

5:18-8.2 Payment of annual assessment

(a) The owner of liquefied petroleum gas immediately prior to odorization shall be responsible for the payment of the assessment on the volume of liquefied petroleum gas at the time of import or odorization, whichever is earlier.

(b) All assessments shall be payable to "Treasurer, State of New Jersey" and shall be remitted to the Bureau of Code Services, PO Box 816, Trenton, NJ 08625-0816 on a quarterly basis on or before the 25th day of the month following the end of the quarter.

(c) A penalty of five percent shall be added to all payments received by the Bureau after the 25th day of the month following the end of the quarter.

(d) In addition to the penalty imposed under (c) above, interest at an annual rate of 12 percent shall be added to all payments received by the Bureau 30 days or more after the 25th day of the month following the end of the quarter.

Amended by R.2003 d.200, effective May 19, 2003.
See: 35 N.J.R. 7(a), 35 N.J.R. 2187(a).

5:18-8.3 Forms

(a) The following forms, which are incorporated by reference as Appendix B of this chapter, shall be used for the purposes indicated:

1. Remittance Report (LPG-1);
2. Odorizer or Importer Registration (LPG-2);
3. Load Exemption: Certificate of LPG Destined for Export (LPG-3);
4. LPG Usage Report (LPG-4);
5. Assessment Refund Request (LPG-5); and
6. Odorization Report for Terminal Operators (LPG-6)

5:18-8.4 Fees for inspections of LP-Gas facilities using non-odorized LP-Gas

(a) Facilities using or distributing non-odorized LP-Gas that are subject to either an annual inspection or a triennial audit under these regulations shall be subject to an inspection fee.

(b) Fees for inspection of non-odorized facilities shall be based on the time and number of staff needed to perform the inspection. A fee of \$250.00 dollars per inspector shall be assessed for all inspections of non-odorized facilities. For inspections that take more than one-half day (four hours on site) an additional fee of \$40.00 for each inspector hour on site shall be charged.

New Rule, R.2007 d.1, effective January 2, 2007.
See: 38 N.J.R. 3697(a), 39 N.J.R. 28(a).

SUBCHAPTER 9. QUALITY CONTROL AND MAINTENANCE AUDITS**5:18-9.1 Registration of LPG bulk and industrial plants**

(a) The owner or operator of a LP-Gas facility, 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 register with the Bureau on forms provided by the Bureau.

(b) The registration shall include information as to all locations at which odorized or unodorized LP-Gas is stored or sold by the business, whether at the facility or elsewhere.

(c) Each registration shall indicate the name and address of the New Jersey office or New Jersey residence of the LPG system's owner or the owner's representative; the owner or the owner's representative must reside or have an office in the State of New Jersey to accept service of process.

(d) It shall be the responsibility of the owner to notify the Department of any change in the identity, mailing address, office or residence address or phone number of the owner or representative. Any change shall be reported to the Department in writing within 30 days of the change.

Amended by R.2006 d.95, effective March 6, 2006.
See: 37 N.J.R. 4104(a), 38 N.J.R. 1316(a).
Added (c) and (d).

5:18-9.2 Quality control manual and records

(a) The owner or operator of a facility required to be registered pursuant to N.J.A.C. 5:18-9.1 shall prepare, maintain and follow a quality control manual which shall, at a minimum, include the following:

1. A cover sheet indicating the full name of the owner and operator and the street address of the facility;
2. An organization chart detailing the lines of communication and authority and identifying the individual, who shall be a senior company official, who is responsible for implementation of the quality control manual;
3. A complete site plan for each registered facility and a process flow diagram that illustrates piping, valves, equipment, and emergency shutdowns of the facility;
4. A description of a training program for LPG handling and safety approved by the Bureau of Code Services. The training program shall meet the following requirements:
 - i. There shall be ongoing training for all individuals involved in the operation and maintenance of LPG equipment; and
 - ii. All training shall be consistent with national standards for LPG safety training and with this chapter;

5. Standard operating procedures (SOP) and checklists for each facility in order to ensure, at a minimum, safe operation. Any such SOP or checklist shall include, where applicable, but not be limited to, the following:

- i. Filling, refilling and/or venting containers;
- ii. Delivery of LPG to any location. A checklist shall be provided to each driver and, when requested, to the Bureau inspector, to ensure that proper procedures, as required by this chapter, are followed;
- iii. Evacuation of cylinders;
- iv. Emergency procedures;
- v. Accident reporting and documentation;
- vi. Installation guidelines and standards for every type of container;
- vii. Repair or reconditioning of vessels; and
- viii. Testing, repair and maintenance of pressure relief valves and other control or flow devices;

6. Documentation of compliance with the NJDEP Risk Management Program, if applicable, including details specific to the following:

- i. Plant safety information, including hazard review scenarios with both normal and emergency shutdown procedures;
- ii. System operating procedures;
- iii. Employee training;
- iv. Maintenance procedures and programs;
- v. Compliance audits;
- vi. Plant fire safety analysis; and
- vii. Incident investigations;

7. Documentation assuring that only acceptable materials are used for new, existing or replacement systems and that all required materials are properly identified when received; and

8. Nonconformance reports documenting all conditions not conforming to this chapter and ensuring that any problems identified through procedures, controls, inspections, specifications or testing are effectively corrected and documented.

(b) The owner or operator of a facility shall maintain a file system for equipment inspection records, which shall list, by number and such abbreviated description as may be necessary for identification, each ASME pressure vessel covered by these rules, the date of the last inspection of the vessel, and the approximate date for the next inspection.

(c) The owner or operator of a facility shall maintain the following records for the times specified:

1. Manufacturer's data reports of new and used pressure vessels: life of the vessel;
2. All documentation of repairs: life of the vessel;
3. Reports of training: term of employment;
4. Reports of nonconformance: five years; and
5. All results of nondestructive examination tests and other tests and all repair or alteration documentation: life of the vessel.

(d) The Bureau shall have free access to the records of the facility maintained under (a), (b), and (c) above.

5:18-9.3 Pressure vessel maintenance, repair and alteration

Any pressure vessel code item shall be maintained, repaired and altered in accordance with the original code of construction, the National Board Inspection Code, the applicable ASME code and this chapter.

5:18-9.4 Certificates of operation and audits

(a) The owner or operator of a facility required to be registered pursuant to N.J.A.C. 5:18-9.1 shall be audited by the Bureau triennially after a satisfactory initial audit.

(b) Upon successful completion of an initial audit, the Bureau shall issue a site-specific certificate of operation, which shall be valid for three years.

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

(d) In the event that an audit is not successful, an owner or operator shall be given 30 days to address all identified deficiencies. Subsequent audits shall be made as necessary in order to verify compliance with all applicable requirements.

1. The owner or operator may apply for, and the Bureau may grant, an extension of time to address deficiencies if the Bureau finds that such extension is needed, that the owner is making a good faith effort to correct deficiencies and that there is no threat to public health or safety.

(e) Failure to remove any violations found as a result of an audit 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.

APPENDIX B

STATE OF NEW JERSEY
Department of Community Affairs
Division of Codes and Standards
BUREAU OF CODE SERVICES

LPG-1

Assessment Remittance Report

This information is required for verification of assessments due on sales or import of odorized LP-Gas. Response is required by the rules adopted pursuant to N.J.S.A. 21:1B.
 (All forms may be duplicated as needed for reporting BCS assessments. Additional copies of forms are available by calling or writing the Bureau of Code Services office at 609-633-6835.)

Section 1.

Company Name: _____
 Mailing Address: _____
 City: _____ State _____ Zip Code: _____
 Contact Telephone No.: _____ Fax No.: _____

Must be completed	For BCS Use Only	
This report covers the quarterly period from _____ to _____, 200____.	\$ Amt. Received	\$ Amt. Enclosed

Section 2.

Odorization Point (Name, City & State)	Gallons Odorized	Assessment	Amount Due
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
Total amount collected on this page:			
Total amount carried forward from - attached pages:			
Adjustments / Penalties / Interest (attach explanation):			
Total amount remitted:			\$

Items are due no later than 25 days after the end of the recording period (quarterly).
 - A 5 percent penalty will be due on payments received after the due date.
 - Interest of 1 percent per month will be assessed on payments overdue by 30 days or more.
 Check here if additional sheets were required to complete your remittance report.
 Check here if this report is also intended to serve as your official Odorization Report.

I, the undersigned, hereby certify that I was the owner of the stated volumes of LP-Gas at the time they were odorized or imported into New Jersey and that the information contained in this report is true and accurate.

Signature of Corporate Office or Authorized Person _____ Printed name and title _____ Date _____

Make check payable to: Treasurer State of New Jersey. Mail form(s) and check to: Department of Community Affairs, Bureau of Code Services, P.O. Box 816, Trenton, NJ 08625-0816

STATE OF NEW JERSEY
Department of Community Affairs
Division of Codes and Standards
BUREAU OF CODE SERVICES

LPG-2

LP-GAS ODORIZER OR IMPORTER REGISTRATION FORM

Pursuant to N.J.S.A. 21:1B, the below-named odorizer or importer of LP-Gas comes under regulation of this statute, and must register annually with the Department of Community Affairs, Division of Codes and Standards, Bureau of Code Services. (Check one of the following)

- Company is a first time odorizer or importer; or
Company is requesting subsequent annual registration as an odorizer or importer; previously registered on (Month/Year)

Odorizer shall complete Section I & II. Importers shall complete Section I only. Both the LP-Gas odorizer and importer shall complete this form within 30 days of a change in any of the information reported on this form.

SECTION I (For Odorizers and Importers):

Name
Mailing Address
City State Zip Telephone Number
Contact Person Title Telephone Number

SECTION II (For Odorizers only):

Odorization Facility Name Physical Address (No P.O. Boxes) City State Zip County
Facility Contact Person Mailing Address City State Zip Area Code Telephone Number
Odorization Facility Name Physical Address (No P.O. Boxes) City State Zip County
Facility Contact Person Mailing Address City State Zip Area Code Telephone Number

STATE OF NEW JERSEY
Department of Community Affairs
Division of Codes and Standards
BUREAU OF CODE SERVICES

LPG-3

LP-GAS LOAD EXEMPTION

C RTIFICATE OF LPG DESTINED FOR EXPORT

Pursuant to N.J.S.A. 21:1B, deliveries of liquefied petroleum gas (LPG) destined for export to destinations outside the State of New Jersey are exempt from the fee on deliveries of odorized LP-Gas.

I hereby certify that this load of LP-Gas introduced into the following means of conveyance is for export and will be in continuous movement to a destination outside the State of New Jersey.

Tank Manufacturer	Tank Serial No.	Water Capacity
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Under penalties prescribed in Section 21:1B-5 of the New Jersey Statutes, I hereby declare that I am authorized to sign this report, and that the information stated herein is true, correct and complete to the best of my knowledge.

Net Gallons Delivered	Printed Name
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Product Delivered	Name of Company
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Delivery Date	Loading Facility Location
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Time of Day	Mailing Address of Company
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Bill of Lading Number	City	State	Zip
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Authorized Signature	Title
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RETURN TO:
 State of New Jersey
 Department of Community Affairs
 Division of Codes and Standards
 Bureau of Code Services
 P.O. Box 816
 Trenton, New Jersey 08625-0816

STATE OF NEW JERSEY
Department of Community Affairs
Division of Codes and Standards
BUREAU OF CODE SERVICES

LPG-5

LP-GAS ASSESSMENT REFUND REQUEST

NAME OF COMPANY _____

MAILING ADDRESS _____

CITY _____ STATE _____ ZIP _____

I hereby request a refund in the amount of \$ _____ from the Bureau of Code Services. This refund is requested for the following reason(s).

Supporting export and payment documentation must accompany this request. Examples of appropriate supporting export documentation include bills of lading, shipping manifests and load tickets. Examples of appropriate supporting payment documentation include invoices, ledgers and journal entries tied to export documents.

Under penalty prescribed in N.J.S.A. 21:1B-5, I hereby declare that I am authorized to sign this report and that the information stated herein is true, correct and complete to the best of my knowledge.

RETURN TO:
Department of Community Affairs
Bureau of Code Services
P.O. Box 816
Trenton, New Jersey 08625-0816

Authorized Signature

Printed Name

() _____
Area Code Telephone Number

Date

STATE OF NEW JERSEY
 Department of Community Affairs
 Division of Codes and Standards
 BUREAU OF CODE SERVICES

LPG-6

LP-GAS ODORIZING REPORT FOR TERMINAL OPERATORS

The LP Gas Act (N.J.S.A. 21:1B) requires the following information be submitted to assist in verifying sales of odorized LPG. This report must be filed with the BCS and is due by the 25th day of the months of January, April, July and October.

Section 1.

Name of Submitter _____					
Mailing Address _____					
City _____	State _____ Zip Code _____				
Private and Confidential					
Storage cavern, terminal, and loading rack operators shall supply the following information quarterly by the 25 th of the months of January, April, July and October and shall identify the companies for whom they have provided odorizing services and the volumes of product odorized. The submitting operator may computerize this form if it will aid in submission of the information. Continuation pages may be added if more space is needed. All information submitted to the Bureau of Code Services will be kept strictly confidential and will be used only for verification of BCS assessments submitted by producers, marketers and others, responsible for payment of the assessments required by the LP-Gas Act.					
This report is for the period from _____ to _____ 200_____.					
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="background-color: black; color: white;">For BCS Use Only</th> </tr> <tr> <td style="width: 50%;">\$ Amt. Received</td> <td style="width: 50%;">Reviewed by</td> </tr> </table>		For BCS Use Only		\$ Amt. Received	Reviewed by
For BCS Use Only					
\$ Amt. Received	Reviewed by				
This is page 1 of _____ pages. (Please use continuation pages if more space is required)					

Section 2.

Odorization Services to:	For BCS Use	Place of Odorization	Gallons Odorized

I, the undersigned, hereby certify that the information contained in this Odorization Report is true and accurate.

 Signature of Corporate Office or Authorized Person Printed name and title Date

Mail form(s) no later than the 25th of month for the reporting period as required to: *Department of Community Affairs, Bureau of Code Services, P.O. Box 816, Trenton, NJ 08625-0816*

