

New Jersey Liquefied Petroleum Gas Education and Safety Board Meeting Minutes for June 11th, 2024

- 1) Meeting called to order at 1:50 P.M.

- 2) Roll Call

Attendance – Mike Merrill (Chair), Louis Kilmer, Ed Mulcahey, Ryan Pierson, Staci Rammel, Corrine Walker

Excused – J.D. Stem

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

Caroline McCallum, New Jersey Clean Cities. Caroline McCallum will serve as the representative for the Environmental Community on the Board, pending her appointment. For the time being, she is joining as a guest.

- 3) Approval of Minutes

*Motion to approve the minutes from the April 9th, 2024, meeting passed unanimously.
1st – Louis Kilmer; 2nd – Ed Mulcahey*

- 4) Committee Reports

- a) Onsite Forklift Cylinder Filling Subcommittee

*Motion to approve the minutes from the May 13th, 2024, committee meeting passed unanimously.
1st – Corrine Walker; 2nd – Ed Mulcahey*

- 5) Old Business

- a) NFPA 58-2024, Draft Rule for Proposal/Adoption

Joe Imburgia began discussion on this item and explained the draft proposal in detail to the Board. Ed Mulcahey requested clarification on certain items, such as the use of austenitic stainless steel and schedule 10 steel piping, and if they can be used in temporary installations. Joe Imburgia confirmed that these items are permitted in temporary installations.

*Motion to approve the draft proposal passed unanimously.
1st – Corrine Walker; 2nd – Staci Rammel*

- b) Onsite Forklift Cylinder Filling

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

Initial discussion of this item began with Mike Merrill questioning if it is possible for a line item concerning onsite forklift fueling to be included in the marketers triennial licensing renewal application. Joe Imburgia disagreed, noting

that it should be separate to ensure the uniformity of the licensing renewal process for marketers.

Corrine Walker then questioned what items are needed in the application for onsite forklift fueling. Joe Imburgia noted that standard operating procedures, operational checklist, and an approved training program are to be included in the application. Board members disagreed with the inclusion of these items because they are duplicative to the programs and procedures currently in practice at these companies for stationary filling of cylinders. Joe Imburgia disagreed and noted that the safety of the public is the priority, and these items are necessary to determine the entire scope of the practice for regulatory enforcement. Additionally, he stated that the industry in practice recognizes the difference between stationary cylinder/tank filling and forklift cylinder filling. Also, that the industry standard re-qualification training program incorporates a specific module for forklift cylinders, to which Mike Merrill agreed.

The Board determined that additional discussion on this item needs to continue and proposed tabling this item until the next meeting. Mike Merrill, Corrine Walker, and Ed Mulcahey will meet in the interim to work on their specific concerns regarding this issue.

*Motion to table this item until the next meeting passed unanimously.
1st – Ed Mulcahey; 2nd – Corrine Walker*

c) Dispenser Training Exemption

*Memo; Draft Rule at N.J.A.C. 5:18-10.4; Exemption Application

Joe Imburgia stated that this item is a continuation of previous Board discussion concerning a draft proposal to amend N.J.A.C. 5:18 to allow companies to apply for exemption on licensee provided training as long as they follow an industry standard training program approved by the Department. Corrine Walker noted part IV of the memorandum should include language referencing the Propane Education Research Council; Joe Imburgia agreed to this change.

*Motion to accept draft proposal as amended by discussion passed unanimously.
1st – Lou Kilmer; 2nd – Staci Rammel*

6) New Business

N/A

7) Information

a) Mike Merrill explained to the Board that the NJ Energy Master Plan is being revised and that the Board of Public Utilities (BPU) is now providing oversight. He recommends the Board send a formal letter to the BPU noting the Board's disagreement with the NJ Energy Master Plan provision eliminating the installation of LPG in new construction. He stated that he would like to discuss this item at the next Board meeting.

b) Mike Merrill proposed for discussion at the next Board meeting an amendment to N.J.A.C. 5:18-10.4 clarifying responsibilities. Joe Imburgia stated that in order to amend an existing rule, the chair must bring "standing" as to why the Board is proposing the amendment.

8) Public Comments

a) Member of the public Dan O’Gorman in reference to item 5a. stated that schedule 10 steel piping cannot be threaded. Upon review of NFPA-58 2024, Joe Imburgia notes that this is correct.

9) Remaining 2024 tentative meeting schedule – 08/20; 10/08; 12/10

10) Adjournment

*Motion to adjourn meeting passes unanimously at 3:18 P.M.
1st – Louis Kilmer, 2nd – Ed Mulcahey*