

5:18-1.3 Compliance

(a) All liquefied petroleum gas systems shall be installed and maintained in a safe operating condition in accordance with these rules.

(b) Zoning considerations shall be the responsibility of the municipality in which the system is located.

(c) All buildings or structures housing liquefied petroleum systems and foundations for containers shall be constructed in accordance with the applicable provisions of the Uniform Construction Code, N.J.A.C. 5:23.

(d) Only a qualified person shall sell, fill, or refill liquefied petroleum gas at a dispensing or distributing point.

(e) No person shall install, remove, connect, disconnect, fill or refill any liquefied petroleum gas container without permission of the owner of the container.

1. Exception: Containers at one or two-family residential properties may be disconnected and moved provided that the qualified person removing the container secures the fill line, gauge openings, fuel lines and pump connections against tampering and leaves the container in a safe and secure location.

(f) The owner of an LP-Gas container found to be in a hazardous condition shall remove the container from the site as soon as possible or necessary, but in no case later than five working days of written notification by the Bureau.

(g) The Commissioner may order the owner or operator of a system to meet additional requirements:

1. Where unusual conditions exist; and
2. When it is necessary for the protection of the health, safety or welfare of persons.

(h) LP-Gas systems having a product vapor pressure greater than that allowed in the referenced standards for commercial propane, with the product measured at 100 degrees Fahrenheit, shall be subject to the approval of the Commissioner.

(i) When liquefied petroleum gas equipment is to be abandoned or temporarily placed out of service, the user/owner shall comply with the provisions of Section F-3608.0, Abandonment of Equipment, of the Fire Prevention Code, N.J.A.C. 5:70-3.

Amended by R.1990 d.436, effective September 4, 1990.
See: 22 N.J.R. 1984(a), 22 N.J.R. 2744(a).

Recodified from N.J.A.C. 12:200-1.8. Prior N.J.A.C. 12:200-1.3 was "Scope," which was recodified as N.J.A.C. 12:200-1.1.

Deleted old (j) and (k) regarding specific containers and distance requirements, recodifying old (l) as new (j) and adding new (k). In (e), deleted reference to systems utilizing containers of over 30 pounds product capacity and added "at a dispensing or distributing point." Amended by R.1995 d.391, effective July 17, 1995.
See: 27 N.J.R. 1950(a), 27 N.J.R. 2694(b).

Amended by R.2003 d.200, effective May 19, 2003.

See: 35 N.J.R. 7(a), 35 N.J.R. 2187(a).

Rewrote the section.

5:18-1.4 Registration

(a) All existing LPG systems of greater than 2,000 gallons water capacity vapor delivery service, all liquid withdrawal systems and all fill plants shall be registered by the owner with the Bureau.

1. The submission of plans pursuant to N.J.A.C. 5:18-6.1 shall be accepted as satisfying the registration requirement.

(b) When there is a change in the ownership of an existing LPG system, the new owner shall register with the Bureau within ten business days of the change in ownership.

(c) All LP-Gas facilities, including producers, bulk plants and industrial plants of 10,000 gallons water capacity or more, gas utility plants, marine or pipeline terminals or tank farms, shall be registered with the Bureau in accordance with N.J.A.C. 5:18-9.1.

New Rule, R.2003 d.200, effective May 19, 2003.

See: 35 N.J.R. 7(a), 35 N.J.R. 2187(a).

Former N.J.A.C. 5:18-1.4, Reporting emergency situations, recodified to N.J.A.C. 5:18-1.7.

5:18-1.5 Inspection of LPG systems by the Bureau

(a) All LPG systems of greater than 2,000 gallons water capacity vapor delivery service, all liquid withdrawal service systems and all fill plants shall be inspected annually by the Bureau, with the exception of LPG systems meeting the requirements of N.J.A.C. 5:18-9, which shall be subject to a triennial audit, and those subject to local inspection, as set forth in N.J.A.C. 5:18-1.2(c).

(b) Upon successful completion of an initial inspection by the Bureau, a site-specific certificate of operation shall be issued.

(c) The certificate of operation shall indicate that the LPG system is in compliance with the applicable requirements of this chapter and shall be posted at a conspicuous location where representatives of the Bureau and members of the public may inspect it.

(d) Failure to remove any violations found as a result of an inspection made by the Bureau shall result in issuance of a written notice to abate the violations. Correction of violations shall be done in accordance with N.J.A.C. 5:18-7.3.

Recodified from N.J.A.C. 12:200-1.10 by R.1990 d.436, effective September 4, 1990.

See: 22 N.J.R. 1984(a), 22 N.J.R. 2744(a).

Prior N.J.A.C. 12:200-1.5 was "Repeal of prior chapters."

Amended by R.1995 d.391, effective July 17, 1995.

See: 27 N.J.R. 1950(a), 27 N.J.R. 2694(b).

Repeal and New Rule, R.2003 d.200, effective May 19, 2003.

See: 35 N.J.R. 7(a), 35 N.J.R. 2187(a).

Section was "Reporting of fires, explosions or accidents".

5:18-1.6 Container markings

(a) Containers of 100 pounds product capacity or more shall be legibly marked "FLAMMABLE GAS" and the name of the gas to indicate contents, such as "FLAMMABLE GAS—PROPANE" or "FLAMMABLE GAS—BUTANE," except as provided in (b) below. Compliance with the marking requirements of Title 49 of the Code of Federal Regulations shall be accepted as meeting this requirement.

1. Exception: Container marking shall not be required for containers at one or two-family residential properties.

(b) A company identification system for marking containers which is approved by the Commissioner shall be acceptable in lieu of compliance with (a) above at processing plants.

(c) As required by N.J.A.C. 5:11, all ASME containers shall be stamped with the National Board number. The number shall be readily visible on the container shell or head and shall not be concealed by paint or otherwise. The National Board registration number shall be affixed at all times for inspection purposes. The stamping may be affixed to a metal tag or shall otherwise be permanently marked in lettering of not less than 5/16 of an inch in height.

(d) All LP-Gas containers exceeding 250 gallons individual or aggregate water capacity shall be provided with a marker plate or sign indicating who should be called in the event of an emergency involving the LP-Gas container. The marker or sign shall include the following:

1. The name of the LP-Gas supplier, owner or operator who will respond to the emergency; and
2. That person's telephone number.

Repealed by R.1990 d.436, effective September 4, 1990.
See: 22 N.J.R. 1984(a), 22 N.J.R. 2744(a).
Section was "Validity."
New Rule, R.2003 d.200, effective May 19, 2003.
See: 35 N.J.R. 7(a), 35 N.J.R. 2187(a).

5:18-1.7 Reporting emergency situations

(a) The LP-Gas supplier, owner or operator shall respond when notified to all LP-Gas emergencies occurring at his systems and shall maintain a 24-hour phone service.

(b) Whenever there is a fire or explosion or accident involving the public which results in serious injury or loss of life or significant property damage from liquefied petroleum gas, the Bureau shall be notified in writing by the user/owner before the end of the first working day following the incident.

Recodified from N.J.A.C. 12:200-1.9 by R.1990 d.436, effective September 4, 1990.
See: 22 N.J.R. 1984(a), 22 N.J.R. 2744(a).
Prior N.J.A.C. 12:200-1.4 was "Effective Date."
Repealed by R.1990 d.436, effective September 4, 1990.
See: 22 N.J.R. 1984(a), 22 N.J.R. 2744(a).
Section "Existing installations" was recodified to 1.2.

Recodified from N.J.A.C. 5:18-1.4 and amended by R.2003 d. 200, effective May 19, 2003.
See: 35 N.J.R. 7(a), 35 N.J.R. 2187(a).
Former N.J.A.C. 5:18-1.7, was reserved. Rewrote the section.

5:18-1.8 (Reserved)

Repealed by R.1990 d.436, effective September 4, 1990.
See: 22 N.J.R. 1984(a), 22 N.J.R. 2744(a).
Section "Compliance" was recodified to 1.3.

5:18-1.9 (Reserved)

Repealed by R.1990 d.436, effective September 4, 1990.
See: 22 N.J.R. 1984(a), 22 N.J.R. 2744(a).
Section "Reporting emergency situations" recodified to 1.4.

5:18-1.10 (Reserved)

Repealed by R.1990 d.436, effective September 4, 1990.
See: 22 N.J.R. 1984(a), 22 N.J.R. 2744(a).
Section "Reporting of fires, explosions or accidents" was recodified to 1.5.

SUBCHAPTER 2. DEFINITIONS**5:18-2.1 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Act" means Liquefied Petroleum Gas Act, N.J.S.A. 21:1B-1 et seq.

"API" means American Petroleum Institute.

"Approved" means any product certified, or classified, or labeled, or listed by a nationally recognized testing agency, unless specifically banned by order of the Commissioner or by rule.

"ASME" means American Society of Mechanical Engineers.

"Bulk plant" means a facility, the primary purpose of which is distribution of gas, that receives LP-Gas by tank car, tank truck or piping and distributes it to the end user by portable container (package) delivery, tank truck or gas piping, and that has bulk storage of 2,000 gallons or more water capacity and has container-filling or truck-loading facilities on the premises. "Bulk plant" also means and includes any facility that transfers LP-Gas from tank cars on a private track directly into cargo tanks.

"Bureau" means the Bureau of Code Services in the Division of Codes and Standards of the Department of Community Affairs.