

## [51 N.J.R. 1564\(a\)](#)

VOLUME 51, ISSUE 20, OCTOBER 21, 2019

### RULE PROPOSALS

#### Reporter

51 N.J.R. 1564(a)

***NJ - New Jersey Register > 2019 > OCTOBER > OCTOBER 21, 2019 > RULE PROPOSALS > LABOR AND WORKFORCE DEVELOPMENT -- PUBLIC SAFETY AND OCCUPATIONAL SAFETY AND HEALTH***

## Interested Persons Statement

### INTERESTED PERSONS

Interested persons may submit comments, information or arguments concerning any of the rule proposals in this issue until the date indicated in the proposal. Submissions and any inquiries about submissions should be addressed to the agency officer specified for a particular proposal.

The required minimum period for comment concerning a proposal is 30 days. A proposing agency may extend the 30-day comment period to accommodate public hearings or to elicit greater public response to a proposed new rule or amendment. Most notices of proposal include a 60-day comment period, in order to qualify the notice for an exception to the rulemaking calendar requirements of [N.J.S.A. 52:14B-3](#). An extended comment deadline will be noted in the heading of a proposal or appear in a subsequent notice in the Register.

At the close of the period for comments, the proposing agency may thereafter adopt a proposal, without change, or with changes not in violation of the rulemaking procedures at [N.J.A.C. 1:30-6.3](#). The adoption becomes effective upon publication in the Register of a notice of adoption, unless otherwise indicated in the adoption notice. Promulgation in the New Jersey Register establishes a new or amended rule as an official part of the New Jersey Administrative Code.

## Agency

LABOR AND WORKFORCE DEVELOPMENT > PUBLIC SAFETY AND OCCUPATIONAL SAFETY AND HEALTH

## Administrative Code Citation

Proposed Amendments: [N.J.A.C. 12:90-3.12](#), [3.13](#), [4.8](#), [4.12](#), [4.13](#), [4.14](#), [5.9](#), [5.15](#), [5.16](#), [6.4](#), [6.5](#), [8.2](#), [8.15](#), and [8.19](#)

## Text

**Boilers, Pressure Vessels, and Refrigeration Systems**

51 N.J.R. 1564(a)

Authorized By: Robert Asaro-Angelo, Commissioner, Department of Labor and Workforce Development.

Authority: [N.J.S.A. 34:7-18](#) and Reorganization Plan No. 002-2002.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2019-137.

A **public hearing** on the proposed amendments will be held on the following date at the following location:

Thursday, November 7, 2019  
10:00 A.M. to 12:00 Noon  
New Jersey Department of Labor and Workforce Development  
John Fitch Plaza  
3rd Floor Large Conference Room  
Trenton, New Jersey

Please call the Office of Legal and Regulatory Services at (609) 777-2960 if you wish to be included on the list of speakers.

Submit written comments by December 20, 2019, to:

David Fish, Executive Director  
NJ Department of Labor and Workforce Development  
PO Box 110-13th Floor  
Trenton, New Jersey 08625-0110

[david.fish@dol.nj.gov](mailto:david.fish@dol.nj.gov)

The agency proposal follows:

### Summary

P.L. 2003, c. 117, codified in pertinent part at [N.J.S.A. 34:7-3](#), 14, 15, 16, 19, and 25, sets fees pertaining to boilers, pressure vessels, and refrigeration systems for fiscal years 2003-04 and 2004-05 and instructs that after fiscal year 2004-05, "such fees may be adjusted by the Commissioner of Labor (and Workforce Development) in accordance with fee schedules adopted by regulation." Pursuant to the fee adjustment provision in P.L. 2003, c. 117, the Department is proposing to amend [N.J.A.C. 12:90](#), the rules pertaining to boilers, pressure vessels, and refrigeration systems, so as to double the fees charged under the chapter for (1) filing by prospective inspectors of applications for a New Jersey Certificate of Competency; (2) renewal of Certificates of Competency; (3) registration of reports of welded repairs and alterations to boilers (4) shop inspections; (5) field inspections; (6) replacement of damaged, altered, defaced, or lost certificates; (7) construction review of vessels not designed in accordance with American Society of Mechanical Engineers (ASME) standards; (8) registration of unfired pressure vessels; (9) application for examinations and issuance of licenses for operating engineers and firemen; and (10) renewal of licenses for operating engineers and firemen.

The Bureau of Boiler and Pressure Vessel Compliance (Bureau) within the Department of Labor and Workforce Development (Department) is currently responsible by law for the inspection of approximately 50,000 boilers, pressure vessels, and refrigeration systems (objects) per year, a number that is more than three times the number of objects the Department was responsible to inspect the last time these fees were increased in 2006. At current staffing levels, the Bureau is only equipped to inspect a total of approximately 25,687 objects per year, which is triple the inspections occurring in 2006, yet still 24,313 short of the number of objects the Department needs to inspect. Additionally, the Department needs to increase the fees to enable it to review and process license

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applications for engineers and equipment operators, which amounted to 12,643 license applications in 2018. The license applications are in addition to the number of inspections the Department is required to conduct. Thus, the Department needs to double the fees to address the tripling of the workload over the last 13 years and to ensure that owners, operators, and the general public are not put at risk by dangerous equipment. The proposed fee increases are necessary and required for safety reasons, and are reasonable in amounts when compared to the significant increase in workload already experienced by the Department.

Moreover, the population of the State continues to grow annually. Along with that increase in population, comes an increase in the number of businesses within the State that contain boilers, pressure vessels, and refrigeration systems requiring inspection under the law. For example, most types of industry (small, medium, and large) are housed in buildings containing boilers, pressure vessels, and/or refrigeration systems. Public and private schools all contain boilers, pressure vessels, and/or refrigeration systems, as do churches, apartment buildings, office buildings, hotels, motels, hospitals, elder care facilities, child care facilities, colleges and universities, correctional facilities, warehouses, self-storage facilities, supermarkets, and indoor auditoriums. Even many small businesses, like dry cleaners, mortuaries, spas, sports clubs, and car washes contain boilers, pressure vessels, and/or refrigeration systems that require inspection. In order to fulfill its statutory obligations pertaining to the inspection of boilers, pressure vessels, and refrigeration systems, which require additional inspectors, and the licensing of engineers and equipment operators, which require additional examiners, the Department is proposing the fee increases set forth below.

Specifically, the Department is proposing to amend [N.J.A.C. 12:90-3.12\(b\)](#), (c), and (d), so as to increase the fee from \$ 100.00 to \$ 200.00 for the filing of applications for a New Jersey Certificate of Competency by persons who (1) seek to perform boiler inspections under the requirements of [N.J.A.C. 12:90-4.10](#) and [5.14](#); (2) seek to perform only shop inspections; and (3) seek to perform only owner-user inspections under [N.J.A.C. 12:90-5.12](#), [5.13](#), or [5.14](#).

The Department is proposing to amend [N.J.A.C. 12:90-3.13\(b\)](#), so as to increase the fee from \$ 40.00 to \$ 80.00 for a one-year renewal of a Certificate of Competency and from \$ 80.00 to \$ 160.00 for a three-year renewal of a Certificate of Competency. The Department is also proposing to amend [N.J.A.C. 12:90-3.13\(d\)](#), so as to increase the fee from \$ 20.00 to \$ 40.00 for the transfer of a Certificate of Competency from one authorized inspection agency to another authorized inspection agency.

The Department is proposing to amend [N.J.A.C. 12:90-4.8\(g\)](#), so as to increase the fee from \$ 4.00 to \$ 8.00 for registration with the Bureau of Boiler and Pressure Vessel Compliance of an alteration report and a copy of the original manufacturer's data report for each welded repair or alteration to boilers.

The Department is proposing to amend [N.J.A.C. 12:90-4.12\(a\)](#), so as to double the fee for a shop inspection. Specifically, the rule currently indicates that the fee for a shop inspection shall be the higher of either: [page=1565] (1) \$ 100.00 for each boiler inspected; or (2) a daily visit charge of \$ 320.00 for any shop inspection of four hours or less and \$ 600.00 for any shop inspection exceeding four hours. The Department is proposing that [N.J.A.C. 12:90-4.12\(a\)](#) be amended so that the fee for a shop inspection shall be the higher of either: (1) \$ 200.00 for each boiler inspected; or (2) a daily visit charge of \$ 640.00 for any shop inspection of four hours or less and \$ 1,200.00 for any shop inspection exceeding four hours.

The Department is proposing to amend [N.J.A.C. 12:90-4.13\(a\)](#), so as to increase the fee from \$ 50.00 to \$ 100.00 for each boiler inspected as part of an insurance company annual field inspection. The Department is also proposing to amend [N.J.A.C. 12:90-4.13\(c\)](#), so as to double the fee for a State field inspection for each annual internal-external inspection. Specifically, the rule currently indicates that the fee for a State field inspection for each annual internal-external inspection shall be (1) \$ 80.00 for a boiler "ten and not over 60 square feet"; (2) \$ 110.00 for a boiler "60 and not over 1,000 square feet"; and (3) \$ 150.00 for a boiler "1,000 square feet and over." The Department is proposing that [N.J.A.C. 12:90-4.13\(c\)](#) be amended so that the fee for a State field inspection for each annual internal-external inspection shall be (1) \$ 160.00 for a boiler "ten and not over 60 square feet"; (2) \$ 220.00 for a boiler "60 and not over 1,000 square feet"; and (3) \$ 300.00 for a boiler "1,000 square feet and over."

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Furthermore, the Department is proposing to amend [N.J.A.C. 12:90-4.13\(d\)](#), so as to increase the fee from \$ 100.00 to \$ 200.00 for an external inspection (in addition to the annual internal-external inspection).

The Department is proposing to amend [N.J.A.C. 12:90-4.14\(d\)](#), so as to increase the fee from \$ 16.00 to \$ 32.00 for the replacement of a damaged, altered, defaced, or lost boiler registration certificate.

The Department is proposing to amend [N.J.A.C. 12:90-5.9\(b\)4](#), so as to increase the fee from \$ 3,000 to \$ 6,000 for filing an application to obtain Department approval for a non-code vessel as a Class III unfired pressure vessel.

The Department is proposing to amend [N.J.A.C. 12:90-5.15\(a\)](#), so as to double the fee for a pressure vessel shop inspection. Specifically, the rule currently indicates that the fee for a pressure vessel shop inspection shall be either: (1) a daily visit charge of \$ 320.00 for a shop inspection of four hours or less and \$ 600.00 for a shop inspection that exceeds four hours; or (2) \$ 100.00 for each pressure vessel inspected when the purpose of the visit is to inspect specific vessels. The Department is proposing to amend [N.J.A.C. 12:90-5.15\(a\)](#) so that the fee charged for a pressure vessel shop inspection shall be either: (1) a daily visit charge of \$ 640.00 for a shop inspection of four hours or less and \$ 1,200 for a shop inspection that exceeds four hours; or (2) \$ 200.00 for each pressure vessel inspected when the purpose of the visit is to inspect specific vessels.

The Department is proposing to amend [N.J.A.C. 12:90-5.16\(a\)](#), so as to increase the fee from \$ 30.00 to \$ 60.00 for each pressure vessel inspected for an insurance company making a field inspection. The Department is proposing that [N.J.A.C. 12:90-5.16\(c\)](#) be amended so that the fees for a State field inspection of a pressure vessel be increased (1) from \$ 20.00 to \$ 40.00 for vessels not over 30 square feet in size; (2) from \$ 40.00 to \$ 80.00 for vessels over 30 but not over 60 square feet in size; (3) from \$ 60.00 to \$ 120.00 for vessels over 60 but not over 100 square feet in size; and (4) from \$ 80.00 to \$ 160.00 for vessels over 100 square feet in size. The Department is proposing to amend [N.J.A.C. 12:90-5.16\(g\)](#), so as to increase the fees in Table 5.16 for pressure vessels inspected by an owner-user inspector (1) from \$ 15.00 to \$ 30.00 per vessel where 1 to 25 vessels are inspected; (2) from \$ 7.50 to \$ 15.00 per vessel where 26 to 100 vessels are inspected; (3) from \$ 6.00 to \$ 12.00 per vessel where 101 to 500 vessels are inspected; and (4) from \$ 4.50 to \$ 9.00 per vessel where 501 or more vessels are inspected.

The Department is proposing to amend [N.J.A.C. 12:90-6.4\(e\)](#), so as to increase the fee from \$ 15.00 to \$ 30.00 for replacement of a damaged, altered, defaced, or lost refrigeration registration certificate.

The Department is proposing to amend [N.J.A.C. 12:90-6.5\(a\)](#), so as to increase the fee from \$ 40.00 to \$ 80.00 for each refrigeration system inspected as part of an insurance company annual field inspection. The Department is also proposing to amend [N.J.A.C. 12:90-6.5\(c\)](#), so as to double the fee for a State field inspection of a refrigeration system. Specifically, the rule currently indicates that the fee for an annual State field inspection of a refrigeration system shall be (1) \$ 100.00 for a refrigeration system "over three and under 25 tons"; (2) \$ 150.00 for a refrigeration system "25 tons and over, but less than 300 tons"; and (3) \$ 200.00 for a refrigeration system "300 tons and over." The Department is proposing that [N.J.A.C. 12:90-6.5\(c\)](#) be amended so that the fee for an annual State field inspection of a refrigeration system shall be (1) \$ 200.00 for a refrigeration system "over three and under 25 tons"; (2) \$ 300.00 for a refrigeration system "25 tons and over, but less than 300 tons"; and (3) \$ 400.00 for a refrigeration system "300 tons and over."

The Department is proposing to amend [N.J.A.C. 12:90-8.2\(k\)](#), so as to increase the fee charged for each examination and for any license issued by the Bureau of Boiler and Pressure Vessel Compliance relating to operating engineers or firemen from \$ 100.00 to \$ 200.00. The Department is also proposing at [N.J.A.C. 12:90-8.2\(k\)](#) to increase the fee for a raise of grade or additional classification from \$ 80.00 to \$ 160.00.

The Department is proposing to amend [N.J.A.C. 12:90-8.15\(g\)](#), so as to increase the fee from \$ 6.00 to \$ 12.00 for a duplicate license for part-time employment as an operating engineer or fireman.

The Department is proposing to amend [N.J.A.C. 12:90-8.19\(a\)](#), so as to increase the fee from \$ 40.00 to \$ 80.00 for a one-year renewal of an unexpired operating engineer's or fireman's license and from \$ 80.00 to \$ 160.00 for a three-year renewal of an unexpired operating engineer's or fireman's license. The Department is also proposing to amend [N.J.A.C. 12:90-8.19\(c\)](#), so as to increase the fee from \$ 60.00 to \$ 120.00 for a one-year renewal of an expired operating engineer's or fireman's license and from \$ 120.00 to \$ 240.00 for a three-year renewal of an expired operating engineer's or fireman's license. In addition, the Department is proposing to amend [N.J.A.C. 12:90-8.19\(e\)](#), so as to increase from \$ 10.00 to \$ 20.00 the fee for replacement of an altered, defaced, or otherwise mutilated operating engineer's or fireman's license.

As the Department has provided a 60-day comment period for this notice of proposal, this notice is excepted from the rulemaking calendar requirements, pursuant to [N.J.A.C. 1:30-3.3\(a\)5](#).

### **Social Impact**

The proposed amendments would have a positive social impact in that the increased revenue generated would enable the Department to increase its inspection personnel, so that it can meet its obligations under the law. The Department's improved enforcement capability would, in turn, benefit the general public in that the public's safety would be considerably enhanced when working or living in or near the numerous structures throughout the State that contain boilers, pressure vessels, and refrigeration systems.

### **Economic Impact**

The proposed amendments are expected to double the revenues received by the Department from fees associated with the inspection of boilers, pressure vessels, and refrigeration systems and from fees associated with the licensing of engineers and equipment operators. Conversely, the proposed amendments would double the amount of fees paid by owners and operators of boilers and refrigeration systems who are responsible for ensuring that these objects are regularly inspected and by those individuals who must obtain licenses as either engineers or equipment operators in order to work with boilers, pressure vessels, or refrigeration systems. The Department believes that the negative economic impact on such persons that would result from the proposed increase in fees would, as indicated within the Social Impact statement above, be outweighed by the positive social impact on the public, namely, the improvement in the safety of boilers, pressure vessels, and refrigeration systems that would result from the increase in staff to inspect objects and examine applicants for licenses. The majority of the proposed fee schedule, approximately 75 percent of the fee increases proposed, places New Jersey's inspection fees equivalent to the fees charged by other states where comparable inspections exist to assure safe boilers, pressure vessels, and refrigeration systems, including: California, Michigan, New York, Connecticut, and Rhode Island. The remainder of the proposed fee increases address inspections that are required in New Jersey, but do not exist in the other states listed above, thus negating any basis to compare that subset of proposed fee increases, about 25 percent, to the other states indicated.

### **[page=1566] Federal Standards Statement**

The proposed amendments are governed by [N.J.S.A. 34:7-1](#) et seq., and [34:7-14](#) et seq., and are not subject to any Federal standards or requirements. Therefore, a Federal standards analysis is not required.

### **Jobs Impact**

As indicated in the Summary and Economic Impact statements above, the Department anticipates that the proposed amendments would permit the hiring of additional inspectors and examiners within its Bureau of Boiler and Pressure Vessel Compliance. Otherwise, the Department does not anticipate that the proposed amendments would have an impact on either the generation or loss of jobs.

### **Agriculture Industry Impact**

The proposed amendments would have an impact on the agriculture industry to the extent that those in the industry may own or operate boilers, pressure vessels, or refrigeration systems, in which case those persons would

be required to remit the same increased fees for inspections and/or licenses associated with the ownership and operation of such equipment as would any other owner or operator of such equipment. The actual impact upon such persons would, of course, vary depending on the size, nature, and condition of the equipment.

### **Regulatory Flexibility Analysis**

The proposed amendments would impose no reporting or recordkeeping requirements on small businesses as that term is defined in the Regulatory Flexibility Act, [N.J.S.A. 52:14B-16](#) et seq. However, with regard to compliance requirements, there is the potential adverse economic impact on small businesses, as described in the economic impact statement above, as the proposed amendments would double the amount of fees paid by owners and operators of boilers, pressure vessels, and refrigeration systems, who are responsible for ensuring that these objects are regularly inspected by those individuals who must obtain licenses as either engineers or equipment operators in order to work with boilers, pressure vessels, or refrigeration systems. Such owner/operators and licensees could include small businesses. The Department believes that the negative economic impact on such persons which would result from the proposed increase in fees would be outweighed by the improvement in the safety of boilers, pressure vessels, and refrigeration systems throughout the State. The Department does not anticipate that professional services will be needed in order to comply with the proposed amendments.

With regard to how the amendments are designed to minimize adverse impact on small businesses, the Department has determined that the proposed fee increases are the minimum necessary in order to more effectively staff the Bureau of Boiler and Pressure Vessel Compliance and thereby protect the lives and safety of persons who work with, or who live or work in proximity to, boilers, pressure vessels, and refrigeration systems.

### **Housing Affordability Impact Analysis**

The proposed amendments would not evoke a change in the average costs associated with housing or on the affordability of housing. The basis for this finding is that the proposed amendments pertain only to the fees charged for the inspection of boilers, pressure vessels, and refrigeration systems, which largely pertain to businesses and industry containing such objects requiring periodic inspections. Although the proposed amendments would also result in an increase in fees charged for the inspection of boilers in large-scale rental housing, it is not anticipated that the proposed increases in fees charged for the inspection of such objects will evoke a change in the average costs associated with housing or on the affordability of housing.

### **Smart Growth Development Impact Analysis**

The proposed amendments would not evoke a change in the housing production within Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan. The basis for this finding is that the proposed amendments pertain only to the fees charged for the inspection of boilers, pressure vessels, and refrigeration systems, which is largely an industrial concern. The proposed amendments do not pertain to housing production, either within Planning Areas 1 or 2, within designated centers, or anywhere in the State of New Jersey.

### **Racial and Ethnic Community Criminal Justice and Public Safety Impact**

The Commissioner has evaluated this rulemaking and determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

#### SUBCHAPTER 3. ADMINISTRATION

##### **12:90-3.12** Qualification of inspectors

(a) (No change.)

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(b) Any inspector who shall perform boiler inspections under the requirements of [N.J.A.C. 12:90-4.10](#) (and/or [N.J.A.C. 12:90-5.14](#)) shall receive a Certificate of Competency after submitting an application for a Certificate of Competency and meeting the following requirements:

1. An application for a New Jersey Certificate of Competency shall be completed in its entirety, signed and dated by the applicant, and the applicant's signature shall be notarized. The application shall include the applicant's name, address, city and state with zip code, county, telephone number, education, place of employment, National Board and other state commissions held, and a statement of experiences. The application shall be accompanied by a \$ [100.00] **200.00** application fee; and

2.-3. (No change.)

(c) Any inspector whose duties shall be limited to shop inspections that require a New Jersey Certificate of Competency can apply for a "Shop Inspection" Certificate of Competency based solely on holding a valid Commission issued by the National Board of Boiler and Pressure Vessel Inspectors. The application shall meet the following requirements:

1. An application for a New Jersey Certificate of Competency shall be completed, signed and dated by the applicant, and this signature shall be notarized. The application shall include the applicant's name, address, city and state with zip code, county, telephone number, education, place of employment, National Board and other state commissions held, and a statement of experiences. The application shall be accompanied by a \$ [100.00] **200.00** application fee; and

2. (No change.)

(d) Any inspector whose duties shall be limited to owner-user inspections under [N.J.A.C. 12:90-5.12](#), [5.13](#), or [5.14](#) shall receive a Certificate of Competency after submitting an application for a Certificate of Competency and meeting the requirements under (d)1 [through], **2**, and **3** below.

1. An application for a New Jersey Certificate of Competency shall be completed, signed and dated by the inspector, and this signature shall be notarized. The application shall include the applicant's name, address, city and state with zip code, county, telephone number, education, place of employment, National Board and other state commissions held, and a statement of experiences. The application shall be accompanied by a \$ [100.00] **200.00** application fee.

2.-4. (No change.)

(e) (No change.)

#### **12:90-3.13** Renewal of Certificates of Competency

(a) (No change.)

(b) When applying for the renewal of a Certificate of Competency, the authorized inspection agency or owner/user inspection agency shall submit a renewal fee of \$ [40.00] **80.00** for a one-year renewal or \$ [80.00] **160.00** for a three-year renewal.

(c) (No change.)

(d) When transferring a Certificate of Competency from one authorized inspection agency to another authorized inspection agency, a \$ [20.00] **40.00** transfer fee shall be submitted. The expiration date of the Certificate of Competency shall be retained.

(e) (No change.)

#### SUBCHAPTER 4. BOILERS

**12:90-4.8** Welded repairs and alterations to boilers

(a)-(f) (No change.)

[page=1567] (g) An alteration report and a copy of the original manufacturer's data report shall be filed with the National Board of Boiler and Pressure Vessel Inspectors or the Bureau of Boiler and Pressure Vessel Compliance if the boiler is not registered with the National Board. Fees for registration of these reports shall be \$ [4.00] **8.00** for each boiler and shall be forwarded to the Bureau of Boiler and Pressure Vessel Compliance for registration.

1.-2. (No change.)

**12:90-4.12** Fee and visit charge for shop inspection

(a) The fee for a shop inspection shall be the higher of either (a)1 or 2 below:

1. A fee of \$ [100.00] **200.00** for each boiler inspected; or
2. A daily visit charge of \$ [320.00] **640.00** for any shop inspection of four hours or less and \$ [600.00] **1,200** for any shop inspection exceeding four hours.

**12:90-4.13** Fee for field inspection

(a) An insurance company making an annual field inspection shall pay a fee of \$ [50.00] **100.00** for each boiler inspected. The insurance company shall pay the fee to the Commissioner of **the Department of Labor and Workforce Development** within 30 days of performing the inspection.

(b) (No change.)

(c) The fee for a State field inspection for each annual internal-external inspection, which shall include a hydrostatic test if found necessary, shall be paid to the Commissioner of **the Department of Labor and Workforce Development** as follows:

1. Ten and not over 60 square feet \$ [80.00] **160.00**
2. Sixty and not over 1,000 square feet \$ [110.00] **220.00**
3. 1,000 square feet and over \$ [150.00] **300.00**

(d) In addition to the annual internal-external inspection, there may be an external inspection for which the owner or user shall pay to the Commissioner of **the Department of Labor and Workforce Development** a fee of \$ [100.00] **200.00** .

**12:90-4.14** Registration of boilers

(a)-(c) (No change.)

(d) Damaged, altered, defaced, or lost certificates must be replaced by request through the Bureau of Boiler and Pressure Vessel Compliance for replacement. The fee for replacement shall be \$ [16.00] **32.00** .

## SUBCHAPTER 5. UNFIRED PRESSURE VESSELS

**12:90-5.9** Class III unfired pressure vessels--New Jersey Approved

(a) (No change.)

(b) The application for a New Jersey Approved unfired pressure vessel shall meet the following requirements:

1.-3. (No change.)

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4. All letters of application shall be accompanied by payment of \$ [3,000] **6,000** for each non-code design. Additional fees shall be required for designs submitted for a single project and shall be repetitive for each user-application of the design;

5.-6. (No change.)

(c)-(m) (No change.)

**12:90-5.15** Fee and visit charge for shop inspection

(a) The fee for shop inspection shall be either:

1. A daily visit charge of \$ [320.00] **640.00** for any shop inspection of four hours or less [which] **that** is made for the purpose of monitoring the quality control process during fabrication of a pressure vessel. This daily visit charge shall be \$ [600.00] **1,200** if the shop inspection exceeds four hours. Audits and joint reviews will be charged by the day/half day rate; or

2. A fee of \$ [100.00] **200.00** for each pressure vessel when the purpose of the visit is to inspect specific vessels.

**12:90-5.16** Fee for field inspection

(a) An insurance company making a field inspection shall pay a fee of \$ [30.00] **60.00** for each pressure vessel inspected. The insurance company shall pay the fee to the Commissioner of **the Department of Labor and Workforce Development** within 30 days of performing the inspection.

(b) (No change.)

(c) The fee for a State field inspection of a pressure vessel shall be in accordance with the following schedule:

1. \$ [20.00] **40.00** for vessels not over 30 square feet in size;
2. \$ [40.00] **80.00** for vessels over 30 but not over 60 square feet in size;
3. \$ [60.00] **120.00** for vessels over 60 but not over 100 square feet in size; and
4. \$ [80.00] **160.00** for vessels over 100 square feet in size.

(d)-(f) (No change.)

(g) Where a pressure vessel is being inspected by an owner-user inspector under (e) above, the owner-user inspector shall on an annual basis record with the Department all inspections performed during the preceding year accompanied by a fee in accordance with the following schedule:

Owner-User Inspection Agency

Table 5.16

	Owner-User Object Cost Per <u>Pressure Vessel</u>	Minimum Number Of Pressure <u>Vessels Inspected</u>	Maximum Number Of Pressure <u>Vessels Inspected</u>
1	\$ [15.00] <b>30.00</b>	1	Up to 25
2	\$ [7.50] <b>15.00</b>	26	Up to 100
3	\$ [6.00] <b>12.00</b>	101	Up to 500
4	\$ [4.50] <b>9.00</b>	501	And Over

## SUBCHAPTER 6. REFRIGERATION SYSTEMS

**12:90-6.4** Inspection of refrigeration systems

(a)-(d) (No change.)

(e) Damaged, altered, defaced, or lost certificates must be replaced by request through the Bureau of Boiler and Pressure Vessel Compliance. The fee for replacement shall be \$ [15.00] **30.00**.

**12:90-6.5** Fee for field inspection

(a) An insurance company making an annual inspection of refrigeration systems shall pay a \$ [40.00] **80.00** fee to the Commissioner of **the Department of Labor and Workforce Development** for each system.

(b) (No change.)

(c) The fee for an annual field inspection by the State, based on the refrigeration capacity of the system, shall be made payable to the Commissioner of **the Department of Labor and Workforce Development** as follows:

1. Over three and under 25 tons           \$ [100.00] **200.00**
2. Twenty-five tons and over, but less than 300 tons \$ [150.00] **300.00**
3. 300 tons and over                   \$ [200.00] **400.00**

## SUBCHAPTER 8. LICENSING OF OPERATING ENGINEERS AND BOILER OPERATORS

**12:90-8.2** Application for licenses

(a)-(j) (No change.)

(k) The fee for each examination and for any license issued by the [bureau] **Bureau** shall be \$ [100.00] **200.00**, and the fee for a raise of grade or additional classification shall be \$ [80.00] **160.00**. The fee shall be in the form of a check or money order made payable to the Commissioner of **the Department of Labor and Workforce Development** and shall accompany the application.

(l)-(m) (No change.)

**12:90-8.15** Granting of license

(a)-(f) (No change.)

(g) Duplicate licenses for part-time employment may be issued at the discretion of the Commissioner.

1. The fee for a duplicate license is \$ [6.00] **12.00** for one year.

2.-4. (No change.)

**12:90-8.19** Renewal of license

(a) When applying for the renewal of a license, it shall be necessary to return only the signed identification card with a fee of \$ [40.00] **80.00** for a one-year renewal or \$ [80.00] **160.00** for a three-year renewal.

(b) (No change.)

[page=1568] (c) An application for a renewal of an expired license shall be approved provided:

1. A fee of \$ [60.00] **120.00** is enclosed for one year or \$ [120.00] **240.00** for a three-year renewal when the license renewal is late **by** no more than four months past the expiration date;

2.-3. (No change.)

(d) (No change.)

(e) An altered, defaced, or otherwise mutilated license shall be replaced only after review by the Bureau of Boiler and Pressure Vessel Compliance. Photostats, photographs, or reproduction of a license shall have no status and shall not be recognized. A fee of \$ [10.00] **20.00** shall be submitted for a replacement license.

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