

Board of Boiler Rules Meeting Minutes
February 23, 2016
Department of Labor & Industries, Tacoma, WA

Board Members:

Terry Chapin, Chair
Jeff Waytashek
Lisa Hawkins
Jeff Barnes
Si Carroll
Tony Oda, Secretary

Other Attendees:

Michael Carlson, State of Washington
Bruce Weech, State of Washington
Cali Shoblom, State of Washington
Larry Leet, City of Seattle
Tim Barker, FM Global
Doug Barkley, US Oil & Refining Co.*
Brett Valicoff, Valicoff Fruit Company, Inc.*
Larry Hayden, CNA*
Joe Torres, State of Washington
Russell Bartlett, Liberty Mutual

* Attended Study Session only
** Attended Board Meeting only

The Board of Boiler Rules Study Session was held on February 23, 2016, from 10:00 a.m. to 12:35 p.m.

The Board of Boiler Rules meeting was called to order by the Chair on February 23, 2016, at 12:35 p.m. Introductions were made by the board members and guests attending the meeting.

Agenda Item 1.

The meeting agenda was reviewed and approved as written.

Agenda Item 2.

The minutes from the November 10, 2015 meeting were reviewed and approved as written.

Agenda Item 3.

WAC 296-104-010 addition of definition of surgery centers to place of public assembly

Tony Oda, Department of Labor & Industries, WA proposed revising WAC 296-104-010, definition of “Place of public assembly” to include surgery centers in the definition. These locations are currently being inspected as some are attached to hospitals and contain sterilization autoclaves, steam boilers and water heaters. Many inservice Inspectors already consider them, places of public assembly, since they are connected to public and private hospitals. The requirement for inspection of boiler/pressure vessels at these locations have been a “grey” area for inspectors and owners, as hospital surgery centers are covered, but standalone surgery centers were not. The dangers are similar whether the surgery centers are attached or not to a hospital. The department is requesting that “ambulatory surgery centers” be added to the definition of “place of public assembly”.

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After a discussion, the Board felt it would be best to table this revision request to give the department more time for clarification and further stakeholder input.

In addition, to notify stakeholders so they are aware of change if approved later. The department will get a hold of facilities to get their input and will research a general global definition for the May Boiler Board meeting.

Agenda Item 4.

Washington State Special Request – Valicoff Fruit Company, Inc.

Brett Valicoff, Wapato, WA is seeking a Washington State Special for two vessels that are used in a Pressure Swing Absorption (PSA) nitrogen generator. They produce nitrogen, which replaces atmospheric air in cold storage rooms. These two vessels were built in accordance with ASME Section VIII, Division 1, and the nameplate has all the required code information except the vessels were not National Board registered, which is a violation of WAC 296-104-021. The vessels have a capacity of 267 gallons with a MAWP of 145 psi, and operates between 116-120 psi. The vessels were built by Hongguang Chemical Equipment, Co. Ltd located in Tianjin, China. They are an ASME code shop with ARISE as their Authorized Inspection agency. The Michigan based equipment supplier claims to be unaware that the vessels needed to be registered with the National Board.

The board reviewed documents provided by applicant, which consisted of 6 pages of photos, fabrication records on radiographic, liquid penetrate and pressure test reports. Also copies of the ASME U1-A Data Report and nameplate facsimile. All documents reviewed by the board were found satisfactory.

Larry Hayden, CNA Insurance, the inservice inspector for Valicoff, stated that they looked properly built and performed satisfactory UT readings on both vessels. Larry also submitted a letter supporting the issuance of a state special for both vessels.

The Board approved the State Special request with no additional requirements. Larry Hayden will add an “s” to the existing state numbers, 26324-13W and 26325-13W, physically on the vessels and in Jurisdiction Online, signifying both vessels are qualified as state specials.

The department will send an official letter notifying the company that their special has been approved.

Agenda Item 5.

WAC 296-104-110 revision of clarification of noncompliance reports

Tony Oda, Department of Labor & Industries, WA proposed revising WAC 296-104-110, to make this WAC more effective in dealing with non-compliance conditions.

Presently, unsafe “red tag” conditions are being addressed and handled in a timely manner by the inspectors in accordance with this WAC and department policies.

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However, defective conditions, (NCR's) but not unsafe conditions are not being addressed and corrected in a timely manner. In it's present state, the WAC allows the inspector to set the time the non-compliant condition is to be corrected. This can vary from 3 days to 90 days, and beyond. In addition, if the specified time were missed, the inspector would normally grant another time extension. This leads to NCR's not being closed and being passed from one inspection agency to the next. These NCR conditions, in some cases, can turn into unsafe, red tag situations. The importance of closing the NCR is lost for both the inspector and the owner/user.

The department proposed the following revision to WAC 296-104-110:

If other defects, but not unsafe conditions, are found, a routine inspection report containing a noncompliance report shall be submitted to the chief inspector immediately. The owner or user shall be required to correct the NCR within 5 business days. Thereafter, the owner or user will be liable for the civil penalties listed in WAC 296-104-701, failure to comply with a noncompliance report.

After much discussion, the board decided to reject this revision in it's entirety, due to it's severity for both the inspector and the owner/user. The board then suggested the department use other options/methods, such as departmental memos to get the "message out" about closing these NCR's in a timely manner.

Agenda Item 6.

WAC 296-104-102 (1) & (2) revision of inspections standards for historical steam boilers progress report

This progress report was tabled until next meeting. Stakeholders to come to May meeting for testimony to the board.

Agenda Item 7.

WAC 296-104-502 (1) & (2) revision of NBIC edition and update repair standard for historical boilers progress report

This progress report was tabled until next meeting. Stakeholders to come to May meeting for testimony to the board.

Agenda Item 8.

Department Notes:

- Update on Remote Electronic Controls

No updates.

- April 13, 2016 - WA State Annual Technical Training at Renton Technical College
- April 14, 2016 - WSBIA 52nd Annual Technical Meeting at The Museum of Flight

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- **HB5234 Senate Bill Update – Hobby Boiler Exemption**

This Senate bill was not heard during this year's legislative session, so the exemption from future inspections and fees for (RCW 70.79.070) Kitsap Live Steamers (KLS) is still on hold. The KLS understand this and are prepared to have all their active hobby boilers tested and recertified this April for another annual certificate renewal and hopefully, get their bill passed next year.

- **Fee Increase Update**

House bill fee increase for boiler program is also tied with the Electrical program. Proposal is to increase fees by the fiscal growth factor of 4.32% for the fiscal year 2017 if passed. The Boiler Program's budget and projected revenue indicate a fee increase is necessary to cover program's operating expenses.

Tony Oda spoke on the funding that is being taken out to pay for the administrative staff and I.T. costs, which factors into why the budget is decreasing so rapidly now.

Meeting adjourned at 12:47 p.m.