

New Jersey Liquefied Petroleum Gas Education and Safety Board Meeting Minutes for December 9th, 2025

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

- 2) Roll Call

Attendance – Mike Merrill (Chair); Louis Kilmer; Ed Mulcahey; Staci Rammel; J.D. Stem; Corrine Walker

Excused - Ryan Pierson

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

- 3) Approval of Minutes

Motion to approve the minutes from October 14th, 2025, passed unanimously.

1st – Mike Merrill; 2nd – Corrine Walker

- 4) Committee Reports

- a) CETP Conversion to PEP

Chairman Merrill began discussion on this item, mentioning that the Committee's feedback on modules and OJT worksheets will be sent to PERC.

- 5) Old Business

- a) CETP 4.1 and 4.2 PEP Conversion

Chairman Merrill discussed CETP 4.1 to PEP, noting to Department staff that some OJT worksheets should be optional because not all marketers have the means to complete specific types of training. Department staff and other Board members agreed with these suggestions.

Motion to approve CETP 4.1 to PEP as amended by discussion, passed unanimously.

1st – Mike Merrill; 2nd – Corrine Walker

Chairman Merrill then discussed CETP 4.2 to PEP, noting to Department staff that, as with CETP 4.1 to PEP, specific OJT worksheets should be optional because some marketers do not have the means to deliver certain types of training. Department staff and other Board members agreed with these suggestions.

Motion to approve CETP 4.2 to PEP as amended by discussion, passed unanimously.

1st – Mike Merrill; 2nd – Corrine Walker

- b) Onsite Forklift Cylinder Filling

Chairman Merrill and other Board members expressed their agreement with this item and questioned whether the Department's checklist could serve as a template for marketers, to which Department staff agreed.

*Motion to approve the draft changes to N.J.A.C. 5:18, passed unanimously.
1st – Mike Merrill; 2nd – Lou Kilmer*

c) Dispenser Operator Training

Chairman Merrill initiated the discussion on the Department's memo, pointing out issues with the language used. However, Department staff clarified that these concerns mostly pertain to contractual matters between marketers and operators. Board members representing marketers acknowledged that the terms outlined in the memo are standard practice and agreed to move the item forward.

*Motion to approve the memorandum, passed unanimously.
1st – Ed Mulcahey; 2nd – Mike Merrill*

d) LPG Tank Removal - UCC

Chairman Merrill initiated the discussion on this item. Board members stated that consideration should be given to separating UCC permitting requirements, specifically noting that marketers could follow procedures under ordinary maintenance permitting requirements, while HVACR contractors, plumbing contractors, and homeowners could follow the minor work permitting requirements. Department staff then provided further information and clarification regarding the applicability of Uniform Construction Code permitting procedures. After providing an in-depth clarification, Department Staff indicated no further discussion would be considered.

e) Master Hearth Specialist Exception

Discussion on this item did not take place as it is on hold for legal review.

6) New Business

No new business

7) Information

No information

8) Public Comments

No public comment

9) 2026 tentative meeting schedule – 03/09; 06/09; 09/08; 12/08

10) Adjournment

*Motion to adjourn meeting passes unanimously at 2:35 P.M.
1st – Lou Kilmer, 2nd – Ed Mulcahey*

New Jersey Liquefied Petroleum Gas Education and Safety Board Meeting Minutes for October 14th, 2025

- 1) Meeting called to order at 1:40 P.M.

- 2) Roll Call

Attendance – Mike Merrill (Chair); Louis Kilmer; Ryan Pierson; Staci Rammel; J.D. Stem; Corrine Walker

Excused - Ed Mulcahey

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

- 3) Approval of Minutes

*Motion to approve the minutes from April 8th, 2025, passed unanimously.
1st – Louis Kilmer; 2nd – Mike Merrill*

- 4) Committee Reports

- a) CETP Conversion to PEP

Discussion centered on the bobtail OJT comparison document. Previously discussed changes were agreed upon by all; however, Board members provided two additional changes. Board members requested that Department staff review and provide comment on the changes.

- b) Informal Meetings

Chairman Mike Merrill noted the informal discussions that took place since April's LPGESB meeting. Topics of discussion for these meetings included bobtail OJT revisions, qualified instructor lists, dispensing systems, discussions with PERC, and tank removal permitting.

- 5) Old Business

- a) Onsite Forklift Cylinder Filling

Department staff reviewed the status of this item and provided a memorandum for a draft proposal, as discussed in the LPGESB meetings on 4/9/2024 and 12/10/2024. Some Board members disagreed with specific items in the draft proposal, such as the notification of specific onsite forklift cylinder filling sites and sections 3, 4, and 5 on the proposed application for permission. While other Board members noted the lack of location information may be inadequate from a fire safety perspective. Due to the disagreement, Department staff stated they will review this draft proposal internally and provide update for discussion at the next LPGESB meeting.

- b) Dispenser Operator Training

Department staff presented a memorandum to the Board concerning N.J.A.C. 5:18-10.4, Fill plant and dispensing station operator training. As explained by staff, the memorandum outlines the regulations and clarifies the roles of marketers and operators during these operations. Board members disagreed with the language of N.J.A.C. 5:18-10.4 and requested clarification and possible amendment. Department staff stated that they will reach out to Department legal to review the regulations and provide a legal reading prior to the next Board meeting.

c) Food Truck Inspections

The Board was informed that the Division of Fire Safety has released a memorandum concerning food truck inspections, which states that gas piping is to be inspected once a year by qualified inspectors. Board members requested copies of the memorandum for review. In addition, Chairman Merrill noted that N.J.A.C. 5:18 does not adopt the portion of NFPA 58 covering this topic and recommends that the Division of Fire Safety review and adopt it as a reference.

d) Master Hearth Specialist Exception

Department staff informed the Board that there are no updates on this item, as it is still in review at this time.

6) New Business

a) CETP 4.1 and 4.2 PEP Conversion

Department staff informed the Board that the date for the archival of CETP 4.1 and 4.2 has moved up a month to November 30th. Board members and Department staff agreed on a working group to meet on this matter within the next two weeks.

b) LPG Tank Removal – UCC

Department staff provided the Board with a memorandum clarifying LPG tank removal and UCC permit requirements. Department staff noted that as a result of LPG and UCC regulations established by law, termination of service and/or a change in marketer will trigger the need for a tank removal permit. Board members requested further explanation regarding the regulations, noting that they could not find any regulations governing tank removals in either N.J.A.C. 5:18 or 5:23. After further discussion, Board members recommended the formation of a working group to determine the applicability of N.J.A.C. 5:18 and 5:23 for tank removal procedures. In addition, Board members requested documentation of the relevant regulations prior to the working group meeting.

7) Information

a) Department Information Requests

Department staff reported to the Board issues with Department information requests and clarified that these requests are governed by regulation.

8) Public Comments

No public comment

9) 2025 tentative meeting schedule – 12/09

10) Adjournment

Motion to adjourn meeting passes unanimously at 4:00 P.M.

1st – Mike Merrill, 2nd – Louis Kilmer

New Jersey Liquefied Petroleum Gas Education and Safety Board Meeting Minutes for April 8th, 2025

- 1) Meeting called to order at 1:30 P.M.

- 2) Roll Call

Attendance – Mike Merrill (Chair); Louis Kilmer; Staci Rammel; J.D. Stem; Corrine Walker

Excused - Ed Mulcahey; Ryan Pierson

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

- 3) Approval of Minutes

Motion to approve the minutes from February 11th, 2025, as amended by discussion about New Business item 6a, passed unanimously.

1st – Louis Kilmer; 2nd – Corrine Walker

- 4) Committee Reports

- a) CETP Conversion to PEP

A member of the Board began the discussion by noting that they've received calls concerning the inability of the PERC Educational Program to use N/A when marketers do not have the capability to complete on-the-job training tasks. The Board member explained that CETP provided this avenue, but PEP does not and that they would like to explore solutions in order to incorporate this functionality into PEP. Department staff stated they would contact PERC to determine possible solutions.

Additionally, the Board questioned the status of CETP 4.1 and 4.2. Staff noted that PERC has provided updated information, and that staff will continue the conversion of the two programs and then contact NJPGA to coordinate a meeting. Department staff will draft an appropriate path for discussion on this topic for a future meeting.

- 5) Old Business

- a) Onsite Forklift Cylinder Filling

Department staff noted the comments received from the Board and clarified the memorandum provided in the previous Board meeting. Staff explained that the request for records and procedures was for Department information only and that the items could be submitted directly to the Department. The Board agreed to coordinate with marketers to submit the requested records and procedures to Department staff.

- b) Master Hearth Specialist Exception

Department staff noted that the status of the exemption is still on hold, as there has not been a response from the Attorney Generals who are responsible for issuing a legal interpretation on the discrepancy between the conflicting statutes. Additionally, a legal representative for a group representing Master Hearth Specialists requested to submit documents pertaining to the exemption for review by the Board. A Board member stated that they will accept their documents for review and comparison at the next Master Hearth Specialist Subcommittee meeting. Department staff noted they are already in receipt of such information.

c) Dispenser Operator Training

A Board member requested the creation of a subcommittee to review the regulations regarding dispenser operator training and record-keeping requirements. They stated that due to current and future changes to training methods, a review of these regulations may be necessary. Department staff offered a meeting with the Chairman to be held to discuss with the Board member before further action.

6) New Business

a) Food Truck Inspections

A Board member explained that the 2018 International Fire Code requires inspection of gas systems, such as those present in food trucks. They note that a Department of Transportation certification is needed for propane cylinder requalification. However, the Board was informed that the State Fire Code does not have this requirement, but that individual municipalities may add it to their code. Further, the approved inspection agencies that may inspect these systems are those that are deemed acceptable by the local fire inspector.

7) Information

a) Board Participation/By-Laws

Department staff thanked the Board for their participation and patience while they await the approvals for Board appointments. Additionally, Department staff noted that the Board by-laws do not permit the placement of Board member alternates.

8) Public Comments

No public comment

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

10) Adjournment

Motion to adjourn meeting passes unanimously at 3:00 P.M.

1st – Corrine Walker, 2nd – Staci Rammel

New Jersey Liquefied Petroleum Gas Education and Safety Board Meeting Minutes for February 11th, 2025

- 1) Meeting called to order at 1:40 P.M.

- 2) Roll Call

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

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

- 3) Approval of Minutes

Motion to approve the minutes from the December 10th, 2024, meeting passed unanimously.

1st – Louis Kilmer; 2nd – Ryan Pierson

- 4) Committee Reports

- a) CETP Conversion to PEP

Marie Daniels introduced a Department memo regarding CETP and PEP training equivalencies and the certification process that will be in place while PERC is converting their training programs from CETP to PEP. Board members asked the Department for clarification on certain items to ensure there is proper equivalency and requested amendments pertaining to training modules and instructors. Chairman Mike Merrill requested that in the interest of safety the PEP Leak and Pressure Test module should be included as a requirement for both the Bobtail and Cylinder Delivery Pathways. Department staff stated that they are open to the suggestion and can meet with the Subcommittee to review and update the training requirements as appropriate. Further, the Board requested the Department clarify within the memo that current CETP skill assessors can act as PEP instructors and provide language stating that authorized field trainers can certify both bobtail and cylinder delivery driver on-the-job training. Department staff questioned if the memo can be released, to which the Board agreed with the stipulation that language and date are included stating that the memo is a live document updated as PEP training modules are released and reviewed.

Motion to release the memo as amended by discussion passes unanimously.

1st – Corrine Walker; 2nd – Mike Merrill

- 5) Old Business

- a) Onsite Forklift Cylinder Filling

Ian Rayfield introduced to the Board items relating to onsite forklift cylinder filling, including the NFPA response to the question discussed in the previous Board meeting and a Department memo requesting examples from the Board of their current checklists and standard operating procedures for onsite forklift cylinder filling. The Board agreed to provide examples and to continue discussion on this item at the next meeting.

6) New Business

a) Master Hearth Specialist Exception

Joe Imburgia introduced to the Board a package of materials concerning the comparison of Master Hearth Specialist training and CETP training for the purposes of the Board issuing a waiver of its educational requirements to licensed Master Hearth Specialists for work on propane fueled appliances. Department staff noted that they are still waiting on response from the Attorney General's Office regarding their request for clarification of the statute. It was noted that further comparison of the training programs is needed prior to discussion with hearth products on the training gaps.

7) Information

8) Public Comments

No public comment

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

10) Adjournment

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

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*

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*

New Jersey Liquefied Petroleum Gas Education and Safety Board Meeting Minutes for April 9, 2024

1) Meeting called to order at 1:33 P.M.

2) Roll Call

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

Absent – Ryan Pierson

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

Mr. Mike Merrill introduced Caroline McCallum, New Jersey Clean Cities. Ms. 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 December 12, 2023 meeting passed unanimously.
1st – Louis Kilmer; 2nd – Corrine Walker*

4) Committee Reports

a) Onsite Forklift Cylinder Filling Subcommittee

Motion to approve the minutes from the February 13, 2024, committee meeting passed unanimously.

1st – Staci Rammel; 2nd – Ed Mulcahey

5) Old Business

a) Onsite Forklift Cylinder Filling

* Memo; Proposal at N.J.A.C. 5:18-10.4; Application Form; Sample checklist

Mr. Joe Imburgia introduced the guidance, regulatory language, and checklist related to onsite forklift cylinder filling that resulted from the subcommittee meeting. He noted that rather than where this item started, which involved submission of plans by a design professional, this process would just entail submission of the items referenced in the draft rule. He explained that with this, there would be no additional inspection needed unless requested by the Division, but any issues can be cited on the annual inspection done by the local fire official.

Mr. Imburgia then answered questions from the board regarding how the draft rule would be applied. Because this end result is different from what the Board was expecting following the subcommittee meeting, Board members expressed a desire to hold another subcommittee meeting to review and discuss further.

*Motion to remit to subcommittee for further deliberation passed unanimously.
1st – Mike Merrill; 2nd – Ed Mulcahey*

b) N.J.A.C. 5:18-1.3(h) – Container owner permissions

* Memo; Current rule text

Mr. Joe Imburgia presented this item and explained the background regarding this issue. He stated that the timeframe related to container owner permissions is addressed within

the regulations at N.J.A.C. 5:18-11.4, and this item is more to inform the Board to be aware of the date in the regulations.

No action was necessary for this item.

6) New Business

a) NFPA 58-2024 Adoption Proposal Memorandum

Mr. Robert Austin introduced this item and explained that, as new business, the goal is for Board members to review this draft rule and start forming any questions or concerns for a full Board discussion in the June meeting.

Mr. Mike Merrill, Chair, directed the Board to review the material provided and be prepared to provide comment and make motion at the June meeting.

b) Dispenser Training Communication

Mr. Joseph Imburgia introduced this item and explained that there are a number of companies which have their own dispenser training.

The draft regulations within N.J.A.C. 5:18 would provide for a process for these companies to apply to the Division for an exemption do provide exceptions from the established marketer training, but companies have not been coming to the Department or Board to ask to be exempt from the marketer training. The application would require the companies to submit a multitude of documents to show what the training program is and would make the applicant responsible for maintaining all records related to the training.

Mr. Mike Merrill, Chair, directed the Board to review the material provided and be prepared to provide comment and make motion at the June meeting.

7) Information

a) Division of Consumer Affairs – Master Hearth and Electrical Contractors

Mr. Anthony Menafo notified the Board that the Board of Master Hearth Professionals as well as the Board of Electrical Contractors have indicated that they intend to limit their licensed professionals from engaging in any propane service work and have notified all code officials of same. The next steps will be to get this prohibition into the relevant regulations.

b) NJDCA, LP-Gas Safety Unit Communications

Mr. Robert Austin informed the Board that the Department will be updating its October Communication to incorporate comments received from the Board regarding the necessity of supporting documentation for changes in ownership of an existing LPG system.

8) Public Comments

Mr. Martin Mandell, inspector for DCA, discussed the various conditions he is witnessing in his daily duties as a field inspector, including lack of maintenance, improper storage, and a lack of signage.

9) Remaining 2024 tentative meeting schedule – 06/11; 08/13; 10/08; 12/10

10) Motion to adjourn meeting passes unanimously at 3:26 P.M.

1st – Louis Kilmer, 2nd – Mike Merrill

New Jersey Liquefied Petroleum Gas Education and Safety Board Meeting Minutes for December 12, 2023

1) Meeting called to order at 1:32 P.M.

2) Roll Call

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

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

Following roll call, Mr. Rob Austin informed Board members of open seats on the Board and if members know of any individuals who are interested in those positions. Mr. Austin informed the Board that additional information concerning the open seats can be found on the Liquefied Petroleum Gas page on the Department's website.

3) Approval of Minutes

*Motion to approve the minutes from the October 17th meeting passes unanimously.
1st – Corrinne Walker, 2nd – Ed Mulcahey*

4) Committee Reports – N/A

5) Old Business

a) Housekeeping items within N.J.A.C. 5:18

Prior to discussion on specific topics, Mr. Mike Merrill requested Department staff provide final language on changes to N.J.A.C. 5:18 when the proposal is completed.

Board members discussed the change to N.J.A.C. 5:18-1.3(l) that was made in the previous Board meeting. This amendment concerned the inclusion of language referencing one- and two-family owner-occupied dwellings. Mr. Rob Austin informed the Board that the UCC does not contain any reference to owner-occupied dwellings and suggested to the Board that the language be removed to be consistent with the UCC.

- Motion to keep the amendment to N.J.A.C. 5:18-1.3(l) as it was prior to the October 17th meeting passes unanimously. 1st – Corrinne Walker, 2nd – Ed Mulcahey

Mr. Rob Austin informed the Board that amendment to N.J.A.C. 5:18-3.3(j)1 is proposed for consistency. Specifically, the amendment would reference “crash posts” instead of “posts.”

- Motion to approve the amendment to N.J.A.C. 5:18-3.3(j)1 passes unanimously. 1st – Corrinne Walker, 2nd – Ed Mulcahey

The Board then discussed the proposed language at N.J.A.C. 5:18-6.1 concerning on-site LPG motor fueling. Mr. Mike Merrill noted that clarification is still needed on the topic and proposed the formation of a Board Subcommittee to find a clear understanding of the issue, determine a definition of “on-site motor refueling,” and work out a plan to solve the issues with on-site fueling. Mr. Ryan Pierson noted his support for a subcommittee and asked Mr. Lou Kilmer if there is currently language in the Uniform Fire Code (UFC) concerning LPG on-site fueling and if language on this topic can be added prior to adoption of the 2021 International Fire Code (IFC). Mr. Kilmer noted that there is not any current language in the UFC on this topic and that there is still time to add language prior to adoption of the 2021 IFC.

- Motion to develop a Board Subcommittee for on-site LPG motor fueling passes unanimously. 1st – Corrinne Walker, 2nd – Ed Mulcahey

Finally, the Board discussed the amendment to N.J.A.C. 5:18-6.4(b), which provides notification to the Department of a temporary LPG system at least 10 days prior to installation. Mr. Mike Merrill and other Board members suggested removing the language referencing the number of days of prior notice to only state that notification will be provided prior to installation. Mr. Joe Imburgia noted that issues may still arise and that a stringent system of notification is needed to ensure the State knows of these temporary systems. Ms. Corrinne Walker stated that regulations currently provide enforcement actions to handle noncompliance and that information regarding this topic has been provided to suppliers. Mr. Ryan Pierson explained that noncompliance with this regulation is a fire code violation and that information shared between municipal construction and fire officials may be helpful for enforcement. Mr. Imburgia suggested that a Bulletin or Construction Code Communicator article on this matter may be necessary. Mr. Mike Merrill noted that they will pass this information on to the NJ Liquefied Petroleum Gas Association.

- Motion to remove “at least 10 days” from the amendment to N.J.A.C. 5:18-6.4(b) passes unanimously. 1st – Corrinne Walker, 2nd – Ed Mulcahey

6) New Business

- a) Ms. Staci Rammel noted language concerning permission within N.J.A.C. 5:18-1.3(h) is vague and can create situations in which customers cannot have an LPG tank removed. Board members determined that they would send their thoughts on the matter to Mr. Joe Imburgia after additional research and would discuss this item further at the next Board meeting.

7) Information

- a) Mr. Rob Austin noted that the 2024 NFPA 58 has been published and review will begin. Mr. Mike Merrill requested copies of the 2024 NFPA 58 for the Board, which Mr. Austin responded that they will be provided after the Department is further into the review process.
- b) Mr. Rob Austin informed the Board that the New Jersey Department of Environmental Protection is looking into LPG as part of their decarbonization program for the State Master Energy Plan.

8) Public Comments – N/A

9) 2024 tentative meeting schedule - 02/13; 04/09; 06/11; 08/13; 10/08; 12/10

10) *Motion to adjourn meeting passes unanimously at 2:45 P.M.*

1st – Corrinne Walker, 2nd – Ed Mulcahey

New Jersey Liquefied Petroleum Gas Education and Safety Board Meeting Minutes for October 17, 2023

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

2) Roll Call

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

Absent - Staci Rammel

DCA Staff - Joe Imburgia – Liaison, Rob Austin, Lindsay Bense, Marie Daniels, Anthony Menafro, Ian Rayfield, Ed Smith

3) Approval of Minutes – N/A

4) Committee Reports – N/A

5) Old Business – N/A

6) New Business

a) Housekeeping items within N.J.A.C. 5:18

The Board discussed proposed changes to N.J.A.C. 5:18, specifically, N.J.A.C. 5:18-1.3, 3.1, 3.3, 6.1, and 6.4. These changes are proposed for maintenance and clarification of the rules.

Changes to N.J.A.C. 5:18-1.3(e) are proposed to clarify licensing law requirements. Specifically, N.J.A.C. 5:18-1.3(e)5 explains that licensed LPG marketers, including their employees and Propane Service Certificate holders cannot alter, extend, or install potable water piping and N.J.A.C. 5:18-1.3(e)6 clarifies which license holders are permitted to work on LPG systems in accordance with N.J.S.A. 52:27D-509. Discussion was primarily on the deletion of Licensed Master Hearth Specialists from the proposed amendments to N.J.A.C. 5:18-1.3(e)6. Mr. Joe Imburgia explained to the Board that by statute, only Licensed Master Plumbers and HVACR Contractors are exempted from having to obtain a propane service certificate and can engage in propane services as defined in their respective licensing laws. This is irrespective of if other licensing boards have made rules allowing their licensees to engage in propane services. Due to this, Mr. Imburgia suggests the removal of the proposed exception that allows Licensed Master Hearth Specialists to work on LPG systems. Board members stated that notice and guidance to the licensing boards will be necessary following the change; Mr. Joe Imburgia confirmed the licensing boards will be notified of any change.

- Motion to approve the amendment to N.J.A.C. 5:18-1.3(e)5 passes unanimously. 1st – J.D. Stem, 2nd – Ed Mulcahey

- Motion to approve the amendment to N.J.A.C. 5:18-1.3(e)6 with revision passes unanimously. 1st – J.D. Stem, 2nd – Ed Mulcahey

Additionally, amendments to N.J.A.C. 5:18-1.3(l) concerning the abandonment of LPG equipment was discussed. The amendments clarify the provisions to which the abandoned

equipment is regulated. Mr. Joe Imburgia explained that the amendments maintain the applicability of the NFPA and give options to LPG system owners, marketers, and local code officials. Mr. Lou Kilmer raised concerns that the amendment may conflict with the fire code and suggested including language referencing that it is owner occupied and used exclusively for dwelling purposes. Department staff agreed with the need for revision.

- Motion to approve the amendments to N.J.A.C. 5:18-1.3(l) with revision passes unanimously. 1st – Ed Mulcahey, 2nd – Lou Kilmer

The Board discussed the amendment to N.J.A.C. 5:18-3.1(a)5ix and determined that it would need to be revised in accordance with Mr. Lou Kilmer's suggestion because it is a companion change to N.J.A.C. 5:18-1.3(l).

- Motion to approve the amendment to N.J.A.C. 5:18-3.1(a)5ix with revision passes unanimously. 1st – Ed Mulcahey, 2nd – J.D. Stem

The Board then reviewed and agreed with the amendments to N.J.A.C. 5:18-3.3(i) and (j), which clarified the use of steel pipe for the protection of storage containers.

- Motion to approve the amendments to N.J.A.C. 5:18-3.3(i) and (j) passes unanimously. 1st – Ed Mulcahey, 2nd – Lou Kilmer

Further discussion by the Board centered on the amendment to N.J.A.C. 5:18-6.1(b)3. Mr. Joe Imburgia explained that the amendment, which provides requirements for filling forklift cylinders directly from delivery vehicles, was due to violations witnessed by Department staff. Mr. Imburgia noted that these proposed requirements are a safety issue and that leaving the matter to the marketer is not appropriate. Mr. Mike Merrill stated that this amendment may not be needed as it currently regulated and disciplinary action can be taken against violators. Mr. Lou Kilmer agreed with Department staff and mentioned that Division of Fire Safety staff see similar safety issues during their inspections. Mr. Merrill stated that this amendment should be discussed further by a Board subcommittee and would like to hold off on discussion until the next meeting.

- Motion to table discussion on the amendment to N.J.A.C. 5:18-6.1(b)3 until further review passes unanimously. 1st – Ed Mulcahey, 2nd – Corrine Walker

Finally, the Board discussed the amendment to N.J.A.C. 5:18-6.4(b), which requires the submittal of a notice to the Department at least 10 days prior to LPG heating equipment or system installation. Mr. Ed Mulcahey questioned if they are permitted to send notice and follow up after installation in case the date of installation does not coincide with the notice information. Mr. Joe Imburgia explained that the notice can be a proposed date of install and does not need to be precise because the Department is just looking for advance notice of installation to aid in processing. Mr. Mulcahey noted that the amendment does not allow for more time sensitive situations such as emergencies, and Mr. Mike Merrill agreed and recommended Mr. Mulcahey and Ms. Corrine Walker review the regulations and come up with language to amend this section.

Discussion continued with Ms. Walker questioning why language from this section referencing a 10 day notification of installation was removed in the early 2000's. Ms. Marie Daniels stated that she will look into the New Jersey Register to determine the reasoning for the removal. Additionally, Ms. Walker stated that from a marketer's standpoint, 10 day notification is too definitive and needs to include language for emergencies. Mr. J.D. Stem agreed with the necessity for inclusion of emergency provisions.

- Motion to table discussion on the amendment to N.J.A.C. 5:18-6.4 until review and revision by Board members passes unanimously. 1st – J.D. Stem, 2nd – Corrine Walker

7) Information

Note – Mr. Mike Merrill requests the Department staff look into the Board regulations concerning voting electronically.

8) Public Comments – N/A

9) Next meeting date scheduled for December 12, 2023

10) *Motion to adjourn meeting passes unanimously at 3:05 P.M.*
1st – Ed Mulcahey, 2nd – J.D. Stem