

CHAPTER 90**BOILERS, PRESSURE VESSELS AND REFRIGERATION****Authority**

N.J.S.A. 34:1-20, 34:1-47, 34:1A-3 and 34:7-18;
and Reorganization Plan 002-2002.

Source and Effective Date

R.2005 d.80, effective January 27, 2005.
See: 36 N.J.R. 5083(a), 37 N.J.R. 614(b).

Chapter Expiration Date

Pursuant to Executive Order No. 1(2010), the chapter expiration date is extended from January 27, 2010 until the completion of the review of administrative regulations and rules by the Red Tape Review Group, and until such time as the extended regulation or rule is readopted pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. See: 42 N.J.R. 1130(a).

Chapter Historical Note

Chapter 90, Boilers, Pressure Vessels and Refrigeration, was filed and became effective prior to September 1, 1969. Amendments became effective March 11, 1976 as R.1976 d.79. See: 8 N.J.R. 41(a), 8 N.J.R. 197(c). Chapter 90, Boilers, Pressure Vessels and Refrigeration, was repealed and new rules became effective December 17, 1984. See: 16 N.J.R. 1172(a), 16 N.J.R. 3454(a).

Pursuant to Executive Order No. 66(1978), Chapter 90, Boilers, Pressure Vessels and Refrigeration, was readopted as R.1990 d.24, effective December 15, 1989. See: 21 N.J.R. 3247(a), 22 N.J.R. 235(a).

Pursuant to Executive Order No. 66(1978), Chapter 90, Boilers, Pressure Vessels and Refrigeration, was readopted as R.1994 d.599, effective November 9, 1994. See: 26 N.J.R. 3810(a), 26 N.J.R. 4828(a).

Pursuant to Reorganization Plan 002-1998, Chapter 90, Boilers, Pressure Vessels and Refrigeration, was recodified as N.J.A.C. 5:11, effective July 1, 1998. See: 30 N.J.R. 1347(a), 30 N.J.R. 2644(a).

Administrative change: Office of Boiler and Pressure Vessel Compliance changed to Bureau of Boiler and Pressure Vessel Compliance. See: 31 N.J.R. 1061(b).

Subchapter 7, Pressure Relief Valves, was adopted as new rules, and former Subchapter 7, Licensing of Operating Engineers and Boiler Operator, former Subchapter 8, Violations and Penalties, and former Subchapter 9, Standards and Publications Referred to in this Chapter, were recodified as Subchapters 8 through 10 by R.1999 d.304, effective September 7, 1999. See: 31 N.J.R. 1556(a), 31 N.J.R. 2604(b).

Pursuant to Executive Order No. 66(1978), Chapter 11, Boilers, Pressure Vessels and Refrigeration, was readopted as R.1999 d.394, effective October 21, 1999. See: 31 N.J.R. 2024(a), 31 N.J.R. 3626(a).

Pursuant to Reorganization Plan No. 003-2002, Chapter 11 of Title 5, Boilers, Pressure Vessels and Refrigeration, was recodified as Chapter 90 of Title 12, effective February 5, 2003. See: 34 N.J.R. 4245(a), 35 N.J.R. 1275(b).

Chapter 90, Boilers, Pressure Vessels and Refrigeration, was readopted as R.2005 d.80, effective January 27, 2005. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS

12:90-1.1 Title and citation

This chapter shall be known and may be cited as N.J.A.C. 12:90, Boilers, Pressure Vessels and Refrigeration.

12:90-1.2 Authority

These rules are promulgated pursuant to the authority of the Operating Engineers and Firemen Licensing Act, N.J.S.A. 34:7-1 et seq. and the Boiler, Pressure Vessel and Refrigeration Act, N.J.S.A. 34:7-14 et seq.

12:90-1.3 Purpose

(a) The purpose of this chapter is to provide reasonable standards for:

1. The protection of life and property in the use of boilers, pressure vessels and refrigeration systems; and

2. The licensing of engineers and boiler operators.

Amended by R.1999 d.304, effective September 7, 1999.
See: 31 N.J.R. 1556(a), 31 N.J.R. 2604(b).

In (a)2, substituted a reference to boiler operators for a reference to firemen.

12:90-1.4 Scope

(a) This chapter shall apply to:

1. The design, construction, alteration, repair, operation, use and inspection of boilers, pressure vessels and refrigeration systems; and

2. The examination and licensing of operating engineers, boiler operators and operators of long boom cranes.

Amended by R.1999 d.304, effective September 7, 1999.
See: 31 N.J.R. 1556(a), 31 N.J.R. 2604(b).

In (a)2, substituted a reference to boiler operators for a reference to firemen.

12:90-1.5 Documents referred to by reference

The availability of standards and publications referred to in this chapter is explained in N.J.A.C. 12:90-9.

Amended by R.1996 d.588, effective December 16, 1996.
See: 28 N.J.R. 4060(a), 28 N.J.R. 5224(a).
Changed N.J.A.C. reference.

12:90-1.6 Validity

Should any section, paragraph, sentence or word of this chapter be declared for any reason to be invalid, such decision shall not affect the remaining portions of this chapter.

SUBCHAPTER 2. DEFINITIONS

12:90-2.1 Definitions

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

“Act” (“Inspection Act”) means the Boiler, Pressure Vessel and Refrigeration Act, N.J.S.A. 34:7-14 et seq.

“Act” (“Licensing Act”) means the Operating Engineers and Firemen Licensing Act, N.J.S.A. 34:7-1 et seq.

“Alteration” means any change in the item described on the original manufacturer's data report which affects the pressure containing capability of the boiler or pressure vessel. Nonphysical changes such as an increase in the maximum allowable working pressure (internal or external) or design temperature of a boiler or pressure vessel shall be considered an alteration. A reduction in minimum temperature such that additional mechanical tests are required shall also be considered an alteration.

“ANSI” means American National Standards Institute.