

**COLORADO DEPARTMENT OF
LABOR AND EMPLOYMENT**

DIVISION OF OIL AND PUBLIC SAFETY

**RETAIL NATURAL GAS (CNG/LNG)
REGULATIONS**

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Effective: January 31, 2014



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TABLE OF CONTENTS

ARTICLE 1 GENERAL PROVISIONS	1
Section 1-1 Basis and Purpose	1
Section 1-2 Technical Rationale	1
Section 1-3 Statutory Authority	1
Section 1-4 Effective Date	1
Section 1-5 Codes and Standards	1
Section 1-5-1 Codes incorporated by reference	1
Section 1-5-2 Inspection of incorporated codes	1
Section 1-5-3 Later amendments not included	1
Section 1-6 Definitions	1
Section 1-7 Applicability	3
Section 1-8 Condemning a Natural Gas Container Assembly and Piping System	3
ARTICLE 2 INSTALLATION	4
Section 2-1 General Requirements	4
Section 2-2 Installation Permits	4
Section 2-3 Access Requirements	5
ARTICLE 3 DISPENSING AND FUEL QUALITY	5
Section 3-1 Retail Dispensing of Natural Gas	5
Section 3-2 Retail Motor Fuel Dispensers Inspection and Testing	5
Section 3-3 Retail Dispensers for Compressed Natural Gas (CNG)	6
Section 3-4 Retail Dispensers for Liquefied Natural Gas (LNG)	6
Section 3-5 Product Quality	7
ARTICLE 4 DELIVERY INTO RETAIL NATURAL GAS SYSTEMS	7
Section 4-1 Delivery	7
ARTICLE 5 ACCIDENT REPORTS AND INVESTIGATIONS	7
Section 5-1 Reportable Accidents	7
Section 5-2 Reporting Requirements	8

ARTICLE 1 GENERAL PROVISIONS

Section 1-1 Basis and Purpose

The basis and purpose of these regulations is to set forth minimum standards for the design, construction, location, installation, and operation of retail natural gas fueling facilities, including mobile refueling vehicles and equipment, which are reasonably necessary for the protection of the health, welfare and safety of the public and persons using such materials.

Section 1-2 Technical Rationale

The technical requirements of these regulations are based on generally accepted national and international codes and standards governing the minimum levels of acceptability for inspections, specifications, shipment notification, record keeping, labeling of containers, use of meters or mechanical devices for measurement, submittal of installation plans, and minimum standards for the design, construction, location, installation, and operation of retail natural gas systems, including mobile refueling vehicles and equipment .

Section 1-3 Statutory Authority

These regulations are created pursuant to 8-20-102 and 39-27-123 of the Colorado Revised Statutes.

Section 1-4 Effective Date

These regulations shall be effective on January 31, 2014.

Section 1-5 Codes and Standards

Section 1-5-1 Codes incorporated by reference

The following codes are incorporated by reference:

- (a) NFPA 52, *Vehicular Gaseous Fuel Systems Code*, 2013 edition.
- (c) NFPA 30-A, *Code for Motor Fuel Dispensing Facilities & Repair Garages*, 2012 edition.
- (d) NIST Handbook 44 *Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices*
- (e) NIST Handbook 130 *Uniform Laws and Regulations in the Areas of Legal Metrology and Engine Fuel Quality*

Section 1-5-2 Inspection of incorporated codes

Interested parties may inspect the referenced incorporated materials by contacting the Program Manager, 633 17th Street, Suite 500, Denver, CO 80202 or the State Depository Libraries.

Section 1-5-3 Later amendments not included

These regulations do not include later amendments to or editions of the incorporated material.

Section 1-6 Definitions

- (a) Terms in these regulations shall have the same meaning as those found in Title 8, Article 20 and Title 9, Article 4 of the Colorado Revised Statutes. In addition, unless the context otherwise requires:

ASME International – ASME International was formerly the American Society of Mechanical Engineers (ASME).

British Thermal Units or BTU – Means a scientific unit of measurement equal to the quantity of heat required to raise the temperature of one pound of water one degree Fahrenheit at approximately sixty degrees Fahrenheit.

Compressed Natural Gas (CNG) - Natural gas which has been compressed and dispensed into fuel storage containers and is suitable for use as an engine fuel.

CNG GGE - 1 CNG GGE is equal to 5.660 lbs (2.567 kg) of CNG

CNG DGE - 1 CNG DGE is equal to 6.380 lbs (2.894 kg) of CNG

Condemned – A **condemned container assembly and piping system** is one determined by a state inspector to be so unsafe that further use is prohibited until it is satisfactorily repaired or replaced.

Container Assembly – A **container assembly** includes US Department of Transportation (DOT) and ASME containers, commonly known as tanks or cylinders.

CRS – **CRS** means the Colorado Revised Statutes.

Division – The **Division of Oil and Public Safety**, is the regulatory agency of the Colorado Department of Labor and Employment having jurisdiction over retail natural gas systems per the provisions of CRS 8-20-102 (3).

Existing Installation – An **existing installation** includes any natural gas container assembly and piping system at a natural gas fueling facility that has been placed into service prior to the effective date of these regulations and/or has received its initial inspection by a state inspector.

Gallon Equivalent – Means either a gallon diesel equivalent or a gallon gasoline equivalent.

Gallon Diesel Equivalent – Also known as **Diesel Gallon Equivalent (DGE)** - Means an amount of a motor fuel that contains an average lower heating value of one hundred twenty-eight thousand (128,000) BTU's, but in no case contains a lower heating value of less than one hundred twenty-four thousand (124,000) BTU's.

Gallon Gasoline Equivalent – Also known as **Gasoline Gallon Equivalent (GGE)** - Means an amount of a motor fuel that contains an average lower heating value of one hundred fourteen thousand (114,000) BTU's, but in no case contains a lower heating value of less than one hundred ten thousand (110,000) BTU's.

Liquefied Natural Gas (LNG) - Natural gas that has been liquefied at - 126.1 °C (- 259 °F) and stored in insulated cryogenic tanks for use as an engine fuel.

LNG DGE – 1 LNG DGE is equal to 6.06 lbs (2.749 kg) of LNG

Mobile Refueling – The use of a United States DOT-approved vehicle or mobile equipment on site with tank(s) and/or pump(s) that dispenses natural gas engine fuel directly to vehicles, storage vessels/cylinders, or secondary refueling equipment.

Natural Gas - Compressed natural gas (CNG) or Liquefied Natural Gas (LNG) as defined by this regulation.

Natural Gas Fueling Facility – A *natural gas fueling facility* is a facility that has a natural gas container assembly and piping system, including mobile refueling equipment, which is used for retail motor vehicle fueling.

New Installation – A *new installation* means any natural gas container assembly and piping system at a natural gas fueling facility that has been placed into service after the effective date of these regulations and/or has not received its initial inspection by a state inspector.

NFPA – *NFPA* means the National Fire Protection Association.

NIST– *NIST* means the National Institute of Standards and Technology.

Piping System – Pipe, tubing, hose, and flexible connectors with valves and fittings made into complete systems for conveying natural gas from one point to another within a retail natural gas fueling facility.

Proved – Means the act of having verified the accuracy of meters used to measure fuel and petroleum products using a “Prover”.

Prover – Means a calibrated volumetric receiver or mechanical device traceable to NIST standards.

Registered Serviceperson – Any individual who for hire, award, commission, or any other payment of any kind, installs, services, repairs, or reconditions a commercial weighing or measuring device, and who voluntarily registers with the division.

Registered Service Agency (RSA) – Any agency, firm, company, or corporation that for hire, award, commission, or any other payment of any kind installs, services, repairs, or reconditions a commercial weighing or measuring device, and that voluntarily registers with the division. Under agency registration, identification of individual servicepersons shall be required.

Retail – means the sale of CNG or LNG from a fixed location or by means of mobile refueling equipment or vehicles, such as at a fueling station, in small or individual quantities for direct consumption by the purchaser.

State Inspector – *State Inspector* means a person who is employed or authorized by the division to perform inspections of retail natural gas fueling facilities.

Section 1-7 Applicability

- (a) The regulations contained herein shall apply to the installation and operation of all retail natural gas systems when used for motor vehicle fueling.

Section 1-8 Condemning a Natural Gas Container Assembly and Piping System

- (a) Conditions which a state inspector may determine to be unsafe include: bypassed safety controls, inoperative relief valves, any gas leak from a natural gas container assembly, or piping system, missing nameplate or any other condition deemed by a state inspector to be unsafe based on codes adopted by this regulation. A container assembly or piping system that meets any condition described above may be condemned by a state inspector.
- (b) The owner or user must shut down the condemned natural gas container assembly and piping system as directed by a state inspector. If neither the owner nor user is available, a state inspector will cause the system to be shut down.
- (c) A state inspector will affix a notice to a condemned natural gas container assembly and piping system stating that it has been condemned and may not be used until satisfactory repairs are made, as determined by a re-inspection by a state inspector or other person authorized by the division.

ARTICLE 2 INSTALLATION

Section 2-1 General Requirements

- (a) All new retail natural gas installations shall be operated and maintained in accordance with the 2013 edition of NFPA 52, the 2012 edition of NFPA 30A, and NIST handbooks 44 and 130, including any retroactive requirements adopted by the division at the time of installation.
- (b) All existing retail natural gas installations shall be operated and maintained in accordance with the edition of NFPA 52, NFPA 30A, and NIST handbooks 44 and 130 that were in effect at the time of original construction.
 - (1) If after inspection the division determines that an existing situation presents an unacceptable degree of risk, the division shall be permitted to apply retroactively any portion of the applicable codes listed in section 2-1 (a), deemed appropriate.
- (c) Local Authorities Having Jurisdiction, including Fire Departments and building code officials, may enforce more stringent requirements, including alternate codes and regulations. These requirements may include but are not limited to the following:
 - (1) Plan review and permitting for new natural gas fueling facilities.
 - (2) Access to natural gas fueling facilities for the purpose of conducting inspections.
 - (3) Delivery into containers located at natural gas fueling facilities.

Section 2-2 Installation Permits

- (a) Plans for all new retail natural gas installations including mobile refueling equipment used for motor vehicle fueling shall be submitted to and approved by the division before construction of such installations begins.
 - (1) Plans for the installation of new container assembly and piping systems, including mobile refueling equipment, at existing retail natural gas fueling facilities shall be submitted to the division for approval before construction of such installation begins.
 - (2) It is not necessary to submit plans for the repair, replacement or upgrade of compression, drying, or other ancillary equipment.
- (b) The permit procedures are as follows:
 - (1) The permit application shall be submitted using an application form provided by the division.
 - (2) The application shall include a plot plan containing all elements required by the division.
 - (3) The division may deny the application if the proposed installation does not conform to the division natural gas statute or regulation, or to codes adopted by the division, or if the application is incomplete or determined to be inaccurate.
 - (4) Construction and installation of drying, compression, storage, piping, dispensing, and all other associated equipment shall conform to the code(s) in effect at time of installation.

(5) The division may revoke a permit if construction is not performed per the approved permit, or if the construction fails to meet operating or fire safety regulations established by the division or by the applicable NFPA Code.

(6) An installation permit approved by the division is automatically revoked if construction does not begin within 6 months of approval, unless a written request for an extension is submitted to and approved by the division.

Section 2-3 Access Requirements

(a) The division may inspect a retail natural gas system at any time during its construction. Access shall be provided to the division or its agent for such purpose upon request.

(b) After a retail natural gas system has been installed, the division may inspect the system to verify compliance with design, construction, location, installation and operation requirements. Natural gas fueling facility owners, tank owners, and owners of locations where a natural gas system is installed shall grant inspection access to the division or its agent for such purpose upon request.

ARTICLE 3 DISPENSING AND FUEL QUALITY

Section 3-1 Retail Dispensing of Natural Gas

(a) All retail dispensing of natural gas from either fixed equipment or mobile refueling equipment including vehicles, when used as a motor vehicle fuel shall be operated and maintained in accordance with the applicable requirements of the 2013 edition of NFPA 52, the 2012 edition of NFPA 30A, and NIST handbooks 44 and 130.

Section 3-2 Retail Motor Fuel Dispensers Inspection and Testing

(a) All retail motor fuel dispensers (RMFD) shall be suitable for their intended use, be properly installed, and accurate, and shall be maintained in that condition by their owner/operator.

(b) All RMFD shall be traceable to an active National Type Evaluation Program (NTEP) Certificate of Conformance (CC) prior to its installation or use for commercial purposes.

(c) All RMFD shall be capable of displaying delivered quantity in units of mass for calibration purposes. All adjustments and calibrations of RMFD shall be made utilizing mass measurement standards.

(d) The division shall be notified when any new or remanufactured RMFD is placed in service at a new or existing installation.

(1) Notification shall be submitted using a placed in service report provided by the division.

(e) No owner/operator of any RMFD shall use the RMFD for the measurement of natural gas unless it has been proved in a manner acceptable to the division and sealed as correct by a state inspector or registered service agency.

(1) All RMFD shall be proved and sealed as correct on an annual basis by either a state inspector or registered service agency.

(f) Means shall be provided at the natural gas fueling facility to return all natural gas product used for proving meters back to the compression and storage equipment when proving is completed.

(g) If any RMFD fails to comply with any of the provisions of this regulation, a state inspector shall seal it in such a manner as to prohibit its use, and it shall remain sealed until it complies with all of the provisions of this regulation.

(1) When an RMFD is brought back into compliance with this regulation it must be placed back in service by a state inspector or registered service agency.

(h) All RMFD shall comply with the minimum standards as prescribed by the applicable sections of NFPA 52 "Vehicular Gaseous Fuel Systems Code", NFPA 30A "Code for Motor Fuel Dispensing Facilities and Repair Garages", NIST Handbook 44, "Specifications, Tolerances, and Other Technical Requirements for Commercial Weighing and Measuring Devices," NIST Handbook 130, "Uniform Laws and Regulations in the area of legal metrology and engine fuel quality" except as modified or rejected by this regulation or by the division.

(i) In addition to the requirements of Section 3-2 (a) through (e), all RMFD dispensing natural gas in terms of gallon equivalents used for motor vehicle fuel shall meet the requirements of Colorado Revised Statute 8-20-232.5. *Method of sales of motor fuels – gallon equivalents – conversion factors.*

(j) All measuring devices installed on mobile refueling equipment including vehicles, used for retail sales of natural gas, shall meet the requirements of Section 3-2 (a) through (g), Section 3-3, and Section 3-4.

Section 3-3 Retail Dispensers for Compressed Natural Gas (CNG)

(a) For the purposes of this regulation, compressed natural gas shall be identified by the term "Compressed Natural Gas" or "CNG."

(b) All CNG kept, offered, or exposed for sale or sold at retail as a vehicle fuel shall be in units of mass (pounds or kilograms), or in units of volume (gallons or gallon equivalents).

(c) Each retail dispenser of CNG shall be labeled as "Compressed Natural Gas."

(d) All retail CNG dispensers shall be labeled with the gallon equivalent conversion factor in terms of kilograms or pounds. The label shall be permanently and conspicuously displayed on the face of the dispenser and shall have either the statement "1 CNG Gasoline Gallon Equivalent (GGE) is equal to 5.660 lbs (2.567 kg) of CNG" or "1 CNG Diesel Gallon Equivalent (DGE) is equal to 6.380 lbs (2.894 kg) of CNG", consistent with the method of sale used.

(e) CNG is dispensed into vehicle fuel containers with working pressures of 3000 PSI (20 684) kPa, or 3600 PSI (24 821 kPa). The dispenser shall be labeled 3000 PSI (20 684 kPa), or 3600 PSI (24 821 kPa) corresponding to the pressure of the CNG dispensed by each fueling hose.

(f) NFPA Labeling requirements also apply. (Refer to NFPA 52.)

(g) CNG fueling nozzles for use with vehicles less than 10,000 lb (4500kg) GVWR shall comply with ANSI/AGA/CGA NGV 1.

(h) Alternate nozzles than those described in Section 3-3 (g) used for fuelling larger vehicles such as buses and trucks shall be designed to prevent the connection of a lower service pressure vehicle to a higher service pressure source.

Section 3-4 Retail Dispensers for Liquefied Natural Gas (LNG)

(a) For the purposes of this regulation, liquefied natural gas shall be identified by the term "Liquefied Natural Gas" or "LNG."

(b) All LNG kept, offered, or exposed for sale or sold at retail as a vehicle fuel shall be in units of mass (pounds or kilograms) or in units of volume (gallons or diesel gallon equivalents [DGE's]).

- (c) Each retail dispenser of LNG shall be labeled as “Liquefied Natural Gas.”
- (d) All retail LNG dispensers shall be labeled with the gallon equivalent conversion factor in terms of kilograms or pounds. The label shall be permanently and conspicuously displayed on the face of the dispenser and shall have either the statement “1 LNG Diesel Gallon Equivalent (DGE) is equal to 6.06 lbs (2.749 kg) of LNG.
- (e) LNG automotive fuel shall be labeled with its automotive fuel rating in accordance with 16 CFR Part 306. (e.g. *LNG 95% Methane*)
- (f) NFPA Labeling requirements also apply. (Refer to NFPA 52.)

Section 3-5 Product Quality

- (a) CNG shall meet the requirements of Sections 5.2 and 10.10 of the 2013 Edition of NFPA 52 Vehicular Gaseous Fuel Systems Code, for product quality and odorization.
- (b) In addition to the requirements of Section 3-5 (a), CNG and LNG shall have a minimum methane content of not less than 80% and,
- (c) The BTU content of natural gas gallon equivalents shall meet the following requirements:
 - (1) A CNG GGE shall contain a lower heating value of not less than 110,000 BTU’s.
 - (2) A CNG DGE shall contain a lower heating value of not less than 124,000 BTU’s.
 - (3) A LNG DGE shall contain a lower heating value of not less than 124,000 BTU’s.
- (d) All equipment, including filters and strainers, used to prevent any foreign material, including compressor oil or water, from being dispensed into a vehicle container, shall be periodically serviced and maintained.
- (e) Any shipper of natural gas products to be used for retail motor fuel, who ships such product into the state of Colorado or ships natural gas products from one point within the state to another point within the state shall make records of such shipments available to the division upon request.

ARTICLE 4 DELIVERY INTO RETAIL NATURAL GAS SYSTEMS

Section 4-1 Delivery

- (a) No owner/operator of a retail natural gas fueling facility shall allow natural gas to be delivered into the following:
 - (1) An improperly installed container assembly or piping system installed at a natural gas fueling facility.
 - (2) A container installed at a natural gas fueling facility that does not have a proper ASME nameplate.

ARTICLE 5 ACCIDENT REPORTS AND INVESTIGATIONS

Section 5-1 Reportable Accidents

- (a) Accidents, fires, explosions, injuries, damage to property, or loss of life resulting from the storage or dispensing of CNG or LNG at retail natural gas fueling facilities shall be reported to the division within twenty-four hours after their occurrence.
- (b) Subsection (a) of this Section includes accidents resulting from the improper use or installation of compression, storage and dispensing equipment or equipment failure at retail natural gas fueling facilities.
 - (1) The division may investigate such occurrences and shall maintain a written record of findings, which shall be available to public examination.

Section 5-2 Reporting Requirements

- (a) The following persons are required to notify the division of an accident that meets any of the criteria of Section 5-1:
 - (1) Owner/operator or other representative of the retail natural gas fueling facility.
- (b) Accidents may be reported by telephone, facsimile, or electronic mail.
- (c) The accident report shall include, at minimum, the following information:
 - (1) The names of the owner/operator and person making the report and their telephone numbers;
 - (2) The date, time and location of the accident;
 - (3) The number of fatalities and personal injuries;
 - (4) All other significant facts known by the person making the report that are relevant to the cause of the accident or extent of the damages.



December 4, 2013

Retail Natural Gas Regulation Stakeholder Group

All,

The following changes have been made to the proposed “Colorado Retail Natural Gas Regulation”. These changes are based on comments made prior to the public hearing held on December 3rd. There were no additional comments made at the public hearing. Minor changes due to grammatical issues and language clarity are not noted.

1. Updated table of contents to reflect all other changes.
2. Section 2-1 (a) & (b) added “retail” in order to clarify the scope of the regulation and add consistency.
3. Section 3-2 (d) added “or remanufactured” to clarify the need to notify the division when either a new or remanufactured RMFD is placed in service at a new or existing installation.