

(c) Only technical standards relating to public health and safety are adopted by any incorporation by reference as prescribed in (a) above. Other standards relating to administration and reporting procedures are not adopted. Compliance with administrative and reporting standards shall be achieved by communication with the appropriate officials of the Office of Safety Compliance.

(d) Where the term "line of adjoining property which may be built upon" is used in Liquefied Petroleum Gases, NFPA No. 58-1995, it shall be understood to mean "the property line" as defined in N.J.A.C. 5:18-2.1.

(e) Buildings or structures housing liquefied petroleum gas distribution facilities and foundations for containers of over 2,000 gallons water capacity shall be constructed in accordance with the provisions of the New Jersey Uniform Construction Code.

Amended by R.1990 d.436, effective September 4, 1990.

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

In (d): deleted (d)1-3 referring to BOCA codes. Added new (e).

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

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

5:18-3.2 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 meet this provision.

(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.

Amended by R.1990 d.436, effective September 4, 1990.

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

In (a): revised text from "125 gallons water" to "100 pounds product" regarding container capacity. Added Federal Register citation. In (b): revised text, adding reference to marking containers.

5:18-3.3 Container storage

(a) Containers shall be installed outside of buildings, except as provided in N.J.A.C. 5:18-3.1(a), whether of the portable type replaced on a cylinder exchange basis or permanently installed and refilled at the installation.

(b) Containers installed outside of buildings shall be located with regard to property lines other than public ways, important buildings, or bulk storage of hazardous materials in accordance with Table 3-2.2.2 of Liquefied Petroleum Gases, NFPA No. 58-1995.

1. The term "buildings" as used in this subsection shall not be construed to include the buildings described in paragraph 3-2.2.5 of the referenced standard.

2. The term "hazardous materials" as used in this subsection shall recognize the specific requirements of the specific hazardous materials described in paragraph 3-2.2.6(e) and (f) of the referenced standard.

(c) Containers installed outside of buildings shall be located with regard to the near side of a public way in accordance with the schedule for aboveground containers of Table 3-2.2.2 of Liquefied Petroleum Gases, NFPA No. 58-1995, as provided below:

1. For containers of 30,000 gallons water capacity or less a distance of at least 50 percent of said schedule;

2. For containers of over 30,000 gallons water capacity a distance of at least 100 percent of said schedule.

(d) Existing containers, installed prior to the effective date of these rules, need not comply with the distances provided in (b) and (c) above provided:

1. The containers were in conformance with the applicable chapter of the N.J.A.C. in effect at the time of installation; and

2. The containers as so located do not constitute a serious and substantial threat to the health and safety of the public.

(e) Installations of aboveground containers of 90,000 gallons individual or aggregate water capacity or more that present a serious exposure hazard shall be protected by one or more of the following: distances at least 50 percent greater than the schedule for aboveground containers of Table 3-2.2.2 of Liquefied Petroleum Gases, NFPA No. 58-1995, water spray protection, fixed monitors, or insulation.

(f) If more than six containers, each of which is of 2,000 gallons water capacity or more, are used in a single installation, the containers shall be separated into batteries of not more than six containers with batteries separated from each other by the distances required for the schedule for mounded or underground containers of Table 3-2.2.2 of Liquefied Petroleum Gases, NFPA No. 58-1995.

(g) When the required distance from a property line to an LP-Gas container cannot be obtained, the commissioner may approve a lesser distance if some other approved means of protection is provided for the system and reasonable protection for the health and safety of the public is maintained.

(h) In case of storage in heavily populated areas or congested areas, or near places of public assembly, the commissioner shall determine restrictions of individual tank capacity, total storage, distance to property lines, and other reasonable protective measures.

(i) Where there is a possibility of damage to storage containers from motor vehicles or other heavy objects,

protection against such damage shall be provided. This protection shall meet the following minimum requirements:

1. Crash posts are to be a minimum of four inch schedule 40 pipe and painted yellow.
2. Crash posts are to be buried three feet six inches deep, extend three feet above grade, and filled with concrete.
3. Posts are to be encased in concrete 18 inches in diameter by three feet six inches in depth for minimum standards.
4. Posts are to be set at four feet six inches maximum centers.
5. The crash protection shall be installed a minimum of 24 inches from the LP container(s).

(j) In areas where high speed and heavy duty traffic occurs the following shall be the requirements for motor vehicle protection:

1. Posts are to be minimum of six inches schedule 40 pipe and painted yellow.
2. Posts are to be buried a minimum of 48 inches deep, and extend a minimum of 48 inches above grade, and filled with concrete.
3. Posts are to be set at four feet maximum centers.
4. Posts are to be encased in concrete of 24 inches diameter and 48 inches in depth for minimum standards.
5. The crash protection shall be installed a minimum of 24 inches from the LP container(s).

(k) Highway barrier installed as per New Jersey Department of Transportation specifications may be substituted for crash posts as described in (i) and (j) above.

(l) The tops of storage containers shall be in the same horizontal plane, when the containers are interconnected by liquid piping.

(m) Storage areas having containers exceeding 100 pounds product water capacity shall be posted with adequate "NO SMOKING" and "FLAMMABLE GAS" signs legibly marked. The "FLAMMABLE GAS" sign shall be marked "FLAMMABLE GAS" and the name of the gas to indicate the contents such as "FLAMMABLE GAS-PROPANE" or "FLAMMABLE GAS-BUTANE".

(n) Storage containers shall not be placed under an electric power service transmitting voltage in excess of 240 volts or within six feet of a line projected vertically from any edge of the container.

(o) Cargo tank vehicles and tank cars shall not be used as a permanent storage facility.

1. Cargo tank(s) shall not be filled from another cargo tank.

(p) Aboveground containers exceeding 2,000 gallons individual water capacity shall be oriented so that their longitudinal axes do not point toward other LP-Gas containers within that installation.

(q) Dead trees or dead branches overhanging containers that can fall and dislocate a container from its piping shall be removed.

(r) Containers proposed for mounding or underground installation shall be provided with cathodic protection in addition to a suitable coating for corrosion protection.

1. Cathodic protection will not be required if a professional engineer certifies in writing to the Department that based on his or her soil investigation such protection is unnecessary.

Amended by R.1990 d.436, effective September 4, 1990.

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

Stylistic revisions throughout text. In (i), added "... substantial bumper guards ... or equivalent" to text. In (k), revised "125 gallons aggregate water" to "100 pounds product" capacity. Added new (p). Amended by R.1995 d.391, effective July 17, 1995.

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

Administrative change.

See: 32 N.J.R. 3394(a).

Case Notes

Township could not determine safety of land use for liquid propane gas storage following determination by Commissioner of Labor and Industry. (citing former N.J.A.C. 12:200-5.8). Scheff v. Tp. of Maple Shade, 149 N.J.Super. 448, 374 A.2d 43 (App.Div.1977), certification denied 75 N.J. 13, 379 A.2d 244.

5:18-3.4 Distributing points, distributing plants and industrial plants

(a) This section shall apply to the following:

1. Distributing points of any capacity; or
2. Distributing plants of any capacity; or
3. Industrial plants of 2,000 gallons aggregate water capacity or more.

(b) If loading or unloading is normally done during other than day-light hours, adequate lights shall be provided to illuminate storage containers, control valves and other LP-Gas equipment.

(c) Suitable roadways or means of access for extinguishing equipment, such as wheeled extinguishers or fire department apparatus shall be provided.

(d) The LP-Gas system shall be enclosed within an industrial type fence at least six feet high with at least two egress gates opening outward and remotely located from each other, or be within an approved fenced plant area and protected from tampering.