

52:27D-214 et seq

LEGISLATIVE HISTORY CHECKLIST

NJSA: 52:27D-214 et seq (Alarm Systems -- flammable liquid storage terminals)

LAWS OF: 1984

CHAPTER: 31

Bill No: S801

Sponsor(s): Caufield

Date Introduced: January 10, 1984

Committee: **Assembly:** Law, Public Safety and Defense

Senate: /////

Amended during passage: Yes Substituted for A1193 (not attached since identical to S801) Amendments during passage denoted by asterisks

Date of Passage: **Assembly:** February 23, 1984

Senate: January 30, 1984

Date of Approval: April 12, 1984

Following statements are attached if available:

Sponsor statement: Yes Also attached: Senate amendments, adopted 1-30-84 (with statement)

Committee statement: **Assembly** No

Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

4-12-84

[OFFICIAL COPY REPRINT]

SENATE, No. 801

STATE OF NEW JERSEY

INTRODUCED JANUARY 10, 1984

By Senator CAUFIELD

(Without Reference)

AN ACT concerning storage facilities for certain flammable liquids
and supplementing Title ***[21]*** *52* of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. As used in this act:

2 a. "Attended terminal" means a terminal where an individual
3 knowledgeable in the aboveground liquid storage tank filling opera-
4 tion is physically in attendance and control during the entire
5 delivery of a flammable liquid and has as his responsibility super-
6 vision of the storage tank filling operation.

6A b. "Commissioner" means the Commissioner of Community
6B Affairs.

7 c. "Flammable liquid" means a liquid having a flash point below
8 100 degrees Fahrenheit and having a vapor pressure not exceeding
9 40 Psia at 100 degrees Fahrenheit.

10 d. "Pipeline" means a pipeline used to convey a flammable liquid
11 from a crude petroleum wellhead collection site to a refinery or
12 terminal or from a refinery to a terminal or from a marine vessel
13 to a terminal. Pipeline does not mean gathering lines from the
14 wellhead to a crude petroleum collection tank.

15 e. "Terminal" means a facility at which one or more aboveground
16 liquid storage tanks for the containment of flammable liquids are
17 located.

18 f. "Unattended terminal" means a terminal where an individual
19 knowledgeable in the aboveground liquid storage tank filling opera-
20 tion is in attendance only during a portion of the time when a

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.**

Matter printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Senate amendments adopted January 30, 1984.**

21 flammable liquid is being delivered or has as his responsibility
22 a function other than the supervision of the storage tank filling
23 operation, or any terminal other than an attended terminal.

1 2. a. Each terminal at which a tank filled by pipeline is located
2 shall comply with the following requirements:

3 (1) It shall be equipped with a high level alarm system.

4 (2) The high level alarm system shall be set to activate at a
5 predetermined level in each tank filled by pipeline at the terminal
6 to allow sufficient time for the flow of the flammable liquid to be
7 shut down before the tank overfills. The level shall be determined
8 by the maximum filling rate and the time required for terminal
9 personnel to take appropriate action to stop the flow of the flam-
10 mable liquid.

11 (3) The high level alarm system shall be maintained in accor-
12 dance with its manufacturer's recommendations.

13 (4) The high level alarm system shall be tested every three
14 months by the owner of the terminal and a record of the test shall
15 be maintained.

16 b. Prior to installation of a new system, the components of the
17 high level alarm system shall be tested for their intended use by a
18 nationally recognized testing laboratory as determined by the
19 commissioner.

20 c. Plans and specifications for a new high level alarm system
21 shall be submitted by the owner of the terminal to the commissioner
22 for approval before the installation of the system.

23 d. Upon the completion of the installation of a new high level
24 alarm system, the commissioner shall be notified and a final inspec-
25 tion shall be made by the Department of Community Affairs to
26 determine if the installation is in compliance with this section.

27 e. Existing high level alarm systems installed prior to the
28 effective date of this act will be deemed to meet the requirements
29 of the act if they can be shown to operate as outlined in paragraph
30 (2) of subsection a. of section 2 of this act, and if they are main-
31 tained and tested as outlined in paragraphs (3) and (4) of sub-
32 section a. of section 2 of this act. The commissioner shall be notified
33 of the existence of such a system by its owner, and an inspection
34 shall be made by the Department of Community Affairs to deter-
35 mine if the installation is in compliance with this section.

36 f. The owner shall develop a fire and emergency plan for the
37 terminal and file a copy with the fire department having jurisdiction
38 over the terminal.

1 3. In addition to the requirements specified in section 2 of this

2 act, each attended terminal at which a tank filled by a pipeline
3 is located shall comply with the following requirements:

4 a. The high level alarm system at the terminal shall provide an
5 audible sound of sufficient decibels to alert personnel responsible
6 for taking corrective action.

7 b. The high level alarm system at the terminal shall be equipped
8 with an audible trouble alarm which has a distinctive sound not
9 used for any other purpose and of sufficient decibels so that it is
10 audible to all terminal personnel required to respond to its sound-
11 ing. The audible trouble alarm shall sound upon the occurrence of
12 any of the following:

13 (1) A loss of the main electrical operating power in the terminal;

14 (2) An electrical break or ground fault in the alarm initiating
15 circuit or the signaling device circuit;

16-17 (3) The derangement of the high level alarm system control
18 equipment;

19 (4) The removal of initiating devices from the high level alarm
20 system; or

21 (5) The electrical derangement of the signaling devices of the
22 high level alarm system.

23 c. Formal written procedures shall be followed by responsible
24 personnel to prevent overfilling of tanks. These procedures shall
25 describe the usage of the high level alarm system and the respon-
26 sibilities, including tank gauging, of personnel who are trained
27 in these procedures and are on duty throughout product receipt to
28 promptly arrange for flow stoppage or diversion. These procedures
29 shall be made available in sufficient copies to be readily accessible
30 to terminal personnel trained in these procedures. In addition,
31 these procedures shall include:

32 (1) Validation of proper line-up and receipt of initial delivery
33 to the tank designated to receive shipment at the expected rate.

34 (2) Provision for adequate supervision and monitoring of the
35 performance of operating personnel.

36 (3) Schedules for checkout and maintenance of high level instru-
37 mentation and related systems.

38 (4) Training and qualification requirements of terminal per-
39 sonnel on duty who are responsible for overfill prevention.

1 4. In addition to the requirements specified in section 2 of this
2 act, each unattended terminal at which a tank filled by pipeline is
3 located shall comply with the following requirements:

4 a. The high level alarm system shall be capable of automatically
5 shutting off or diverting the flow of the flammable liquid at the
6 point of origin within the terminal or at the point of receipt into
7 the aboveground liquid storage tank.

8 b. The high level alarm system shall be capable of automatically
 9 shutting off or diverting the flow of the flammable liquid at the
 10 point of origin within the terminal or at the point of receipt into
 11 the aboveground liquid storage tank in the event of a power failure
 12 in the high level alarm system.

1 5. At the request of a terminal owner and after the commissioner
 2 has received from the terminal owner and has approved plans and
 3 specifications outlining the manner in which and the date by which
 4 the terminal owner will comply with the requirements of this act,
 5 the commissioner may grant variations from the requirements of
 6 sections 2, 3, or 4 of this act in a manner to be prescribed by him.

1 6. The commissioner, pursuant to the "Administrative Pro-
 2 cedure Act," P. L. 1968, c. 410 (C. 52:14B-1 et seq.), shall promul-
 3 gate the rules and regulations necessary to effectuate the purposes
 4 of this act.

1 *7. *Provisions contained in sections 17 and 19 of the "Uniform*
 2 *Fire Safety Act," P. L. 1983, c. 383 (C. 52:27D-208 and C.*
 3 *52:27D-220), shall also apply to this act.**

1 ***[7.]*** *8.* A local governing body shall not enact an ordinance
 2 more restrictive than the requirements of this act.

1 ***[8.]*** *9.* This act shall take effect on the first day of the seventh
 2 month following enactment, except that section 5 shall take effect on
 3 the first day of the fourth month following enactment.

8 b. The high level alarm system shall be capable of automatically
 9 shutting off or diverting the flow of the flammable liquid at the
 10 point of origin within the terminal or at the point of receipt into
 11 the aboveground liquid storage tank in the event of a power failure
 12 in the high level alarm system.

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 2 has received from the terminal owner and has approved plans and
 3 specifications outlining the manner in which and the date by which
 4 the terminal owner will comply with the requirements of this act,
 5 the commissioner may grant variations from the requirements of
 6 sections 2, 3, or 4 of this act in a manner to be prescribed by him.

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 2 cedure Act," P. L. 1968, c. 410 (C. 52:14B-1 et seq.), shall promul-
 3 gate the rules and regulations necessary to effectuate the purposes
 4 of this act.

1 7. A local governing body shall not enact an ordinance more
 2 restrictive than the requirements of this act.

1 8. This act shall take effect on the first day of the seventh month
 2 following enactment, except that section 5 shall take effect on the
 3 first day of the fourth month following enactment.

STATEMENT

This bill would require the installation of high level alarm systems at storage tank terminals for flammable liquids in order to prevent accidents such as the explosion of a Texaco gasoline storage tank at Port Newark on January 7, 1983.

The bill would require every terminal at which a tank filled by a pipeline is located to be equipped with a high level alarm system. The alarm system would be set to activate so that the flow of the flammable liquid could be shut down before the tank overfilled. The owner of the terminal would be required to test the alarm system every three months and to maintain a record of the test.

The bill would also require that, prior to the installation, any new alarm system be tested by a nationally recognized testing laboratory and that plans for the system be submitted to the Commissioner of Community Affairs for approval. When installation of the alarm system is completed, the Department of Community Affairs would be required to inspect and approve the high level alarm system. The owner also would be required to develop a fire and emergency plan for the terminal with the fire department that has jurisdiction.

Existing high level alarm systems would be required to meet the provisions of the bill and to be inspected.

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The bill also contains separate requirements for attended and unattended tanks and formal written procedures to be followed by personnel in case of overfilling.

The bill would permit the Commissioner of Community Affairs to grant variations from the requirements of the bill and would prohibit municipalities from enacting ordinances containing provisions more restrictive than those contained in the bill.

OK
JAH

ADOPTED
JAN 30 1984

Senate Amendments

to

Senate Bill No. 801 by Senator
Caufield

Amend:

proposed by Senator Caufield
1/30/84

Page	Sec.	Line
1 of typed version	Title	2
X4	after 6	after 4
C. 52:270-220		
X4	7	1
X4	8	1

Omit ~~Title~~ "21" insert ~~Title~~ "52"

Insert a new section 7 as follows:

"7. Provisions contained in sections 17 and
19 of the "Uniform Fire Safety Act," P.L. 1983,
c. 383 (C. 52:27D-192 ⁰¹² ~~et al.~~ ^{208 and C. 52:270-210} ~~F~~, shall also apply
to this act,"

Omit "7." insert "8."

Omit "8." insert "9."

STATEMENT

S 801 would require the installation of high level alarm systems at storage tank terminals for flammable liquids in order to prevent accidents such as the explosion of a Texaco gasoline storage tank at Port Newark on January 7, 1983.

The purpose of these amendments is to change the title of S 801 so that the bill would supplement Title 52 of the Revised Statutes instead of Title 21, and to specifically apply to S 801 sections 17 and 19 of the "Uniform Fire Safety Act," (P.L. 1983, c. 383), which contain procedures to be followed and penalties to be imposed in the case of non-compliance.



OFFICE OF THE GOVERNOR

NEWS RELEASE

CN-001

Contact: CARL GOLDEN

TRENTON, N.J. 08625

Release: THURSDAY, APRIL 12, 1984

609-292-6000, Ext. 285.

Governor Thomas H. Kean today signed legislation to require the installation of high level alarm systems at storage tank terminals for flammable liquids.

The Governor signed the bill, S-801, at a public ceremony at the Tenneco Company plant in Newark, a facility which stores flammable liquids and which is protected by an alarm system such as the legislation would require.

The sponsor of the bill is Senator John Caufield, D-Essex, who also is Fire Director in the City of Newark.

The bill requires that every tank terminal filled by a pipeline be equipped with a high level alarm system which would be activated so the flow of flammable liquid would be shut down before the tank overfilled and posed a fire and explosion risk.

The bill was introduced after an explosion and fire rocked the Texaco gasoline storage facility in Port Newark in January of 1983.

"This legislation has but a single goal," Kean said. "It is designed to save lives, protect property, and safeguard workers."

"An explosion and fire in one of these facilities is a fearful and frightening occurrence," the Governor said. "It endangers entire neighborhoods and poses probably the highest of all risks to the firemen called to fight the flames."

- more -

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Thursday, April 12, 1984

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He said the legislation "represents a logical and common sense approach" to a very serious problem.

"It will save lives, it will afford a much higher degree of protection to fire fighters, and it will serve as a preventive measure against potential disasters," the Governor said.

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