



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Department of Labor and Industries

Permanent Rule Only

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) August 1, 2014 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: The Board of Boiler is adopting amendments to Chapter 296-104 WAC, Board of Boiler Rules – Substantive for new safety code requirements and a housekeeping change. The boiler rules are reviewed on a regular basis to ensure the rules are consistent with national boiler and unfired pressure vessel safety standards and industry practice. Rulemaking is needed to update existing requirements to ensure the most current standards are in place for proper construction, installation, inspection, operation, maintenance, alterations, and repairs of boilers and unfired pressure vessels that improve public safety.

This rulemaking will:

- Adopt the 2013 (current edition) National Board Inspection Code (NBIC) requirements for boilers and unfired pressure vessels in the state of Washington;
- Adopt the current revision of the National Board NB-263 standards, rules for national board in-service and new construction inspectors; and
- Remove an obsolete reference to provide rule clarity and consistency in the rules.

Citation of existing rules affected by this order:

Repealed: None.
 Amended: WAC 296-104-050, WAC 296-104-102, WAC 296-104-271, WAC 296-104-502
 Suspended: None

Statutory authority for adoption: Chapter 70.79 RCW

Other authority: None.

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 14-09-093 on April 22, 2014.

Describe any changes other than editing from proposed to adopted version: There were no changes between the proposed and adopted versions.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ Phone: _____
 Address: _____ Fax: _____
 E-mail: _____

Date adopted:

June 17, 2014

NAME (TYPE OR PRINT)

Robert Olson

SIGNATURE

TITLE

Chair, Board of Boiler Rules

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 17, 2014

TIME: 6:19 AM

WSR 14-13-087

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

| | | | | | | |
|---|-----|-------|---------|-------|----------|-------|
| Federal statute: | New | _____ | Amended | _____ | Repealed | _____ |
| Federal rules or standards: | New | _____ | Amended | _____ | Repealed | _____ |
| Recently enacted state statutes: | New | _____ | Amended | _____ | Repealed | _____ |

The number of sections adopted at the request of a nongovernmental entity:

| | | | | | |
|-----|-------|---------|-------|----------|-------|
| New | _____ | Amended | _____ | Repealed | _____ |
|-----|-------|---------|-------|----------|-------|

The number of sections adopted in the agency's own initiative:

| | | | | | |
|-----|-------|---------|----------|----------|-------|
| New | _____ | Amended | <u>4</u> | Repealed | _____ |
|-----|-------|---------|----------|----------|-------|

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

| | | | | | |
|-----|-------|---------|-------|----------|-------|
| New | _____ | Amended | _____ | Repealed | _____ |
|-----|-------|---------|-------|----------|-------|

The number of sections adopted using:

| | | | | | | |
|---------------------------------------|-----|-------|---------|----------|----------|-------|
| Negotiated rule making: | New | _____ | Amended | _____ | Repealed | _____ |
| Pilot rule making: | New | _____ | Amended | _____ | Repealed | _____ |
| Other alternative rule making: | New | _____ | Amended | <u>4</u> | Repealed | _____ |