

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার
বাংলাদেশ এনার্জি রেগুলেটরী কমিশন
চিদিবি ভবন (৪র্থ তলা), ১, কারওয়ান বাজার, ঢাকা ১২১৫।

নং-বিইআরসি/গ্যাস বিভাগ(এলপিজি)/২০১১/২৩/ ২২২২

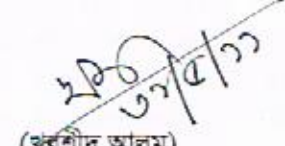
তারিখ : ৩১ মে, ২০১১

বিষয় : বাংলাদেশ এনার্জি রেগুলেটরী কমিশন কর্তৃক প্রস্তুতকৃত খসড়া এলপিজি অপারেশন, মজুতকরণ, বিপণন ও বাজারজাতকরণ প্রবিধানমালা, ২০১১ এর উপর মতামত প্রদান প্রসঙ্গে।

বাংলাদেশ এনার্জি রেগুলেটরী কমিশন আইন, ২০০৩ এর ৫৯ ধারার ক্ষমতাবলে বিদ্যুৎ উৎপাদন, এনার্জি সংরক্ষণ, এনার্জি বিপণন ও বিতরণ, এনার্জি সরবরাহ এবং এনার্জি মজুতকরণ বিষয়ক কমিশনের কর্মকাণ্ডের অন্যতম কার্যক্রম হলো বিভিন্ন কোডস ও স্ট্যান্ডার্ড তৈরি করা। সে লক্ষ্যে এলপিজি'র অপারেশন, মজুতকরণ, বিপণন ও বাজারজাতকরণ, এর গুণগতমান ও নিরাপত্তা নিশ্চিতকরণের জন্য প্রয়োজনীয় কোডস ও স্ট্যান্ডার্ড প্রণয়ন করে তার প্রয়োগ বাধ্যতামূলক করার দায়িত্বও কমিশনের। কমিশন আইনের উদ্দেশ্য পূরণকল্পে ও কমিশনের উপর প্রদত্ত দায়িত্ব সম্পাদনের জন্য এলপিজি বিষয়ক প্রবিধানমালা প্রণয়ন অত্যাবশ্যকীয়। সে লক্ষ্যে উপর্যুক্ত বিষয়ে কমিশন কর্তৃক ইংরেজীতে খসড়া এলপিজি অপারেশন, মজুতকরণ, বিপণন ও বাজারজাতকরণ প্রবিধানমালা, ২০১১ প্রস্তুত করা হয়েছে।

বিইআরসি কর্তৃক প্রস্তুতকৃত খসড়া প্রবিধানমালাটির উপর আপনার/আপনার প্রতিষ্ঠানের মূল্যবান মতামত প্রদানের জন্য এতদসঙ্গে প্রেরণ করা হলো। আপনার/আপনার প্রতিষ্ঠান কর্তৃক প্রদত্ত সুচিহ্নিত মতামত খসড়াটিকে সম্বন্ধ করবে বলে কমিশন মনে করে। উল্লেখ্য যে, খসড়া প্রবিধানমালাটি কমিশনের ওয়েবসাইট www.berc.org.bd হতে ডাউনলোড করা যাবে। আপনার সুচিহ্নিত মতামত আগামী ২৬ জুন, ২০১১ তারিখের মধ্যে অত্র কমিশনে প্রেরণের জন্য নির্দেশক্রমে অনুরোধ করা হলো।

সংযুক্তি : এলপিজি প্রবিধানমালা ২০ পৃষ্ঠা।


(মুরশীদ আলম)
সচিব
ফোন : ৯১৪ ০১২৫।

বিতরণ (জ্যেষ্ঠতা অনুযায়ী নয়) :

- ১। সচিব, জ্বালানী ও খনিজ সম্পদ বিভাগ, বিদ্যুৎ, জ্বালানী ও খনিজ সম্পদ মন্ত্রণালয়, বাংলাদেশ সচিবালয়, ঢাকা।
- ২। সচিব, যোগাযোগ মন্ত্রণালয়, বাংলাদেশ সচিবালয়, ঢাকা।
- ৩। সচিব, পরিবেশ ও বন মন্ত্রণালয়, বাংলাদেশ সচিবালয়, ঢাকা।
- ৪। উপাচার্য, বাংলাদেশ প্রকৌশল বিশ্ববিদ্যালয় (বুয়েট), ঢাকা।
- ৫। উপাচার্য, রাজশাহী প্রকৌশল বিশ্ববিদ্যালয় (রয়েট), রাজশাহী।
- ৬। উপাচার্য, চট্টগ্রাম প্রকৌশল বিশ্ববিদ্যালয় (চুয়েট), চট্টগ্রাম।
- ৭। উপাচার্য, খুলনা প্রকৌশল বিশ্ববিদ্যালয় (কুয়েট), খুলনা।
- ৮। চেয়ারম্যান, বাংলাদেশ তৈল, গ্যাস ও খনিজ সম্পদ করপোরেশন (পেট্রোবাংলা), পেট্রোসেন্টার, ৩ কারওয়ান বাজার, ঢাকা-১২১৫।
- ৯। চেয়ারম্যান, বাংলাদেশ পেট্রোলিয়াম কর্পোরেশন, বিএসসি ভবন, সল্টগোলা রোড, পোস্ট বক্স নং-২০৫২, চট্টগ্রাম-৪১০০।
- ১০। চেয়ারম্যান, বাংলাদেশ সড়ক পরিবহন কর্তৃপক্ষ, এলেনবাড়ী, পুরাতন বিমান বন্দর সড়ক, তেজগাঁও, ঢাকা।
- ১১। চেয়ারম্যান, বাংলাদেশ সড়ক পরিবহন কর্পোরেশন, পরিবহন ভবন, ২১ রাজউক এডিনিউ, ঢাকা-১০০০।
- ১২। চেয়ারম্যান, জাতীয় রাজস্ব বোর্ড, রাজস্ব ভবন, সেগুনবাগিচা, ঢাকা-১০০০।
- ১৩। চেয়ারম্যান, বাংলাদেশ কাউন্সিল অব সাইন্টিফিক এণ্ড ইন্ডাস্ট্রিয়াল রিসার্চ (বিসিএসআইআর), ডঃ কুদরত-ই-খুদা রোড, ধানমন্ডি, ঢাকা-১২০৫।
- ১৪। পরিচালক, ইনস্টিটিউট অব এপ্রোপিয়েট টেকনোলজী, বুয়েট, ঢাকা [দৃষ্টি আকর্ষণঃ ডঃ এম নূরুল ইসলাম]

চলমান পাতা

- ১৫। ব্যবস্থাপনা পরিচালক, বাংলাদেশ গ্যাস ফিল্ডস্ কোম্পানী লিমিটেড, বিরাশার, ব্রাহ্মণবাড়িয়া-৩৪০০।
- ১৬। ব্যবস্থাপনা পরিচালক, সিলেট গ্যাস ফিল্ডস্ লিঃ, লিয়াজো অফিসঃ বাড়ী নং ৪/১০, ইকবাল রোড, ব্লক-এ, মোহাম্মদপুর, ঢাকা।
- ১৭। ব্যবস্থাপনা পরিচালক, বাংলাদেশ পেট্রোলিয়াম এক্সপ্লোরেশন অ্যান্ড প্রোডাকশন কোং লিঃ (বাপেত্র), শাহুজালাল টাওয়ার, ৮০/এ-বি, সিদ্ধেশ্বরী সার্কুলার রোড, মালিবাগ, ঢাকা-১২১৭।
- ১৮। ব্যবস্থাপনা পরিচালক, রূপান্তরিত প্রাকৃতিক গ্যাস কোম্পানী লিমিটেড, আরপিজিসিএল ভবন, নিউ এয়ারপোর্ট রোড, প্লট নং-২৭, নিকুঞ্জ-২, বিলফেত, ঢাকা-১২২৯।
- ১৯। ব্যবস্থাপনা পরিচালক, ইস্টার্ন রিফাইনারী লিমিটেড, নর্থ পতেঙ্গ, চট্টগ্রাম। [লিয়াজো অফিসঃ ওয়াইএমসিএ ভবন, ১/১, পাইওনিয়ার রোড, কাকরাইল, ঢাকা।]
- ২০। ব্যবস্থাপনা পরিচালক, এল.পি গ্যাস লিমিটেড, ওয়াইএমসিএ ভবন, ১/১ পাইওনিয়ার রোড, কাকরাইল, ঢাকা।
- ২১। মহাপরিচালক, বাংলাদেশ স্ট্যাণ্ডার্ড এণ্ড টেস্টিং ইনস্টিটিউশন, ১১৬/ক, তেজগাঁও, ঢাকা।
- ২২। মহাপরিচালক, বাংলাদেশ পেট্রোলিয়াম ইনস্টিটিউট, ৩ সেটর-৮, প্লট-৫/এ, উত্তরা মডেল টাউন, ঢাকা-১২৩০।
- ২৩। মহাপরিচালক, হাইড্রোকার্বন ইউনিট, বিটিএমসি ভবন (২য় তলা), ৭-৯, কারওয়ান বাজার, ঢাকা-১২১৫।
- ২৪। প্রধান বিস্ফোরক পরিদর্শক, বিস্ফোরক পরিদপ্তর, সেগুনবাগিচা, ঢাকা-১০০০।
- ২৫। ব্যবস্থাপনা পরিচালক, মেঘনা পেট্রোলিয়াম লিমিটেড, ৫৮-৫৯, আগ্রাবাদ বা/এ, চট্টগ্রাম।
- ২৬। ব্যবস্থাপনা পরিচালক, পদ্মা অয়েল কোম্পানী লিমিটেড, পিত্ত বঙ্গ নং- স্ট্যাণ্ড রোড, সদরঘাট, চট্টগ্রাম।
- ২৭। ব্যবস্থাপনা পরিচালক, যমুনা অয়েল কোম্পানী লিমিটেড, যমুনা ভবন, আগ্রাবাদ বা/এ, উত্তর পতেঙ্গা, জিপিও বঙ্গ নং-৩৫, চট্টগ্রাম।
- ২৮। ব্যবস্থাপনা পরিচালক, প্রিমিয়ার এলপি গ্যাস লিঃ, কুমিরা টার্মিনাল, সীতাকুন্ড, চট্টগ্রাম।
- ২৯। ব্যবস্থাপনা পরিচালক, ওয়েস ফার্মাস ক্লিন হীট এলপিজি লিঃ মংলা বন্দর শিল্প এলাকা, মংলা।
- ৩০। ব্যবস্থাপনা পরিচালক, যমুনা স্পেকটেক জয়েন্ট ভেঞ্চার লিঃ, জামালপুর, শাজাহানপুর, বগুড়া।
- ৩১। ব্যবস্থাপনা পরিচালক, টেলিডাটা মেরীন সলুশন্স লিঃ মংলা, বাগেরহাট।
- ৩২। ব্যবস্থাপনা পরিচালক, স্ট্যাণ্ডার্ড এশিয়াটিক অয়েল কোং লিঃ, পতেঙ্গা, চট্টগ্রাম।
- ৩৩। ব্যবস্থাপনা পরিচালক, ইউনিয়ন এলপি গ্যাস লিঃ, বসুন্ধরা সিটি, পানছপথ, ঢাকা।
- ৩৪। ব্যবস্থাপনা পরিচালক, এলপিজি বটলিং প্লান্ট, মবিএল যমুনা ফুয়েল লিঃ, পতেঙ্গা, চট্টগ্রাম।
- ৩৫। সভাপতি, দি ফেডারেশন অব বাংলাদেশ চেম্বারস অব কমার্স এণ্ড ইণ্ডাস্ট্রি (এফবিসিসিআইসি), ৬০, মতিঝিল বা/এ, ঢাকা।
- ৩৬। সভাপতি, বাংলাদেশ চেম্বার অব ইণ্ডাস্ট্রিজ (বিসিআই), বিসিআইসি বিল্ডিং (৪র্থ তলা), ৩০-৩১, দিলকুশা বা/এ, জিপিও বঙ্গ নং ৩৯৮৮, ঢাকা।
- ৩৭। প্রেসিডেন্ট, কনজুমার এসোসিয়েশন অব বাংলাদেশ (ক্যাব), বাড়ী নং-৮/৬, সেগুন বাগিচা, ঢাকা-১০০০।
- ৩৮। সভাপতি, কনজুমার ট্রাষ্টি, বাড়ী # ১০, রোড # ৭৯, গুলশান, ঢাকা-১২১২।
- ৩৯। সভাপতি, মেট্রোপলিটন চেম্বার অব কমার্স অ্যান্ড ইণ্ডাস্ট্রি (এমসিসিআই), চেম্বার বিল্ডিং, ১২২-১২৪, মতিঝিল বা/এ, ঢাকা।
- ৪০। সভাপতি, ঢাকা চেম্বার অব কমার্স অ্যান্ড ইণ্ডাস্ট্রি (ডিসিসিআই), চেম্বার বিল্ডিং, ৬৫-৬৬, মতিঝিল বা/এ, ঢাকা।

কমিশনের ওয়েব সাইট (www.berc.org.bd) প্রদর্শনের কার্যার্থে :

প্রকল্প পরিচালক, বাংলাদেশ এনার্জি রেগুলেটরী কমিশন, ঢাকা। দৃষ্টি আকর্ষণ : আইটি কনসালটেন্ট, বিইআরসি, ঢাকা।

অবগতি ও কার্যার্থে অনুলিপি :

- ১। মাননীয় সদস্যবৃন্দ, বিইআরসি, ঢাকা।
- ২। পরামর্শক (গ্যাস)/(পেট্রোলিয়াম), বিইআরসি, ঢাকা।
- ৩। পরিচালক (অর্থ ও হিসাব)/(বিদ্যুৎ)/(গ্যাস)/(পেট্রোলিয়াম), বিইআরসি, ঢাকা।
- ৪। উপ-পরিচালক (প্রশাসন)/(বিদ্যুৎ)/(গ্যাস), বিইআরসি, ঢাকা।
- ৫। চেয়ারম্যান মহোদয়ের ব্যক্তিগত সহকারী, বিইআরসি, ঢাকা।
- ৬। সহকারী পরিচালক (সকল), বিইআরসি, ঢাকা।
- ৭। নোটিশ বোর্ড।
- ৮। অফিস কপি।

Draft LPG Operation, Storage, Supply, Distribution and Marketing Regulations-2011

S.R.O...../2011 – In exercise of the power conferred by section 59 of Bangladesh Energy Regulatory Commission Act.2003 (Rule 13 of 2003), the Commission is pleased to make the following Regulations:

PART I PRELIMINARY

1 Short title and Commencement:-

- (1) **These regulations may be called the LPG Operation, Storage, Supply, Distribution and Marketing Regulations-2011.**
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions

In these regulations, unless there is anything repugnant in the subject or context:-

- a. “Act” means Bangladesh Energy Regulatory Commission Act2003 (Act 13 of 2003);
- b. “Adequate” means facilities so provided are in accordance with the prevalent recognized standards or code of safety;
- c. “Applicant” means any person who is willing to get any form of license, or renewal of license or amendment of license, or approval of the scheme of the licensee, or enlistment or termination or waiver or exemption from requirement of license under these regulations;
- d. “Application fee” means the fee to be paid to obtain for any license, or renewal of license or amendment of license, termination from the terms conditions of license or approval of the scheme of the licensee, or enlistment or exemption from requirement of license;
- e. “Application for exemption from the requirement of license” means the application received by the Commission for exemption from requirement of license under the Act;
- f. “Application for license” means any application received by the Commission for any license under these regulations;
- g. “Application for renewal of license” means any application for renewal of license received by the Commission 30 days before of expire of the license in vogue;
- h. “Area of operation” means the area within which a licensee is authorized to produce and carryout production related activities like stripping, separation, liquefaction, processing/blending and subsequent distribution activities like transmission, storage, filling or transportation LPG base-stock or LPG;
- i. “Appendix” means the Appendix annexed to these regulations;
- j. “BERC” means Bangladesh Energy Regulatory Commission established under the Bangladesh Energy Regulatory Commission Act 2003;
- k. “Bulk Storage” means LPG base stock or LPG contained in a Tank having capacity more than 1,000 liters;
- l. “Commission” means the Bangladesh Energy Regulatory Commission established under the Bangladesh Energy Regulatory Commission Act 2003;
- m. “Company” means a joint stock company, partnership, association ,joint venture or business trust, organized group of persons, whether incorporated or not, and receiver or trustee of any of them;

- n. "Competition" means any competition among the licensees to improve the efficiency and the quality of product, goods and/or services;
- o. "Conflict" means any conflict or difference of opinion or interest on any matter under these regulations among the persons;
- p. "Consumer" means any person or company who is supplied with LPG by a licensee for his own consumption and not for storage, processing filling, sale, re sale or distribution;
- q. "Container" means any cylinder, tank or vessel, portable or otherwise, used for storing, transporting and distributing LPG;
- r. "Decanting" means transfer of LPG from one container to another container;
- s. "Defaulter" means a person or company or its directors or any employee who fails to fulfill its contractual and legal obligations whether willfully or negligently;
- t. "Distributor" means a person or company appointed by a licensee for the purpose of storing and distribution of LPG in cylinders to a consumer and also be a licensee of Commission;
- u. "Electric Apparatus" means motors, starters, lamp, switches, junction boxes, fuse, cut-outs, or any other appliance, equipment, or fitting which operates on electricity;
- v. "Exempted person" means any person who is exempted from the requirement of any license;
- w. "Financial competence" means such ability of a company or person to raise sufficient financial resources necessary to set up the requisite infrastructure facilities but not less than equivalent of taka 50.0 million, to be supported by a banker's certificate;
- x. "Hot work" means any work which involves welding, burning, soldering, brazing, sand blasting, chipping, by spark producing tools, use of power driven tools, non- flame proof electrical equipment, equipment with internal combustion engine or any other machine or work which is likely to produce spark or sufficient heat capable of igniting inflammable gas;
- y. "Installation" means tanks, vessels, pumps, compressors, accessories, piping, and any premises wherein any place has been specially prepared, earmarked or required for the receipt, storage and transfer of LPG base - stock or LPG;
- z. "License" means a license granted by the Commission under these regulations (section7);
- aa. "Licensee" means a company or individual which holds a license under these regulations;
- bb. "License fee" means the fee or the amount of money to be paid annually after grant of a license by the Commission;
- cc. "License renewal fee" means the fee or amount of money to be paid annually to the Commission for renewal of the license;
- dd. "License for work or Provisional License" means the initial license issued by the Commission, to carry any Work proposed by the applicant submitting all the details including work schedule, scope of work & technical specification, subject fulfillment of all terms and conditions of these regulations;
- ee. "Liter" means 1,000 cubic centimeters;
- ff. "LPG" means Liquefied Petroleum Gas having a vapor pressure not exceeding 200 psi at temperature of 38⁰ Celsius and heavier component not exceeding 2.0 percent, (which is a colorless, odorless and environment friendly mixture of hydrocarbons predominantly mixture of propane, propylene, butane (normal or isobutene), butylenes and little bit of ethyl mercaptan to impart pungent order for leak detection incase of any leakage which is gaseous at normal temperature and pressure, and liquefiable under reduced temperature or moderate pressure;

- gg. “LPG base-stock” means the product which is produced by stripping, separation, liquefaction from a refinery or any fractionating plant for processing condensates and /or NGL;
- hh. “LPG bottling facilities” means the licensed facility used for storage and bottling of LPG for domestic, commercial or industrial use;
- ii. “LPG Standards” means the LPG Standards as set out in Appendix I;
- jj. “LPG Refueling Station” means the licensed facility used for storage and dispensing LPG to automotive vehicles;
- kk. “Meter” means any equipment or apparatus used for the purpose of measuring any quantity of LPG base-stock or LPG supplied and includes all kinds of apparatus upon whose reading or indication for any supply or sale of LPG base-stock or LPG as the case may be, is wholly or partly determined in a specified or unspecified time;
- ll. “NGL” means Natural Gas Liquid;
- mm. “Order” means any order or directive or decision of the Commission;
- nn. “Person” means any individual, company or co-operative society or a group of persons incorporated together;
- oo. “product” means LPG base-stock or LPG;
- pp. “Project” means any proposed activity, in addition to the present activity of the licensee which has been sent to the Commission for approval;
- qq. “Protected area” means the area necessary for maintenance of the distance required under the condition of License to be kept clear between any installation, service station, or storage shed or any protected work;
- rr. “Protected work” means building in which persons dwell or assemble, docks, wharves, furnace, heater, kiln, or chimney or any public road or railway line or overhead high-tension power line;
- ss. “psi” means a unit of pressure expressed in pound per square inch, “a” denotes absolute pressure & “g” denotes gauge pressure;
- tt. “Reasonable price” means the level of price which is considered to be adequate to cover all operational costs and other normal expenses, provides a fair margin of profit to a licensee;
- uu. “Regulatory framework” means the framework applicable to the use of LPG in the automotive sector as set out in Appendix –V;
- vv. “Regulation” means any regulation framed under the Bangladesh Energy Regulatory Commission Act- 2003;
- ww. “Retailer” means a person or company appointed by a licensee for the purpose of storing and/or distribution or sale of LPG in cylinders directly to a consumer and also be a licensee of Commission;
- xx. “Scheme” means any program or project to be undertaken by the licensee on the basis of licensee’s requirement;
- yy. “shall” means provision that are mandatory;
- zz. “Source of LPG base-stock or LPG” means any refinery or unit connected to well-head for the production, separation, stripping or liquefying of LPG base-stock or LPG by chemical or any other process within the country or any country from where LPG base-stock or LPG may be supplied into Bangladesh;

- aaa. "Store" means to store LPG base- stock or LPG for supply, distribution marketing;
- bbb. "Transportation" means an activity of transporting LPG through pipe line , tank lorries, trucks or bowzers, except where pipe line is the integral part of the refueling station or LPG facilities;
- ccc. "Technical competence" means such technical competence of a Company entitled by its memorandum of association or any other appropriate instrument to engage in the operation activities like stripping, separation, liquefaction, processing/blending and/ or distribution activity like loading, unloading, transmission, storage, filling and/or supply of LPG base-stock or LPG and to possess a team of qualified and trained (re fresher training shall be provided at least every 3 (three) years and be documented) technical and professional personnel, with at least one experienced and trained graduate Engineer, to safely undertake or cause to be undertaken the above mentioned activities which are to be finally inspected and certified by the Commission or an independent third party Agency appointed by the Commission ;
- ddd. "Transmission line" means a pipeline used for transportation of LPG whether in liquid or gaseous form for the purpose of storage, sale to, or by a licensee;
- eee. "Undertaking" means any entity or part of it relating to Operation, Storage, Supply, Distribution and Marketing of LPG Base-stock or LPG that includes supplying LPG Refueling station or the Retailer;
- fff. "Water Capacity or WC" means the amount of water ,either in Kg(Kilogram) or liter(s) at 60°F or 15.6°C required to fill a container full of water;
- ggg. "Water deluge system" means a system in which all the water is applied at the top of the vessel and allowed to run down the sides.
- hhh. "Works" include transmission lines, machinery or equipment owned, controlled, operated or managed, established or installed by a licensee for the purposes of Operation, Storage, Supply, Distribution and Marketing of LPG Base –stock or LPG that includes supplying LPG Refueling station or the Retailer of LPG base-stock or LPG.
- iii. "API" means American Petroleum Institute.
- jjj. "ASME" means American Society of Mechanical Engineers.
- kkk. "ASTM" means American Society for Testing and Materials.
- lll. "BS" means British Standards.
- mmm. "DOT" means Department Of Transportation, USA.
- nnn. "IEC" means International Electro technical Commission.
- ooo. "IEE" means The Institute of Electrical Engineers.
- ppp. "IP" means Institute of Petroleum.
- qqq. "LPGITA" means Liquefied Petroleum Gas Industry Technical Association, UK.
- rrr. "NFPA" means National Fire Protection Association, USA.

PART II

PROCEDURE FOR, AND DURATION OF, LICENSE

3. License compulsory:-

No Person or Company shall engage himself, without and unless being empowered by a license or exempted from having it from the Commission, undertake or cause to be undertaken under any agreement, Operation, Storage, Supply, Distribution and Marketing of LPG Base-stock or LPG that includes supplying LPG Refueling station or the Retailer of LPG.

4. Disposal of LPG base-stock or LPG:-

4.1. Any producer of LPG base-stock or LPG may distribute or market whole or part of its own product except where it has already entered into a sale and purchase agreement with a licensee in pursuance of any allocations made by the Commission prior to the date of coming into force of these regulations in which case he shall complete the period of sale and purchase agreement on such terms and conditions as stipulated in such agreement including the price of LPG base-stock or LPG to be mutually agreed between the parties.

4.2. Subject to sub-regulation 4.1 above, any producer of LPG base-stock or LPG may dispose of the whole or part of its own product to a licensed LPG marketing companies or a new party after its pre-qualification with regards its financial and technical competence and other conditions mentioned in section 5 &6 are verified and satisfied by the Commission and subject to the condition that it is not defaulter.

5. Application for license:-

5.1. A person or a Company entitled by its memorandum of association or any other appropriate instrument to engage in Operation, Storage, Supply, Distribution and Marketing of LPG Base-stock or LPG may submit application, in prescribed form, as set out in Appendix II & III of these Regulations, available with the commission or down loaded from the web site, accompanied with at a non refundable fee of taka 500(five hundred), with all papers and documents mentioned therein, for grant of a license within 90 (ninety) working days to the Commission.

5.2. The application for grant of a license shall be submitted in 2(two) copies, one of which is hard copy and the other is a soft copy in CD, clearly indicating the source of LPG base stock and/ or LPG and shall be accompanied with a non refundable fee, as prescribed in after or in the Schedule for license for LPG base-stock or LPG, in the form of pay order or bank draft in favor of Bangladesh Energy Regulatory Commission,
Dhaka:

5.2.1. Taka 5,000(five thousand) only for enlistment, new, or termination for Operation, Storage, Supply, Distribution and Marketing of LPG Base-stock or LPG ;

5.2.2. Taka 2,000(two thousand) only for waiver/exemption of having a license as mentioned hereinabove;

5.2.3. Taka 500(five hundred) only for filing objection if he is involved;

- 5.2.4. Taka 100(one hundred) only for the same if he is not involved but the public interest is involved;
- 5.2.5. Taka 300(three hundred) only for any duplicate copy of decision, if it is under consideration of the Commission;
- 5.2.6. Taka 100(one hundred) only for the same if it is approved by the Commission;
- 5.2.7. Taka 100 one hundred) only plus the production cost for any document(s) preserved by the Commission.

6. Consideration of application

6.1. The Commission shall consider the application having regard to all the circumstances which appear to the Commission to be relevant and, in particular, but not so as to limit the generality of the foregoing, to:

- 6.1.1. the public and national interest; and
- 6.1.2. the financial and technical competence of the applicant.

6.2. The Commission may require such changes and alterations in the plans and in the details, to be made as it may deem expedient.

6.3. The Commission may ask for additional information from the Applicant, which must be furnished to the Commission within 10(ten) working days otherwise the application may be kept on holding or cancelled.

6.4. The licensee shall be bound by the provisions contained in these regulations and such other terms and conditions as may be specified in the license as standard condition of License attached to Appendix IV.

6.5. **License fee** (non refundable to be paid in the form of pay order or bank draft in favor of BERC, Dhaka) **for every calendar year or part thereof :**

6.5.1. **For storage:**

- 6.5.1.1. Taka 10,000(ten thousand) only for up to 10,000 liters water capacity;
- 6.5.1.2. Taka 300(three hundred) only for each 1,000 liters or part thereof above 10,000 liters;
- 6.5.1.3. Maximum Taka1, 000,000(one million) only.

6.5.2. **For Filled Cylinders:-**

- 6.5.2.1. Taka 5,000(five thousand) only for 100-500 Kg;
- 6.5.2.2. Taka 200(two hundred) only for every 100 kg or part thereof above 500 kg
- 6.5.2.3. Maximum taka 500,000(five hundred thousand) only.

6.5.3. **For Transportation:-**

- 6.5.3.1. Taka 7,000(seven thousand) only for up to 10,000 liters water capacity;
- 6.5.3.2. Taka 200(two hundred) only for each 1,000 liters or part thereof above 10,000 liters;
- 6.5.3.3. Maximum Taka 100,000(one hundred thousand) only.

6.6. **Renewal License fee:** (non refundable and to be paid 30 days before expiry date of the License in the form of pay order or bank draft in favor of BERC, Dhaka) for every calendar year or part thereof:

6.6.1. For Storage:

- 6.6.1.1. Taka 3,000(three thousand) only for up to 10,000 liters water capacity;
- 6.6.1.2. Taka 20(twenty)only for each 1,000 liters or part thereof above 10,000 liters;
- 6.6.1.3. Maximum Taka 100,000(one hundred thousand only).

6.6.2. For Filled Cylinders:

- 6.6.2.1. Taka 1,000(one thousand) only for 100 -500 Kg;
- 6.6.2.2. Taka 100(one hundred) only for every 100 kg or part thereof above 500 kg
- 6.6.2.3. Maximum taka50,000(fifty thousand) only

6.6.3 For Transportation:

- 6.6.3.1. Taka 3,000(three thousand) only for up to 10,000 liters water capacity;
- 6.6.3.2. Taka 30(thirty)only for each 1,000 liters or part thereof above 10,000 liters;
- 6.6.3.3. Maximum taka 30,000(thirty thousand) only.

6.7. Annual license fee for Operation, Supply, Distribution or Marketing is 0.025 %(zero point zero two five percent) of total sale net of any taxes, duty and VAT.

6.8. For any amendment or alteration or Transfer: 20% of annual license fee.

6.9. For any duplication: 10% of annual license fee.

7. Grant of license:-

7.1. The Commission may grant a license If all the condition stated in Appendix II & III are met and LPG Works is under taken by a team of qualified and trained Engineers and technical personnel with at least 1i(one) experienced and trained graduate engineer, in the form as set out in Appendix IV for Operation, Storage, Supply, Distribution and Marketing of LPG Base-stock or LPG in accordance with the provisions of these regulations and may specify in the license such terms and conditions as it may think fit to impose on the licensee, or it may refuse to grant license.

7.2. The Commission shall decide the grant of or otherwise, a license, within 90 (ninety) working days of receipt of an application, complete in all respects.

7.3. In case of refusal to grant, the Commission will specify the reason(s) for which the license could not be granted and the Applicant will get a chance to appeal to the Commission within 30 (thirty) days from the date of refusal to grant license.

7.4. Issuance of license by the Commission in no manner shall establish the right of the party for any allocation of LPG quota.

7.5. The License shall not authorize to transfer or assign the License to any other entity without written approval of the Commission;

7.6. The licensee shall be bound by the provisions contained in these regulations and such other terms and conditions as may be specified in the license as may be specified in the license as standard condition of License attached to Appendix IV.

8. Duration of license:-

8.1. A license shall be initially granted for a period of one year. The license will expire after

31st December of the calendar year up to which the license is issued, granted or renewed.

8.2. The license shall be extendable for such further period or periods which are proved by the licensee to be justified for reasons beyond his control, during which period the licensee shall execute his works in pursuance of the regulation 17.

8.3. On completion of works to the satisfaction of the Commission, the period of license may be extended further for a period of another one year.

9. Renewal of license:-

9.1. On expiry of a license it may, unless earlier revoked under regulation 10, be renewed from time to time for a period of 1(one) year each time on payment of a nonrefundable fee as specified in regulation no 6.6.

9.2. Any licensee desiring to have his license renewed shall make an application in that behalf, with the prescribed renewal fee, to the Commission not less than 30(thirty) days preceding the expiry of the period for which the license is valid. Failure to do so the license may be cancelled.

9.3. If the application is not submitted before 30 (thirty) days preceding the expiry of the license period, the corresponding license fee will be doubled.

9.4. If the application is submitted in the manner stated above, the license will remain valid until the license is renewed or the licensee be informed that his license cannot be renewed.

9.5. No application for a renewal of a license shall be refused unless the licensee has been given an opportunity of being heard.

9.6. In case of refusal to renew, the licensee may appeal against the decision to the Commission within 15 (fifteen) days from the date of refusal to renew the license.

10. Revocation and/or Cancellation of license.-

The Commission may revoke a license in any of the following cases:-

10.1.1. where the licensee, in the opinion of the Commission, makes willful and unreasonably prolonged default in doing anything required of him under these regulations and has been informed in writing to that effect by the Commission;

10.1.2. where the license is inactive for a period exceeding 12(twelve) months from the date of issue of the license;

10.1.3. where the licensee violates any of the terms and conditions of the license, Commission's Regulation, or any applicable law and is so informed in writing and does not rectify the violation within the time specified by the Commission;

10.1.4. where a licensee is, in the opinion of the Commission, unable to discharge by reason of his insolvency, his duties and obligations fully and efficiently under these regulations or imposed on him by the license;

10.1.5. where the Licensee acts to degrade the physical environment by emission of pollutants, and discharging harmful and toxic chemicals and materials;

10.1.6. where the Licensee jeopardizes public safety;

10.1.7. where the Licensee fails to pay any arrear /dues to the Commission in time.

10.2. The Commission may, instead of revoking a license under sub-regulation 10 (1), permit it to remain in force in relation to the whole or any part of the area of operation with such

alteration, or amendments in the terms and conditions of the license, as it thinks fit to make, or upon such new terms and conditions as it may impose upon a licensee.

10.3. In case of revocation or cancellation of a license, the licensee may apply to the Commission within 15 (fifteen) working days of such revocation or cancellation and the Commission shall settle the appeal within 60 (sixty) working days from the date of receipt of the appeal.

10.4. In case of revocation or cancellation of a license the Commission shall calculate the arrear dues and shall give direction to pay the same.

11. Licensee not to sell, assign, transfer, conveys or leases his license or works.-

11.1. No licensee shall, without the prior approval in writing of the Commission –

11.1.1. sell, assign, transfer, convey or lease his license or his works or any interest therein in whole or in part;

11.1.2. mortgage or otherwise create a charge upon the works or any interest therein;

11.1.3. abandon or shift his works or portion of works or

11.1.4. enter in to any agreement or contract for-

11.14..1. the amalgamation of his works with those of any other Person or Company;

11.14..2. the operation of his works by any other person or company.

12. Transfer of License:-

The holder of the License may any time, before expiry of license may apply for transfer to other person and the application shall be accompanied with:

12.1. a letter signed by the holder of the Licensee mentioning full name and address of the person to whom the license to be transferred;

12.2. a fee prescribed in the regulations

13. Arbitration- Settlement by the Commission:-

Any dispute arising between the licensee(s) or the licensee(s) and the consumer(s) shall be referred to the Commission for its settlement.

13.1. The Commission, as an arbitrator may, suemoto, takes step and award adjudication of the dispute or appoints an arbitrator for settlement of dispute.

13.2. Award or order given by the Commission shall be deemed to be final.

13.3. Award or order given by the Commission shall be implemented in such a way as if it is a decree of Civil Court.

14. Penalty— If any Person violates provisions of these regulations, he shall be liable to be sentenced with imprisonment for a term not exceeding 3(three) years or with fine not less than Taka 5,000 (five thousand) or with both, and in case of continuation of the offence he shall be fined with an amount not exceeding Taka 3000 (three thousand) for each day of continuation.

15. Penalty and fine for violation of Order—

If any Licensee or a Person, without a valid reason, refuses or fails to abide by any order or directive given by the Commission,

15.1. the Commission may impose upon such Person administrative fines and such fines shall be to be paid to the Commission promptly; or

15.2. it will be treated as an offence and for such offence the said person shall be liable to be sentenced with imprisonment for a term not exceeding 3 (three) months or with fine not less than Taka 2000 (two thousand) or with both; and

15.3. in case of continuation of the offence he shall be liable to be fined with an amount not exceeding Taka 500 (five hundred) for each day.

16. Agreements.-

Any agreement relating to Operation, Storage, Supply, Distribution and Marketing of LPG Base-stock or LPG that includes supplying LPG Refueling station or the Retailer between the licensees shall be intimated by the concerned licensees to the Commission within 15 (fifteen) days of its execution.

17. Execution of works after grant of license.-

17.1. A licensee shall, after grant of a license, execute his works in accordance with the LPG standards mentioned in Appendix 1 to the satisfaction of the Commission within a period of one year or such further period as the Commission may allow under special circumstances proved by the licensee to be beyond his control.

17.2. Vessels shall meet the requirements of the ASME Boiler and Pressure Vessel Code, Section VIII, Division 1 or 2 & all material of construction shall meet the requirements of section II of this code.

17.3. Low-melting-point materials of construction, such as aluminum and brass, shall not be used for LPG vessels.

17.4. Flange connections shall be a minimum of ASME Class 150. All fittings shall be a minimum of NPS $\frac{3}{4}$

17.5. The minimum horizontal distance between the shell of a pressurized LPG tank and the line of adjoining property that may be developed shall be:

Water Capacity, M ³	Minimum Distance, meter
Up to 100	15
101-265	25
266-340	30
341-450	40
Over 451	60

17.6. Pressurized LPG tanks shall not be located within buildings, within the spill containment area of flammable or combustible liquid storage tanks as defined in NFPA 30, or within the spill containment area for refrigerated storage tanks.

- 17.7. Horizontal LPG tanks with capacities of 45 M³ or greater shall not be formed into groups of more than six tanks each.
- 17.8. The drainage system shall be designed to prevent liquid spilled from one tank from flowing under any other tank and shall minimize the risk to piping from spilled LPG.
- 17.9. Walls, dikes, trenches, or channels are permitted to assist in draining the area.
- 17.10. Any drainage system provided shall include a valve or shear gate located in an accessible position outside the spill containment area. The valve or shear gate shall normally be kept closed.
- 17.11. Grading of the area under and surrounding the vessels shall direct any liquid leaks or spills to the remote impoundment area. Grading shall be at a minimum of 1% slope.
- 17.12. The use of walls, dikes, trenches, or channels to facilitate the draining of the area is permitted.
- 17.13. The remote impoundment area shall be located at least 15 meters from the vessels draining to it and from any hydrocarbon piping or other equipment.
- 17.14. The holdup of the remote impoundment area shall be at least 25% of the volume of the largest vessel draining to it.
- 17.15. Grading of the area under and surrounding the vessels shall direct any liquid leaks or spills to the edge of the diked area. Grading shall be at a minimum of 1% slope. Within the diked area, grading should cause spills to accumulate away from the vessel and any piping located within the diked area.
- 17.16. The holdup of the diked area shall be at least 25% of the volume of the largest vessel within it.
- 17.17. Any dike or wall enclosure used for LPG containment shall include adequate access provisions (such as stairs for personnel and ramps for vehicles, if required), shall be designed to permit its free ventilation, and shall be constructed to retain the spilled liquid.
- 17.18. Enclosures shall be designed to prevent unauthorized access by motor vehicles.
- 17.19. Each tank shall be equipped with a reliable level indicating system.
- 17.20. An independent high-level alarm shall be provided. The alarm shall be set to give the operator the sufficient time to stop the flow before the maximum permissible filling height. The alarm shall be located so that it is audible and visible to the operating personnel controlling the filling operation.
- 17.21. The maximum permissible filling height of an LPG tank or cylinder shall be set to provide adequate vapor space to accommodate any thermal expansion that may occur after filling is completed. An air space of not less than 5% of its capacity shall be kept in each case.
- 17.22. Columnar glass level gauges shall not be used.

17.23. Each tank shall be provided with one or more spring loaded or pilot-operated pressure relief valves. The pressure relief valve or valves shall be set to discharge as required by the ASME Code. Pilot-operated pressure relief devices shall be designed so that the main valve will open automatically and protect the tank if the pilot valve fails.

17.24. Pressure relief valves installed on LPG tanks shall be designed to provide adequate flow capacity to protect the tank during fire exposure.

17.25. The pressure relief valve shall be installed to provide direct connection to the vapor space and to minimize liquid carry-over during vapor relief, especially when the tank is nearly full.

17.26. The possibility of tampering with the adjustment mechanism shall be minimized. If the adjustment mechanism is external, it shall be sealed.

17.27. The inlet and outlet piping for the pressure relief valve shall be designed to pass the rated capacity of the valve without exceeding the allowable pressure-drop limits.

17.28. The pressure relief system shall be protected from the closure of any block valves installed between the tank and the pressure relief valve or between the pressure relief valve and its discharge vent outlet.

17.29. The stem of any gate valve installed in the pressure relief system shall be in a horizontal or below-centerline position.

17.30. Discharge vents shall lead to the open air or to a flare system. Discharging directly to the atmosphere is unacceptable if liquid LPG might be released into the atmosphere, unless the discharge is through thermal relief valves. Positive design and operational steps shall be taken to prevent the discharge of liquid LPG from atmospheric vents. Such steps include automatic shutdown of filling operations prior to over filling.

17.31. Discharge vents shall be protected against mechanical damage.

17.32. Discharge vents shall be designed to handle any thrust developed during venting. Discharge shall not be less than 3 meters above the operating platform.

17.33. Pressure relief valves shall be tested for correct set pressure before being placed in service.

17.34. All shutoff valves located on nozzles below the maximum liquid level shall be designed to provide a visual indication of the valve position and shall be capable of maintaining an adequate seal under fire conditions.

- 17.35. When the capacity of the vessel exceeds 40 M^3 , all shutoff valves on inlet and outlet piping located below the maximum liquid level shall either close automatically or be remotely operable during the first 15 minutes of fire exposure.
- 17.36. Each tank shall be fitted with a suitable thermometer well.
- 17.37. Ductile (nodular) iron, cast aluminum, malleable iron and brass shall not be used in any pressure-retaining tank accessories.
- 17.38. Piping at facilities covered under this standard shall conform to the provisions of ASME B31.3 & B31.4.
- 17.39. Piping shall be seamless, electric-resistance-welded, or submerged-arc-welded pipe. Pipe to be used in piping applications of 51 cm or smaller shall be seamless.
- 17.40. The number of joints of any type between the vessel and the first block valve shall be minimized.
- 17.41. Welded joints shall be used where practical.
- 17.42. The number of flanged joints shall be minimized.
- 17.43. Threaded connections shall be minimized.
- 17.44. The pipe wall thickness shall be equal to or greater than that required by ASME B31.3.
- 17.45. Pressure Tubing shall be constructed of steel. If tubing will be exposed to a corrosive atmosphere, stainless steel shall be used.
- 17.46. Butt-Welding Fitting Tubing shall be constructed of steel. If tubing will be exposed to a corrosive atmosphere, stainless steel shall be used.
- 17.47. Socket-welding fittings 50 mm or smaller in size, such as elbows, tees, and couplings, shall be of forged steel and shall have a working pressure of at least 140 Kg/cm^2 .
- 17.48. Packed-sleeve and resilient-sealed couplings shall not be used.
- 17.49. Weld-neck flanges are preferred.
- 17.50. Socket-weld NPS 2 and smaller are acceptable. If slip-on flanges are used, they shall be welded both inside and outside.
- 17.51. Plugs shall be constructed of steel.

17.52. Unions shall be of forged steel, shall have a working pressure of at least 210 Kg/cm² and shall have ground metal-to-metal seats. Gasket unions shall not be used. Unions shall not be used between the vessel and the first valve.

17.53. The primary shutoff valves for a tank (specifically the valves nearest the vessel that can shut off flow) shall be made from steel.

17.54. Valves constructed of free-machining steel similar to AISI Series 1100 and 1200 shall not be used.

17.55. Union or screwed-bonnet valves shall not be used unless they are equipped with bonnet retainers or the bonnets are tack welded.

17.56. Valves that are sandwiched between two flanges by long, exposed bolts shall not be used, unless the valves have lug-type bodies that cover the bolts.

17.57. Ball valves shall meet the requirements of API Std 607.

17.58. Check valves shall be installed on the discharge side of all centrifugal pumps.

17.59. Pressure relief valves shall be constructed of steel.

17.60. Suitable thermal relief valves shall be considered on liquid lines that can be blocked between two shutoff valves.

17.61. The equipment that can be blocked between shutoff valves shall be provided with protection from overpressure due to thermal expansion of the liquid.

17.62. Where liquid is likely to be trapped in valve cavities, the pressure relief shall be installed.

17.63. Piping shall be provided with adequate Flexibility to accommodate the following:

- a. Settling of tanks or shifting of foundations;
- b. Expansion or contraction of tanks or piping with changes in temperature.;
- c. Soil movement;
- d. Cooling or heating of unloading connections, vent connections, or loading and unloading headers.

17.64. Headers located on piers shall be designed to permit unrestrained movement of the piping in the direction of expansion or contraction except at necessary anchor points.

17.65. All water draw offs shall be extended so that they do not terminate under the vessel.

17.66. Drain lines shall not be directed into a public sewer or into a drain not designed to contain flammable materials.

17.67. Double valves shall be provided at drain lines

17.68. . When drain lines are supported by any type of support not directly attached to the tank, adequate flexibility shall be provided in the lines to accommodate differential settlement.

17.69. Stress imposed on the vessel nozzle by the drain lines shall be minimized.

17.70. Water drain lines and similar small lines shall be adequately supported or shall be fabricated with sufficient strength to be self-supporting under operating conditions, including the condition of maximum flow reaction thrust.

17.71. Stress imposed on the vessel by the drain lines shall be minimized.

17.72. Transfer Pumps may be centrifugal, reciprocating, gear, submersible or may be another type designed for handling LPG.

17.73. The design pressure and construction material of the pumps shall be capable of safely withstanding the maximum pressure that could be developed by the product, the transfer equipment, or both.

17.74. When centrifugal pumps are used, mechanical seals shall be used.

17.75. Positive displacement pumps shall have a suitable relief device on the discharge side unless other provisions are made for protection of the equipment

17.76. When submersible pumps are used, each interface between the LPG system and an electrical conduit or wiring system shall be sealed or isolated to prevent passage of LPG to another portion of the electrical installation.

17.77. Compressors for loading and unloading LPG shall be designed for the maximum outlet pressure to which they may be subjected.

17.78. Each centrifugal compressor discharge connection shall be equipped with a check valve. Each centrifugal compressor shall be evaluated for conditions that may cause overpressure, and a relieving device shall be provided if required.

17.79. Each positive displacement compressor shall be equipped with a pressure-relieving device on the discharge side.

17.80. A suitably sized scrubber or liquid knockout drum shall be installed immediately upstream of vapor compressors. The scrubber shall be equipped with a high-liquid-level device to shut down the compressor.

17.81. Pressure gauges shall be provided in enough locations in the liquid and vapor lines to enable the operator to monitor operating pressure and pressure differentials constantly to ensure safe operation.

17.82. All liquid withdrawal opening and vapor withdrawal opening that are more than 40 mm or larger shall be equipped with an internal valve with an integrated excess flow valve or excess flow protection.

17.83. The internal valve shall remain closed except during time of operation. The internal valve shall be equipped for remote closure and automatically shutoff through thermal (fire) actuation.

17.84. Additional manual shutoff valve shall be installed, as close as practicable to each internal valve;

17.85. All liquid and vapor inlet openings shall be equipped with a back flow check valve and appositive manual shutoff valve, installed as close as practicable to the to the backflow check valve;

17.86. Emergency shutoff valves shall be provided in the loading-unloading system for tank cars, trucks, and marine facilities and shall incorporate the following means of closing:

- 17.86.1. Manual shutoff at the installed location;
- 17.86.2. Manual activation from a location accessible during an emergency;
- 17.86.3. Automatic shut off in the event of an LPG release;
- 17.86.4. Automatic shutoff through thermal (fire) actuation.

17.87. A remote shutdown capability including power supply to all transfer equipment shall be installed at distance not less than 8 meters or more than 30 meters;

17.88. When hose or swivel piping is used for liquid or vapor transfer, an emergency shutoff valve shall be installed in the fixed piping of the transfer system within 6 linear meters of pipe from the end to which the hose or swivel piping is connected. Where the flow is in one direction only, a check-valve may be used in place of an emergency shutoff valve if the check valve is installed in a dedicated storage vessel fill line or vapor return line. When two or more hoses or swivel piping arrangements are used, either an emergency shutoff valve or a check-valve (for unloading lines only) shall be installed in each leg of the piping.

17.89. The emergency shutoff valves or backflow check valves shall be installed in the fixed piping so that any break resulting from a pull will occur on the hose or swivel piping side of the connection while the valves plant side of the connection remain intact. This may be accomplished by the use of concrete bulkheads or equivalent anchorage or by the use of a weakness or shear fitting.

17.90. Facility boundary limit block valves and check valves shall be provided if the feed or product is transported by pipeline. If block valves are manually operated, they shall be accessible during an emergency.

17.91. Protection from discharge of static electricity is not required when a tank car, a tank truck, or marine equipment is loaded or unloaded through tight (top or bottom) outlets using a conductive or nonconductive hose, flexible metallic tubing, or pipe connection because no spark gap exists while product is flowing

17.92. If stray currents are present or if impressed currents are used on the loading and unloading systems for cathodic protection, protective measures shall be taken in accordance with API RP 2003.

17.93. **Hose** shall be fabricated of materials resistant to LPG in both liquid and vapor form. If wire braid is used for reinforcement, it shall be made from corrosion-resistant material such as stainless steel.

17.94. Hose, hose connections, and flexible connectors used for transferring LPG liquid or vapor at pressures in excess of 0.5 Kg/cm^2 (5 psig) shall conform to the criteria specified in:

17.94.1 Hose shall be designed for a minimum working pressure of 24.5 Kg/cm^2 g and a minimum bursting pressure of 125 Kg/cm^2 g.

17.94.2 After the installation of connections, hose assemblies shall be tested to a pressure not less than 50 Kg/cm^2 g.

17.94.3 Hose assemblies shall be visually inspected before each use for damage or defects.

17.94.4 Hose assemblies shall be tested at least annually.

17.94.5 Hose shall be protected from the elements and physical damage.

17.95. Each flexible pipe connection shall be capable of withstanding a test pressure of 1.5 times the design pressure for its part of the system.

17.96. The layout of the storage facility, including the arrangement and location of plant roads, walkways, doors, and operating equipment, shall be designed to permit personnel and equipment to reach any area affected by fire rapidly and effectively. The layout shall permit

access from at least two directions. Emergency escape as well as access for firefighting shall be considered.

17.97. Stationary Storage facilities shall have equipment to add odorant to LPG.

17.98. Storage facilities for LPG shall be provided with a fire water system.

17.99. The design of the fire water system shall be in accordance with :

17.99.1 Looped fire water system shall be provided around the storage and handling portions of an LPG facility;

17.99.2 Sufficient isolation valves shall be provided in the fire water grid to prevent loss of the grid due to a single break in the water main;

17.99.3 Block valves shall be arranged so that all parts of the plant can be protected by a portion of fire water main system when an impaired section is isolated for repair;

17.99.4 The capacity of the fire water system shall be equal to the amount of fire water required to cool the largest vessel being protected (or if multiple vessels are on a commonly activated fixed deluge or spray system, the capacity of the system), plus the amount required to cool adjacent vessels plus reserve capacity for up to three additional 1000 liters per-minute cooling streams;

17.99.5 Where the capacity of the fire water system is determined by the requirement for LPG storage, the system is permitted to be sectionalized to reduce the maximum simultaneous requirement for fire water;

17.99.6 Pipe used for fire water mains and branch lines to hydrants shall be at least 6 NPS in size. Branch lines to deluge, monitor, or spray systems are permitted to be smaller, provided hydraulic calculations show that the size selected will supply the design demand at the required pressure;

17.99.7 The fire water system shall be functional in all seasons and shall be capable of delivering 100% of the design rate for at least 4 hours. The fire water system shall be suitably protected from freezing where necessary;

17.99.8 The fire water grid shall be designed so that at least half the water required by the single largest incident can be delivered if any single section of the fire water main is lost;

17.99.9 Regardless of the fire water application method used, the location of hydrants shall be arranged so that each storage vessel can be reached from at least two directions by at least three cooling streams none of which uses more than 95 meters of hose;

17.99.10 The fire water system shall be designed to provide water for cooling to the protected equipment within 60 seconds of activation to achieve design water delivery rates within 10 minutes of system activation;

17.99.11 The fire water system shall be designed to facilitate testing to assure reliability, adequate flow rate, and adequate coverage of the protected equipment;

17.99.12 The fire water systems shall be tested to verify that their performance is as designed. Since the capacity of the water grid can deteriorate gradually as a result of scale buildup in the water mains, a Hazen-Williams coefficient no greater than 100 shall be used for unlined steel pipe.

17.100 LPG storage vessels shall be protected by water deluge systems, fixed monitors, water spray systems, or any combination of these systems. Portable equipment may be used but shall not be a primary method of water application.

17.101 When a water deluge system is selected for the protection of LPG storage facilities:

17.101.1. The system shall be designed so that under non-fire conditions, the water flows evenly over the entire surface of the vessel. The adequacy of the water coverage shall be determined by means of performance tests;

17.101.2. If weirs are used to improve distribution, they shall be provided with drainage to prevent standing water, which may increase corrosion;

17.101.3. Pipe used for main water distribution lines shall have a diameter of at least 75 mm;

17.101.4. Top-mounted water distribution nozzles shall be at least 1.5 inch in size and shall be provided with suitable deflectors or weirs to achieve good water distribution;

17.101.5. The system shall be manually operated from a safe location that is outside the spill containment area and that is at least 15 meters from the vessel being protected. The location of the actuating valve shall be clearly and prominently marked. In locations with unattended or partially attended operations, consideration shall be given to additional methods of system activation such as automatic or remote operation. When the system is remotely or automatically operated, a full-size manually operated bypass valve shall also be provided in an accessible, safe location.

17.102. **Fire water monitors** permanently connected to the Fire water grid can be used to apply cooling water to the shell of LPG storage vessels. Where protection by means of monitors is selected, the system shall include the design features described herein under:

17.102.1. The entire surface of each vessel shall be reached with streams from the monitors.

17.102.2. Each monitor shall be accessible during a fire or shall be remotely activated and controlled

17.102.3. Monitor nozzles shall be adjustable for fog or straight stream, as required, to provide the most effective coverage of the protected vessel.

17.103. A **water spray** system uses many spray nozzles arranged in a grid pattern to distribute the water evenly over the LPG vessel. When a water spray system is selected for the

protection of LPG storage facilities, it shall include the design features described in 17.103.1 through 17.103.6:-

17.103.1. The system shall be designed so that the water is applied evenly over the entire surface of the vessel that may be exposed to fire. Allowance for rundown is permitted. The adequacy of the water coverage shall be determined by performance tests.

17.103.2. The spray system shall be an open-head system, with all nozzles supplied from the top of the supply branch line and each branch line shall be from the top of the water distribution main line. Spray orifice size shall be at least 6 mm. Larger orifice sizes will reduce the tendency of the nozzles to become clogged.

17.103.3. The system shall be manually operated from a safe location that is outside the spill containment area and that is at least 15 meters from the vessel being protected. The location of the actuating valve shall be clearly and prominently marked. In locations with unattended or partially attended operations, consideration shall be given to additional methods of system activation such as automatic or remote operation. When the system is remotely or automatically operated, a full-size manually operated bypass valve shall also be provided in an accessible, safe location.

17.103.4. Flush-out connections shall be installed in the system to permit flushing at periodic intervals. Accessible low-point drain connections shall also be provided.

17.103.5. The sizing of all piping shall be based on hydraulic calculations. Pipe used for main water distribution lines shall have a diameter of at least 3 inch. Pipe used for branch lines to spray heads is permitted to not be less than NPS 3/4 in size.

17.103.6. A full-flow strainer with a valve blow-off connection shall be installed in the main feeder line to the spray system. The maximum size of the opening in the strainer shall be 6 mm. A full-size valve bypass shall be provided. Galvanized piping shall be considered downstream of the strainers to reduce the potential for rust scale plugging spray nozzles.

17.104. **Portable Equipment** such as fire hoses and portable monitors shall not be used as the only means of protecting exposed LPG vessels. It is permitted to use portable equipment when vessels are fireproofed as outlined in 17.109.

17.106 **Fire Detection System** shall be used to determine the need for fire and hydrocarbon detection systems. Where provided, fire and hydrocarbon detection systems shall be arranged to sound their alarms whenever fire or hydrocarbons are present. It is permitted to use detection systems to automatically activate isolation or fire protection systems in remote or unattended facilities.

17.107. **Fire Extinguishers:**

17.107.1. Portable fire extinguishers shall be used to extinguish an LPG fire only after the source of LPG has been shut off, to prevent the formation of a hazardous vapor cloud.

17.107.2. Dry chemical fire extinguishers shall be provided at strategic locations such as those near pumps and loading racks so that they are readily available for operator use.

17.108. **Fire Fighting Foam:** Fire-fighting foam shall not be used to extinguish LPG fires.

17.109. **Fireproofing of LPG vessels:**

17.109.1. Except for remote facilities, which require no protection, fireproofing shall be used to protect vessels if portable equipment is the only means of applying fire water.

17.109.2. Where fireproofing is used, it shall provide protection of the structural steel or LPG vessel for the time period required for operation of fire water systems.

17.109.3. When fireproofing is used, it shall comply with the provisions of 17.109.3.1 through 17.109.3.5.

17.109.3.1. Outside surfaces of LPG vessels that may be exposed to fire shall be covered with a fireproofing material that is suitable for the temperatures to which the vessel will be exposed.

17.109.3.2. The thickness of the fireproofing material should be equivalent to a fire endurance of 1.5 hours per UL 1709 when tested on a 10W49 column.

17.109.3.3. Thermal insulation used for fireproofing shall be jacketed with rust-resistant steel.

17.109.3.4. The fireproofing material shall be suitably protected against weather damage and sealed to prevent water entry.

17.109.3.5. The fireproofing system shall be capable of withstanding exposure to direct flame impingement and shall be resistant to dislodgment by direct impingement of fire water streams. Refer to NFPA 58, Appendix G, for further information.

17.110. **Fireproofing of Structural Supports:**

Except for remote facilities, which require no protection, structural supports shall be provided with fireproofing, as specified in 17.110.1 through 17.110.7.

17.110.1. Fireproofing shall be provided on the aboveground portions of the vessel's supporting structures. The fireproofing shall cover all support members required to support the

static load of the full vessel. Fireproofing shall not encase the points at which the supports are welded to the vessel.

17.110.2. Fireproofing shall be provided on horizontal vessel saddles where the distance between the bottom of the vessel and the top of the support structure is greater than 30 cm. Where such fireproofing is provided, it shall extend from the support structure to the vessel, except that it shall not encase the points at which the saddles are welded to the vessel.

17.110.3. When a vertical vessel is supported by a skirt, the exterior of the skirt shall be fireproofed.

17.110.4. Fireproofing shall be provided on all pipe supports within 15 meters of the vessel and on all pipe supports within the spill containment area of the vessel.

17.110.5. Support structures of concrete or masonry shall be considered as adequately fireproofed, if the thickness of the fireproofing material be equivalent to a fire endurance of 1.5 hours per UL 1709 when tested on a 10W49 column.

17.110.6. Fireproofing is not required for diagonal bracing, including tie rods, or for redundant members that are not necessary for supporting static loads.

17.110.7. Fireproofing material shall be suitably protected against weather damage and sealed to prevent water entry. It shall be resistant to dislodgment by direct impingement of fire water streams.

17.111. All **electrical** installations and equipment shall conform to the provisions of NFPA 70.

17.111.1. Critical wiring and control Systems, namely the electrical, instrument, and control system, unless are fail-safe in a fire, the systems-including especially the wiring used to activate the equipment needed in an emergency- shall be protected from fire damage. Thus, in areas where the control wiring used to activate an emergency shutoff valve during a fire could be exposed to the fire, the wiring shall be protected against a 15-minute fire exposure; however, if activation of an emergency shutoff valve would not be necessary during any fire to which its wiring could be exposed, then protection of the wiring is not required.

17.111.2. Wiring shall be protected by selective routing, burying, fireproofing, or a combination of these methods.

17.112. Appropriate **safety** precaution signs shall be placed to provide notification and instructions concerning safety requirements and emergency systems.

- 17.113. In all storage and operating areas, **lighting** that is adequate for operations under normal conditions shall be provided. In addition, lighting that is sufficient to enable safe operations during an emergency shall be provided.
- 17.114. Any LPG storage installation that is not within a **fenced** plant area or otherwise isolated from the public shall be fenced, and at least two means of exit shall be provided. Exits shall be located so that a single emergency cannot prevent egress from any part of the installation.
- 17.115. Suitable **roadways** or other means of access for fire-fighting equipment such as wheeled extinguishers or fire trucks shall be provided. Access to LPG handling and storage areas shall be restricted or controlled.
- 17.116. The **Commission** may appoint one or more third party inspectors for the purpose of verification of works of a licensee in pursuance of sub regulation 17.1 and the licensee shall pay to such third party inspector or inspectors a reasonable fee, as determined by the Commission, from time to time, for the purpose of any such inspection.
- 17.117. The Commission may also appoint one or more third party inspectors for the purpose of inspection of the works of a licensee from time to time, at least once in 5(five) months, to verify that the works of the licensee conform to the LPG Standards and the licensee shall pay to such third party inspector or inspectors a reasonable fee, as determined by the Commission, from time to time, for the purpose of any such inspection.

18. Addition to or extension of the works.-

A licensee shall not make any alteration, addition or extension of, his works as given in his scope of works & plans in details, approved by the Commission under regulation 6, unless such alteration, addition or extension is authorized by the Commission in writing.

19. Right to discontinue supply.-A licensee may temporarily discontinue supply of LPG base-stock or LPG when such discontinuance becomes necessary for maintenance of his works or for any other reason beyond the control of the Licensee.

20. Procedure on death or disability of Licensee.-

If a licensee dies or become insolvent or mentally incapable or otherwise disabled, the person carrying on the business of such license shall not be liable for penalty or confiscation under these regulations provided that an application, accompanied with no objection certificate appropriate authority and prescribed amendment fee for new license for the unexpired portion of the original license is sent to the Commission.

21. Overriding effect of these regulations.

Notwithstanding anything contained in any other regulations of the commission in force, the provisions of these regulations will prevail

22. Export of LPG base-stock or LPG-

No licensee shall export LPG base-stock or LPG in any manner to any other country without the prior approval in writing of the Commission

PART-III**CHARGES AND ACCOUNTS****23. Price of LPG base-stock or LPG.-**

23.1. A licensee shall charge from another licensee or a consumer a reasonable price of LPG base-stock or LPG, during a specified period, which in no case shall be less than 1 (one) month and the licensee shall inform about such prices to the Commission at least fifteen days prior to the commencement of such specified period. The licensee shall also publicize such prices in the media for information of the public.

23.2. In case the prices of LPG base-stock or LPG so fixed by a licensee under sub-regulation 21.1 are not considered to be reasonable, the Commission may, in the public interest, determine a reasonable **ceiling** price of LPG base-stock or LPG and LPG, in accordance with the prevailing policy of the Government, which a licensee shall charge from another licensee or a consumer.

24. Measurement.-

24.1. The quantity of LPG base-stock or LPG supplied to a licensee, and LPG supplied to a consumer shall be ascertained by means of a correct meter or weighbridge or platform scale.

24.2. The Commission or any person duly authorized by the Commission shall, at any reasonable time, have access to ensure the correctness of meter, weighbridge, platform scale, storage tanks, calibrations and container with respect to the quantity of LPG base-stock or LPG for which the prices have been informed by a licensee under sub-regulation (1) of regulation 23. All reasonable expenses of and incidental to such inspection, as determined by the Commission, shall be borne by the licensee.

25. Power to regulate distribution of LPG.-

The Commission may, if satisfied that it is necessary in the public and/or national interest to do so, by order in writing, direct a licensee to:

- 25.1. supply LPG to any area or locality as may be specified in the order;
- 25.2. exempt a class of person or remove any notice under these regulations.

26. Disputes to be referred to the Commission.-

All disputes over Standards, Measurement, Fees, Rates and charges of a licensee or in respect of any provision of these regulations, shall be referred to the Commission whose decision thereon shall be final and binding on the concerned parties.

27. Records and accounts.-

Every licensee shall make, keep and preserve for such period such accounts, records of cost accounting, procedures, correspondence, memoranda, papers, books and other records as the Commission may specify or require for examination and inspection; and shall submit to the Commission such accounts statistics and information in such forms and for such period as the Commission may specify.

28. Audit of accounts of licensee.-

A licensee shall submit on regular basis to the Commission the statement of its annual accounts, duly audited by a firm of registered Chartered Accountants.

29. Willful hindrance in submitting records, etc.-unlawful.-

No licensee shall willfully hinder, delay or obstruct the making, submitting or keeping of any information, document, report, certificate, memorandum, record or account required to be made, submitted or kept under these regulation.

PART-IV**GENERAL****30. Entry, inspection and enforcement of the regulation.-**

30.1. The Commission or any person duly authorized by the Commission may enter, inspect and examine any place in which he has reason to believe that there is any works for Operation, Storage, Supply, Distribution and Marketing of LPG Base-stock or LPG that includes supplying LPG Refueling station or the Retailer of LPG base-stock or LPG and take all necessary steps for the due observance of the provisions of these regulations and any order issued by the Commission, by a licensee, consumer or any other Person(s) connected with the Storage, Transmission, Distribution, Supply and use of LPG base-stock or LPG .

30.2. The authenticated copy of the license shall have to be produced on demand to the authorized person/Inspector. The authorized person may like to see the Financial and Technical competence.

30.3. The licensee, owner, manager, proprietor or any other person in charge of the site of works for Operation, Storage, Supply, Distribution and Marketing of LPG Base-stock or LPG that includes supplying LPG Refueling station or the Retailer shall afford the person authorized by the Commission under sub-regulation 30.1, all reasonable facility for making an examination, inquiry, inspection, measurement or for taking any sample.

30.4. The License is liable to be cancelled if it is found that the conditions of the license are not been respected/observed/followed.

31. Protection to public.-

31.5. The licensee shall locate, construct, maintain and operate his works connected with Operation, Storage, Supply, Distribution and Marketing of LPG Base-stock or LPG that includes

supplying LPG Refueling station or the Retailer of LPG in accordance with a license granted by the Commission so as not to endanger the public health or safety.

31.6. The Licensee shall furnish to the Commission with all technical and operating information of the storage and distribution network in accordance with regulatory reporting standards adopted / to be adopted by the Commission as well as other data requested for by the Commission.

31.7. The Licensee shall install and maintain standard safety equipment in its premises in fully working conditions, issue guide lines and display instruction to ensure safe working condition for its staff & customers,

31.8. LP- Gas shall be odorized prior to delivery to the customer so as to make it detectable by distinct odor. The concentration of odorizing agent should not be over 20% of the lower limit of flammability.

31.9. No repair or maintenance work involving cutting, re-welding of any pipe shall be carried out without :-

31.9.1. the permission of the competent authority;

31.9.2. Supervision of experienced and competent engineer/technical person and approval in writing from the authority concerned;

31.9.3. Section is properly isolated , drained and degasified , purged with inert gas or steam or kept filled with water or in other way instructed by the authority concerned;

31.10. Before putting into operation all pipeline, container, tank and vessel should be properly hydraulically tested.

31.11. All the used empty containers shall be kept securely closed until they are thoroughly cleaned and freed from vapor.

31.12. No container shall be repaired by hot work unless it has been thoroughly cleaned and freed from vapor.

31.13. All precaution shall be taken at all times to prevent escape of LPG into drain, sewer, river, public roads, railway lines, river or any watercourse.

31.14. All precautions shall be taken to prevent any accident by fire or explosion.

31.15. Adequate flame proof electric lighting shall be provided at the place of loading and unloading LPG base-stock or LPG.

31.16. Adequate fire fighting facilities with trained personnel must be kept ready at all places where LPG operation is undertaken.

31.17. Fire extinguishers suitable for LPG base-stock or LPG shall be placed at convenient points;

31.18. Not less than 2(two) fire extinguishers, not less than 10 kg dry chemical powder or equivalent, shall be placed in the working place;

31.19. LPG fire shall not be extinguished until the source of the burning gas has been shut off;

31.20. Emergency controls shall be conspicuously marked ' and the control shall be located so as to be readily accessible in case of emergency;

31.21. The vehicle(s) used for transportation of LPG base-stock or LPG:-

31.21.1. Shall be driven by diesel or internal combustion engine,

31.21.2. Its exhaust shall be wholly in front of the tank,

31.21.3. Shall have ample clearance from fuel system and combustible material(s),

31.21.4. Shall not be exposed to leakage or spillage of any flammable material(s),

- 31.21.5. The exhaust pipe shall be fitted with approved spark arrestor,
- 31.21.6. The muffler or silencer shall not be cut off from the exhaust system,
- 31.21.7. The engine air take shall be fitted with effective flame arrester and capable of preventing emission of flame from the side of the engine,
- 31.21.8. The cab of the vehicle shall be of metal construction and its rear window, if provided, shall be covered with wired glass,
- 31.21.9. The fuel tank shall be securely place so as to unusual hazard, to permit drainage without removal from the mounting and protected against blows,
- 31.21.10. Quick action cut – off valve, clearly marked, shall be fitted with fuel feed pipe in an easily accessible position,
- 31.21.11. Suitable fire extinguisher, about 1 kg dry powder, shall be kept in diver’s cabin,
- 31.21.12. The vehicle shall be constantly attended to by at least 1(one) person who is familiar with these regulation,
- 31.21.13. No vehicle shall be parked on public road or any congested road or at a place within 9 meters from any source of fire,
- 31.21.14. The voltage for electric light or instrument of the vehicle shall not exceed 24 volts,
- 31.21.15. The electric wire shall be heavily insulated,
- 31.21.16. The electric system shall be flame-proof and provided with over current protection device, in the form of fuses automatic circuit breaker and to be installed so as to be protected from any physical damage and contact with possible product spill ,
- 31.21.17. Pipe line connected with fuel system shall be electrically continuous and properly earthed,
- 31.21.18. During loading and unloading operation, the engine shall be stopped and battery shall be isolated and the vehicle shall be securely and efficiently stopped and no movement of the vehicle is allowed.
- 31.22. No Children or person in a state of intoxication shall be allowed to load, unload or transportation of LPG base-stock or LPG.
- 31.23. No person shall smoke or carry naked light or carry match, or lighter, or other appliance capable of producing ignition or explosion or carry out any hot work at any time in the proximity to a place where LPG base-stock or LPG is operated, loaded or unloaded within the installation or within 6 meters of the installation;
- 31.24. No cylinder shall be dropped or thrown from any elevated place,
- 31.25. No cylinder shall be rolled on its side or its rim, it shall be moved only by approved lifting equipment,
- 31.26. Empty cylinder shall be handled in the same manner as full ones,
- 31.27. Empty cylinder shall be marked “empty” and stored separately in well-ventilated area,
- 31.28. Cylinder may be moved within a building for tar/bitumen kettle or torch operation on a roof, provided such movement shall be done under the personal supervision of a trained and qualified operator(s)/competent person,
- 31.29. Only the approved tools shall be used for connection /disconnection of hose to the cylinder,
- 31.30. All valve shall be closed while changing the cylinder, No grease or oil shall be used for the purpose of lubricating cylinder valves or any of its parts;
- 31.31. After replacing the cylinder every connection shall be rechecked for any leaks,

- 31.32. Leak- test shall be done using soap and water solution;
- 31.33. Cylinder shall be carried by approved vehicle(s),
- 31.34. Under no circumstances cylinder shall be transported through tunnel,
- 31.35. No cylinder shall be kept/stored near drain, under a stairway, or buried in the ground or in a location where there would be no air movement across the cylinders, in a place that would obstruct egress from the building, where damage is likely to occur or any hot place,
- 31.36. Cylinder shall be placed at upright position with valve at the top,
- 31.37. A minimum distance of 600 mm shall be provided between front of the cylinder and other structure(s),
- 31.38. Cylinder compound shall be accessible by cylinder trolley,
- 31.39. The access route should be firm and compact even in wet conditions
- 31.40. No cylinder shall be supported by cylinder;
- 31.41. No Cylinder valve shall be opened/ closed with tool(s),
- 31.42. Any cylinder that is out of qualification date shall not be refilled until re-qualified by approved methods prescribed by DOT;
- 31.43. Cylinder(s) that has been involved in a fire and shows no distortion may be re-qualified for continued services provided it passes being properly done hydraulic test and container-appurtenance are removed;
- 31.44. Cylinder shall be re tested every 5(five) years;
- 31.45. Cylinder(s) that shows serious denting, bulging, gouging or excessive corrosion shall be removed from the services;
- 31.46. Repair or alteration of the cylinder shall comply with the regulation, rules or code under which the cylinder was first fabricated; and
- 31.47. The licensee shall immediately, but not later than 24(twenty four) hours of an accident, submit an initial report to the Commission by quickest means of communication (fax/email) narrating details of the accident and any remedial measures taken thereto.

32. Electric Installation:

- 32.1. All electrical apparatus shall be intrinsically safe and flame proof certified by an inspector approved by the Commission,
- 32.2. All the conductors of an intrinsically safe and sound circuit in connection with intrinsically safe and sound apparatus in the installation area shall be so laid down as to prevent invasion of such circuit by current arising from contact or electrostatic or electromagnetic induction from any other circuit,
- 32.3. Conductors of safe and sound circuit shall be effectively protected against mechanical damage,
- 32.4. All electrical wiring other than conductor of intrinsically safe and sound circuit shall be effectively sealed at all joints, mechanically protected and adequately supported throughout its length and shall consist of :
 - 32.4.1. Approved armored cable with correctly designed terminations, complete with an armor clamp ,the armoring being carried and electrical clamps to provide mechanical support to the cables and electrical continuity or
 - 32.4.2. Approved metal sheathed cable with correctly designed and installed terminations,

32.5 Single or multi-cored insulated cables accommodated in solid drawn heavy gauge screwed galvanized conduits used in conjunction with approved flame proof fitting, the conduit being sealed at both ends and installed in such a manner as to permit internal condensation to drain to a point(s) from which it may be removed,

32.6 Single or multi-cored mineral insulated cable of approved type in conjunction with approved flame proof type glands at all joints and terminals

33. Insurance compulsory.-

33.1. No licensee shall operate its works including filling plants, storage, transportation and distribution of LPG unless the same are insured against loss and damage to the public life and property due to any operational reason, accident, etc.

33.2. Notwithstanding the provisions of sub-regulation (1), a licensee shall be responsible for any mishap that takes place at his Works, LPG outlets, distributor's premises or during transportation of LPG due to incompetence, negligence or use of substandard material or equipment and shall be liable to compensate the loss of life and property, as determined by the Commission on case to case basis. The compensation so fixed by the Commission shall be paid within a period of one month of the issuance of an order by the Commission

34. Marking of:-

34.1. **Storage Tanks:**The licensee shall mark with conspicuous signs on the place at which the storage tanks are located.

34.2. Cylinder:

34.2.1. Name of the Specification used for construction of Valve & body and serial/rotation number,

34.2.2. Date of Manufacture & Date of Last Inspection,

34.2.3. Name of the Manufacturer

34.2.4. Working Pressure,

34.2.5. Test pressure,

34.2.6. Tare weight,

34.2.7. Water Capacity,

34.2.8. Direction for opening the valve.

34.2.9. Symbol of the Inspector.

Appendix I

[See regulation 2(ii)]

LPG STANDARDS

All applicable regulatory requirements and procedures that include, but are not limited to the Rules and Regulations, International Standards of Performance and working method , environmental standards under existing Laws, energy efficiency standards, orders and any other code and / or practice that might be adopted and issued by the commission are to be complied. The followings are the standards acceptable to the commission:

1. **Design and Construction of LPG Plants and Installation: API Standard 2510** (Eight edition 2001 or the most recent edition). Covering Design, Construction, Siting Requirement & Spill Containment, Foundation, and Support & Accessories LPG Tanks, Piping Requirement, Transfer, Loading & unloading Facilities and Fire Protection.
2. **Requirements for Safe Entry and Cleaning of Petroleum Storage Tanks: API Std 2015** provides safety practices for preparing, emptying, isolating, venting, cleaning, entry and hot work.
3. **Overfilling Protection for Storage Tanks in Petroleum Facilities: API RP 2350** covering overfill protection for all above ground storage Tanks in Petroleum Facilities.
4. **Fire Protection Consideration for design and Operation of LPG Storage Facilities: API Publ 2510A** which **supplements** API Std 2510 covering Design, operation, maintenance of LPG Storage Facilities from the standpoints of prevention, and control of release, fire protection design & fire control measures.
5. **Fire Protection in Refineries: API RP 2001** covering basic concepts of refinery fire Protection.
6. **Protection Against Ignitions Arising Out of Static, Lighting and Stray Current: API Std 2003.**
7. **Safe Welding, Cutting and Hot work Practice in Petroleum and Petrochemical Industries: API Std. 2009.**
8. **Flame Arrester in Piping System: API RP 2008.**
9. **Application of Fixed Water Spray System for Fire Protection in Petroleum and Petrochemical Industries. API RP 2030.**
10. **Safe Hot Tapping Practices in Petroleum and Petrochemical Industries : API Publ.2201**
11. **Flame Arresters for Vent of Tanks Storing Petroleum Products: API RP 2210.**
12. **Portable Fire Extinguishers: NFPA 10.**
13. **Installation of Sprinkler System: NFPA 13.**
14. **Installation of Stationary Pumps for Fire Protection: NFPA 20.**
15. **Installation of Lighting Protection System: NFPA 780.**
16. **Standard for Storage, use and Handling of LPG in Portable Cylinders: NFPA 55** covering Storage, use, handling of LPG in portable Cylinders; emergency Plan & Safety Precautions,

17. **Storage and Handling of LPG: NFPA 58 (2001 Edition)** Covering LPG Containers, Piping, Associated equipment, Design, Construction, Installation, Storage, Venting to atmosphere and Operation of Marine Terminals, Highway Transportation, use in building ;
18. **Storage and Handling of LPG at Utility Plants: NFPA 59.**
19. **National Electrical Code: NFPA 70. USA**
20. **Electrical Installation at Petroleum Facilities: API RP 500,**
21. **Sizing, selection and installation of Pressure Relieving System : API RP 520**
22. **Metallic Gaskets for Raised Face Pipe Flange and Flanged Connection: API 601.**
23. **Process measurement Instrumentations: API 551.**
24. **Design and Construction of Large , Welded, Low pressure Storage Tanks : API RP 620**
25. **Welded Tanks for Oil Storage: API 650**
26. **Cathodic Protection of Aboveground Storage Tanks: API RP 651.**
27. **Pressure Vessel and Materials: ASME Boiler and Pressure Vessel Codes.**
28. **Pressure Vessel Plates : ASTM**
29. **Liquid Petroleum Transportation piping System; ANSI B31.4**
30. **Model Code of Safe Practice: Institute of Petroleum (IP)**
31. **Transportation of Hazards Liquid by Pipeline: DOT, USA.**
32. **Welded steel cylinders: DOT Specifications 4B, 4BA and 4BW.**
33. **Electrical Apparatus for Explosive Gas Atmosphere: IEC 79**
34. **Wiring Regulations for Electrical Installation: IEE.**
35. **Instrumentation: ISA**
36. **Recommendations for the safe filling of LPG cylinders at depots: Code of Practice 12** prepared by Liquefied Petroleum Gas Industry Technical Association, UK, (LPGITA)
37. **Safe handling and transport of LPG in bulk by road: Code of Practice 2 prepared by LPGITA for including section 3.1.6, 3.1.7, 3.1.8 and 3.1.10.,**
38. **Hoses for transfer of LPG in bulk installation, installation, inspection, testing and maintenance: Code of Practice 14 prepared by LPGITA.**
39. **Domestic butane and propane-gas-burning installations: BS 5482: Part 1: 1979, Code of Practice.**

Nothing in this Appendix is intended to prevent the use of the systems, methods, or devices of equivalent or superior quality, strength, fire resistance, effectiveness, durability, and safety over those mentioned in this Appendix. ***If other codes are intended to follow, copy of the said code to be sent to the Commission beforehand for vetting.***

For any ambiguity or dispute the matter must be referred to the Commission for clarification

Appendix II
[See regulation 5(1)]

APPLICATION FOR GRANT OF LICENSE
Production/liquefaction/processing/separation/striping /
storage/transmission/filling/distribution/handling/ Construction of Auto refueling Station of
LPG/LPG base-stock or LPG

(To be submitted in two copies of which one will be hard copy and the other will be soft copy in CD along with a non refundable fee as specified in regulation 5(2) in the form of Pay Order or Bank Draft to be paid favor of Bangladesh Energy Regulatory Commission in Dhaka)

Sl. No	Particulars:	
1	Area of Operation	
2	Name and Nationality of the Applicant (Person)	
3	Contact Address	
4	Description of Plot of Land: a) Mouza/plot No/JL no/Holding No b) Town/village c) Upozila & Police Station d) District e) Nature of Proprietorship	
5	Objective of Application	
6	Capacity of Storage Tanks: a) Bulk: b) Non Bulk	
7	Date of Construction of Existing Tanks & facilities	
8	Expected date of completion of construction of Proposed Tank (s) and Facilities (where applicable) With : a) Plant Cost b) Land & Civil Engineering Cost	

	<ul style="list-style-type: none"> c) Electrical Equipment Cost d) Firefighting Equipment e) Vehicles & Transport Cost f) Other Cost 	
9	Description of Consumers along with a feasibility report	
10	<p>Methodology of reception and delivery of goods:</p> <ul style="list-style-type: none"> a) Manual/Mechanical/Electrical b) No of Distribution Units c) Quantity of Daily Distribution (Liters/kg) d) Daily average Distribution(liters/kg) e) Daily Average Sale(liters/kg, based on last 30 days sale) 	
11	<p>Source of Electricity: PDB/REB/DESCO/Otherwise (For otherwise, type of Generator, ,Number & capacity of Generator and type of Fuel used to be stated)</p>	
12	List of all machineries and equipment are be attached	
13	Source of LPG base stock or LPG are to be specified	
14	Name & date of the license(s) which has been obtained earlier from the licensor	
15	<p>Attachments:</p> <ul style="list-style-type: none"> a) Proof of financial Competence b) Proof of Technical Competence c) 3 years Audited Report 	
16	Remarks	

We hereby solemnly declare that all the particulars given above are correct.

We hereby solemnly declare that if a license is granted to us. We will abstain from all political activity or whatsoever affecting the sovereignty or security of Bangladesh or such as may be tantamount to interference in its internal affairs and that we eschew all espionage.

We solemnly undertake not to sell, mortgage etc. either directly or indirectly or through association, the rights privileges and obligation granted under this license.

In the event of any violation this undertaking by me/us the Commission shall have the right to cancel the license provided that my dispute between the Commission and the company as to whether any of my /our activities can be considered as a violation of this undertaking shall be subject to settlement in accordance with the provision of sub-regulation (3) of regulation 10 of the Liquefied Petroleum Gas (Production and Distribution Regulation 2010, and the appropriate clause in the license.

Signature(s) of Applicant(s).....

Date and place of application.....

Capacity in which form is signed.

)

Application Checklist:

Attachments (attested copy):	Yes
<ol style="list-style-type: none"> 1. Attested Passport size photo: 3 copies; 2. Attested copy of National Identity Card/ Passport; 3. Attested copy of valid Trade license; 4. Attested copy of VAT Registration Certificate; 5. Attested copy of Income tax certificate; 6. Ownership/ Lease document of the land; 7. Lay out drawing of the proposed site with details structure within 10 meter diameter; 8. Memorandum of Association & Article of Association; 9. Certificate of incorporation; 10. Corporate Authorization; 11. Incorporation from Board of Investment; 12. An Explosive License from the Chief Inspector of Explosives; 13. NOC from Environmental Protection Agency; 14. NOC/License from Fire and Civil Defense; 15. NOC/License from Antidrug department; 16. NOC from the respective District Authorities giving due consideration to public safety and in accordance with the requirements of clause 2(h) and 2(i) of this framework; 17. Insurance cover against the loss and damage to the public life and property due to any operational reason, accident etc; 18. Detailed description about the management against ant Natural Calamity, Disasters sabotage and accident etc; 19. Name and address of Senior Management; 20. Detailed descriptions about the relation of the Applicant or its director who directly or indirectly earned the ownership or have the right to vote for more than 10% share of any other Works; 21. List of other application, with status, made earlier to the Commission. 22. For vehicles used for transportation of LPG base-stock or LPG information namely: (i)make, (ii)model, (iii) engine number, (iv)chassis number,(v) registration number and (vi) name of the registered owner. 	Yes

- The site for the installation/ refueling station is located on road/ highway of a minimum width of 20 meters;
- The site of the installation refueling station is NOT located in a residential or congested area and neither is it adjacent to any buildings used for accommodation or public gathering of any sort;
- The intended LPG storage capacity for refueling station is not more than 10 Metric Tons;
- **The Commission may desire that the LPG installation/auto refueling/dispensing station has been respected and verified to meet the requirements of applicable Standards including NFPA-58, by the Third Party Inspectors, appointed by the Commission**

GRANT OF LICENSE

Appendix IV
[See regulation
7(1)]

Enlistment/Production/liquefaction/processing/separation/striping / storage/transmission/filling/distribution/handling/ Construction of Auto refueling Station of LPG/LPG base-stock or LPG			
Sl.No	Particulars of the Licensee Company		
1	Name of the Company		
2	Name of the Chief Executive		
3	Registration No.		
4	No Date Place (under companies Ordinance)		
5	Address Contact Number Phone Fax Email		
Details of the License			
6	Validity period :	From	To
7	Areas of operation		
8	Type/ Nature of business		
9	License Capacity		
	Terms, Conditions and Obligations (To be specified for the different Licensee at time of issuance of license)		

Signature of the Commission

(Name of the issuing officer with Designation)

Official Stamp

STANDARD TERMS AND CONDITIONS (OBLIGATIONS OF LICENSE:

1. The space specified in license should not be used for any other purpose.
2. A clear distance of 10 meters should be maintained between the premises and any buildings where persons reside, any works where persons assemble and public road or highways.
3. Adequate precautions should be taken all time to prevent accident by fire or explosion.
4. The Licensee shall comply with all applicable regulatory requirements and procedures that include, but are not limited to the Rules and Regulations, Standards of Performance, environmental standards under existing Laws, energy efficiency standards, orders and any other code and / or practice that might be adopted and issued by the Commission to carry out its statutory responsibilities under the Act.
5. The Licensee shall maintain international standard and working method at the time of discharging duties relating to storage & marketing of the Petroleum Product maintenance and safety.
6. The Licensee should either have customer agreements or contracts, depending upon the nature of the individual or organization. Those agreements or contracts made pursuant to the approved rates and tariffs would not be individually approved by the Commission.
7. If a proposed contract varies significantly from the approved rates, or terms and conditions of service, that contract should be sent to the Commission for approval. Disconnection of service for non-payment as per the relevant act should be a routine matter in accordance with a published tariff.
8. Upon amending any supply contract, the Licensee must submit that contract to the Commission for review of tariffs, terms and conditions of service. The Commission's review will be consistent with its obligations under the 'Bangladesh Energy Regulatory Commission Act, 2003', the 'Bangladesh Energy Regulatory Commission License Regulations, 2010' and other relevant Regulations. The Commission will only act if it finds a basis for initiating action;
9. The Licensee shall comply with the 'Bangladesh Energy Regulatory Commission Act, 2003', the 'Bangladesh Energy Regulatory Commission License Regulation, 2010' & any other relevant Laws of the Commission.
10. The Licensee shall be required to:
 - 1) comply with all applicable Laws, Rules and Regulations pertaining to or relevant to the undertaking of the regulated activity for which the License is granted;
 - 2) provide services to all persons who meet the eligibility criteria, unless the Commission agrees with the Licensee that the latter is not financially viable; or unless the Government makes special financial arrangements with the Licensee;
 - 3) specify the location, design, construct, operate and maintain its facilities in accordance with the technical and other standards prescribed by the Commission and in a manner so as not to endanger public health or safety;
 - 4) inform the Commission about the products mentioned in the license within 30 day of the completion of every calendar year
 - 5) ensure smooth & continuous supply of products to its customers as per contract;
 - 6) provide and maintain correct meters at all delivery points to read delivery/consumption of Petroleum Products;

- 7) ensure prudence, cost effectiveness, and economic efficiency in its capital expenditure program me;
- 8) extend and expand its distribution facilities at the request of a person provided that it is technically feasible and all parties agree to the cost apportionment;
- 9) publish citizen charter and information regarding available capacity;
- 10) fulfill the obligations of the License as mentioned above, or the Licensee shall be subjected to, in addition to other measures directed by the Commission, such legal measures as provided in the 'Bangladesh Energy Regulatory Commission Act, 2003' and the LPG production ,Distribution and License Regulation - 2011' for violation of orders or directives.
- 11) The Licensee shall notify the Commission of any incident or emergency situation affecting any part of the storage and distribution system within 24 (twenty four) hours of such incident(s). The Licensee shall provide a written report on the incident describing of the remedial actions taken and the plan/measures to be undertaken in order to prevent the recurrence of similar events in future to ensure safety and security.
- 12) The Licensee shall keep accounts and prepare annual report, annual audited report for the licensed activities in accordance with regulatory accounting and reporting standards adopted / to be adopted by the Commission.
- 13) The Licensee shall submit annual report including auditors' report to the Commission stating both financial results, with the underlying accounting data and operation information within 3 (three) months of the closure of the accounting year of the company. The Licensee shall submit to the Commission any other information that the Commission may reasonably require in performing its statutory obligations.
- 14) The Licensee shall furnish to the Commission with all technical and operating information of the storage and distribution network in accordance with regulatory reporting standards adopted / to be adopted by the Commission as well as other data requested for by the Commission.
- 15) The Licensee will collect, review, monitor and publish statistics of(i)LPG Production, (ii) Distribution, Storage, Transportation, Filling and (iii)Marketing that includes supplying LPG Refueling station or the Retailer of LPG and the Petroleum Product as may be related to its domain of business, in the form as would be prescribed by the Commission.
- 16) The Licensee shall not, without a prior written approval of the Commission, operate any facility for the (i)LPG Production, (ii) Distribution, Storage, Transportation, Filling and (iii)Marketing that includes supplying LPG Refueling station or the Retailer of LPG;
- 17) Without having prior permission in writing from the Commission, the Licensee shall not acquire any undertaking by purchase or through any other means;
- 18) Provided that before making an application for such consent, the Licensee shall serve 30 (thirty) days notice to the Commission;
- 19) Without the prior permission from the Commission, the Licensee shall not sell, mortgage, lease, exchange or transfer by any other means his undertaking or any part of it;

Appendix V

Additional Safety/Technical Standards for Auto refueling Station:

- (a) The LPG auto refueling/dispensing station shall only be located on roads/highways having minimum 20 meters width.
- (b) The LPG auto refueling/dispensing station shall not be located in congested or residential areas nor should any of the adjacent buildings be used for accommodation or public gathering of any sort.
- (c) The installations of LPG auto refueling/dispensing station shall conform to the technical standards prescribed in the LPG (Production and Distribution) Regulation, 2001 [National Fire Protection Association, USA (NFPA-58)]. (Relevant extracts at Appendix-A).
- (d) For ensuring safety, the storage tank(s) capacity at an LPG auto refueling/dispensing station shall be limited to 10 Metric Ton (max.) and the tank(s) shall in no case be placed above ground.
- (e) The minimum area for the installation of LPG auto refueling/dispensing station shall be in accordance with NFPA-58 standard.
- (f) Only brand new equipment shall be installed at a LPG auto refueling/dispensing station and use of second hand equipment shall not be allowed.
- (g) Conversion kit and cylinder shall only be installed at licensee's approved centers and the installed vehicle shall have the respective licensee's seal of compliance to NFPA-58, otherwise it will be considered illegal.

3. **Miscellaneous:**

- (a) Only vehicle installed cylinders specifically designed for use in automotives shall be refilled at LPG auto refueling/dispensing stations. **No domestic cylinder shall be filled from such stations.**
- (b) LPG shall only be received in bowzers having valid license/certification from the Chief Inspector of Explosives.
- (c) LPG conversion kit, cylinder, and its installation must meet the requirements of NFPA-58.
- (d) The licensee shall maintain the record of each and every installed kit and will be held responsible for any faulty installation. A monthly kit installation update/status as per the prescribed format shall be submitted by the licensee to the Commission.

- (e) For safety reasons installation of LPG cylinders or tanks on motorcycles shall not be allowed and treated as illegal.
- (f) No person shall supply LPG for automotive use other than through a LPG auto refueling/dispensing station.
- (g) No vehicle assembler/manufacture will install LPG kit/cylinder without obtaining a license for the purpose from the Commission. The vehicle assembler will ensure that the installation is in accordance with NFPA-58 and will also put a seal to this effect on each vehicle.

The Commission may, ^{if} satisfied that NFPA-58 does not adequately address any aspect in respect of use of LPG in the automotive sector, prescribe from time to time any other standard for the purpose.