and as published in TFI-M-1-1981, ANSI K61.1-1981, shall be accepted as standards for this State and are hereby adopted.

120-3-12-.06 Severability

If any rule or portion thereof contained in this Chapter is held invalid by a court of competent jurisdiction, the remainder of the rules herein and the applicability of such provisions to other circumstances shall not be affected thereby.

120-3-12-.07 Forms.

The following form is incorporated to implement this Chapter and O.C.G.A. Section 25-2-4.1.

<u>TITLE</u>	<u>FORM NUMBER</u>
Anhydrous Ammonia Application	SFD 46

NOTE:

1. A copy of the Standards, TFI-M-1-1981, ANSI K61.1-1981, is on file in the Office of the State Fire Marshal and is available for viewing.



OFFICE OF COMMISSIONER OF INSURANCE

TIM RYLES
COMMISSIONER OF INSURANCE
SAFETY FIRE COMMISSIONER
INDUSTRIAL LOAN COMMISSIONER
COMPTROLLER GENERAL

SEVENTH FLOOR, WEST TOWER
FLOYD BUILDING
2 MARTIN LUTHER KING, JR. DRIVE
ATLANTA, GEORGIA 30334

BEFORE THE COMMISSIONER OF INSURANCE

STATE OF GEORGIA

IN THE MATTER OF:

STORAGE & HANDLING OF ANHYDROUS AMMONIA)
) DOCKET NUMBER
) SF-92-R-4

ORDER

On July 10, 1992, notice of intent to adopt rule changes and notice of hearing were given regarding the proposal of the Safety Fire Commissioner to amend the Rules and Regulations of the Office of Safety Fire Commissioner as follows:

The Rules and Regulations of the Office of Safety Fire Commissioner are hereby amended by deleting subparagraph 120-3-12.02(2)(b)2, entitled "Administration," in its entirety and substituting in lieu thereof a new subparagraph 120-3-12.02(2)(b)2, entitled "Administration." Subparagraph 120-3-12.02 is further amended by adding a new subparagraph 120-3-12.02(2)(b)3, entitled "Submission Of Plans," after 120-3-12-.02(2)(b)2. Rule 120-3-12-.03 entitled "Definitions" is amended by adding a new paragraph

120-3-12-.03(8) after paragraph 120-3-12-.03(7). Chapter 120-3-12 is further amended by adding a new Rule 120-3-12-.07 entitled "Forms."

The proposal has been approved as to legality by the Attorney General, as is evidenced by a letter dated August 3, 1992, from Rebecca S. Mick, Staff Attorney, Department of Law, State of Georgia.

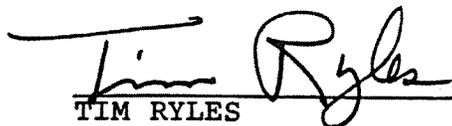
Opportunity was given to interested persons to participate in the proposed rulemaking by submitting their written data, views, or arguments by August 12, 1992, and opportunity was given to interested persons to participate in the proposed rulemaking by submitting oral views, data, or arguments at a hearing held on August 19, 1992. All written comments received prior to or during the hearing held on August 19, 1992, were made a part of the record of the hearing. At the hearing, Pete Paulsen, on behalf of the Safety Fire Division of the Office of Safety Fire Commissioner, appeared to explain the purpose of the proposed amendment. No other interested persons appeared at the hearing to submit oral views, data, or arguments in regard to the proposed amendment.

Pursuant to O.C.G.A. §§50-13-21, 25-2-4, and 33-2-9, and as recommended by the Hearing Officer, the Safety Fire Commissioner of the State of Georgia adopts and promulgates the proposed amendment to the Rules and Regulations of the Office of the Safety Fire Commissioner, a copy of which is attached hereto and made a part hereof by reference.

It is ordered that the amendments to Chapter 120-3-12

of the Rules and Regulations of the Office of Safety Fire
Commissioner shall become effective twenty days after proper
filing is made with the Office of Secretary of State.

Given under my Hand and Official Seal this 1st day of
September, 1992.

A handwritten signature in cursive script, reading "Tim Ryles", written over a horizontal line.

TIM RYLES
SAFETY FIRE COMMISSIONER
STATE OF GEORGIA