

New Jersey Liquefied Petroleum Gas Education and Safety Board Meeting Minutes for December 10th, 2024

- 1) Meeting called to order at 1:35 P.M.

- 2) Roll Call

Attendance – Mike Merrill (Chair), Louis Kilmer, Ed Mulcahey, Ryan Pierson, J.D. Stem, Corrine Walker

Excused – Staci Rammel

DCA Staff - Joe Imburgia (Liaison), Rob Austin, Lindsay Bensel, Marie Daniels, Anthony Menafro, Ian Rayfield, Keith Thedinga

- 3) Approval of Minutes

Mike Merrill noted that item 5.c. from the June 11th minutes should state “industry standard re-qualification training” in the first sentence.

Motion to approve the minutes from the June 11th, 2024, meeting as amended by discussion passed unanimously.

1st – Louis Kilmer; 2nd – Ed Mulcahey

- 4) Committee Reports

- a) CETP Conversion to PEP

Committee members met and discussed the conversion of training programs, in addition to providing comment on Department staff’s document regarding training program equivalencies. Joe Imburgia noted that information from PERC is still vague and that a meeting with PERC would be helpful. Board members agreed that a meeting would be beneficial and suggested for this to take place as soon possible due to the sunseting of the CETP training program on December 31st. Mike Merrill introduced a guest to the Board who is a trainer for the NJPGA, the guest explained that PERC has additional information on this topic on their website and that they are currently drafting a document concerning New Jersey specific training equivalency.

Motion to meet with PERC in early January and continue discussion on this topic passes unanimously.

1st – J.D. Stem; 2nd – Ed Mulcahey

- 5) Old Business

- a) Onsite Forklift Cylinder Filling

* Memo; Revised Draft Rule at N.J.A.C. 5:18-10.4; Application Form; Sample Checklist-DFS

Joe Imburgia informed the Board that the documents and draft rule have been updated following the previous meeting and introduced those items for discussion. Mike Merrill noted that draft N.J.A.C. 5:18-10.4(a)1iv, should be amended to that change “dispensing” to “filling,” to which Department staff

agreed. In addition, Mike Merrill stated that while he agrees with the checklist and notification guidelines, he disagrees that the draft rule with changes to N.J.A.C. 5:18 are needed because they are duplicative. He stated that NFPA 58 allows for onsite forklift cylinder filling and that N.J.A.C. 5:18 adopts NFPA 58. Joe Imburgia explained that the justification for draft rules is that the Department has authority over the location of cylinder filling in accordance with N.J.A.C. 5:18-1.1(b). Corrine Walker requested clarification if N.J.A.C. 5:18-1.1(b) is applicable to onsite forklift cylinder filling because she does not believe that cylinders fall under the definition of systems and as such, are not subject to Department regulation. Joe Imburgia disagreed.

Lou Kilmer, explained possible issues with who gets cited for infractions by the Division of Fire Safety and noted that items may be out of the marketer's control. Mike Merrill agreed and noted that marketers do not have control of cylinder cabinets. Joe Imburgia stated that consumers moving cabinets is a business-to-business issue and not a matter of relevance to the LPG Unit. In addition, Lou Kilmer requested for clarification a change to N.J.A.C. 5:18-10.4(a)1iii of the draft rules, to include "ensure" before the word shall. Department staff agreed to this change.

Mike Merrill questioned Department staff if they have contacted NFPA concerning clarification regarding the applicability of point of transfer rules and cylinder requalification to the filling operations. Joe Imburgia stated that they have not contacted NFPA at this time as it is clearly stated in NFPA 58. Ryan Pierson explained that the Board may be able to move forward with this item following clarification and requested the Department contact NFPA for clarification on this item.

*Motion to amend the draft rules as discussed and request clarification from NFPA before continuing discussion passed unanimously.
1st – Ryan Pierson; 2nd – Corrine Walker*

6) New Business

N/A

7) Information

Mike Merrill informed the Board that he has been contacted by a hearth products group requesting a waiver for CETP training in order to use their own training and certification. Mr. Merrill proposed for this item to be discussed at the next LPGESB meeting.

8) Public Comments

No public comment

9) 2025 tentative meeting schedule – 02/11; 04/08; 06/10; 08/12; 10/14; 12/09

10) Adjournment

*Motion to adjourn meeting passes unanimously at 3:30 P.M.
1st – Ed Mulcahey, 2nd – J.D. Stem*