

Board of Boiler Rules
February 26, 2020
Boiler AIA's, Inspectors & Objects
Licensing Statistics

AUTHORIZED INSPECTION AGENCIES	FY '20	FY '19	FY '18
NEW	1	0	1
RENEWED	6	4	6
TOTAL	27	23	25

INSPECTORS	FY '20	FY '19	FY '18
NEW	6	23	16
RENEWED	228	249	250
TOTAL	228**	249**	246

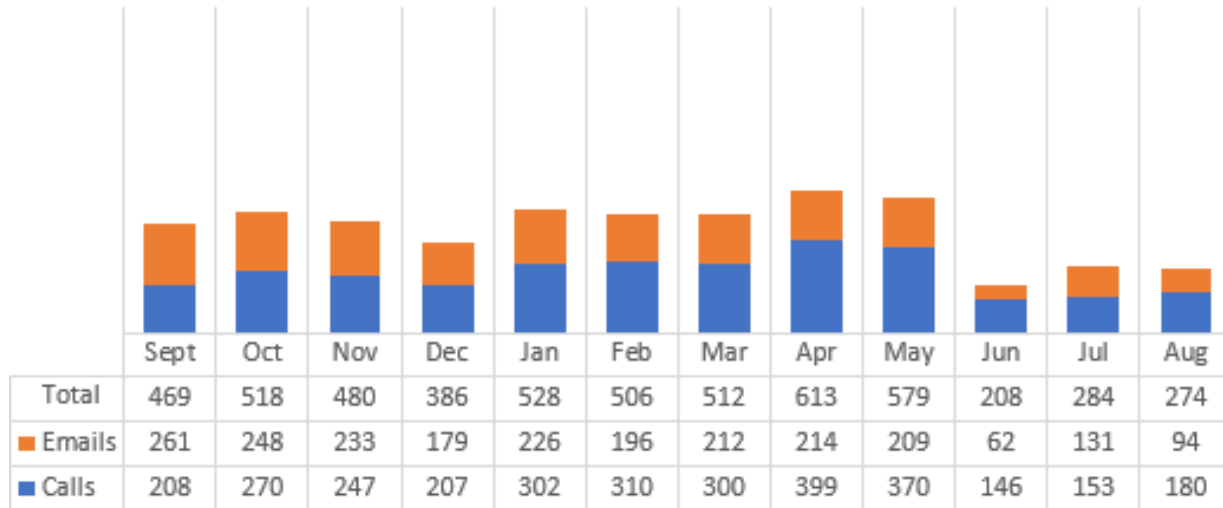
BOILER EQUIPMENT	FY '20	FY '19	FY '18
Total Boilers Insured	39,525	39,489	38,833
Total Boilers Uninsured	13,519	13,400	13,786
*Total Boilers Registered	53,454	53,262	53,016

CERTIFICATES & REGISTRATIONS	FY '20	FY '19	FY '18
New Object Inspections	1,410	3,443	2,657
Subsequent Inspections	9,420	24,066	17,818
New Certificates Issued	1,300	3,296	2,444
Subsequent Certificates Issued	9,287	22,024	17,523
Total Certificates Issued	10,594	25,332	19,976

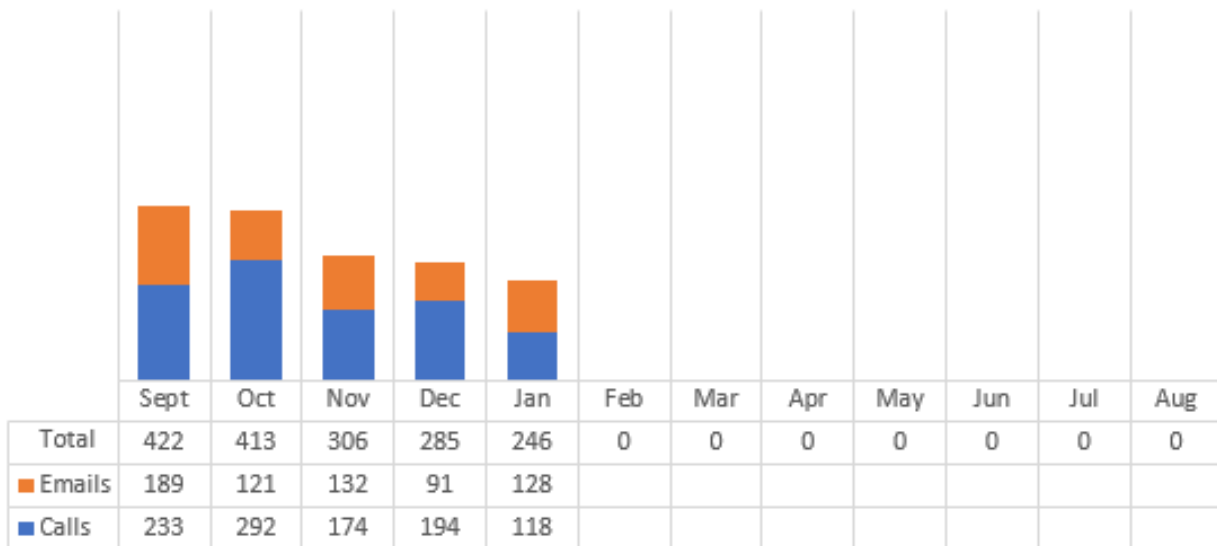
*Does not include Texas Pending Objects

**Pending Review

**BOILERS
CUSTOMER SERVICE CONTACTS
FISCAL YEAR 2019**



**BOILERS
CUSTOMER SERVICE CONTACTS
FISCAL YEAR 2020**



Board of Boiler Rules

Enforcement Division Staff Report

February 26, 2020

Case Highlights:

- Alon USA, LP – BLR20190012415

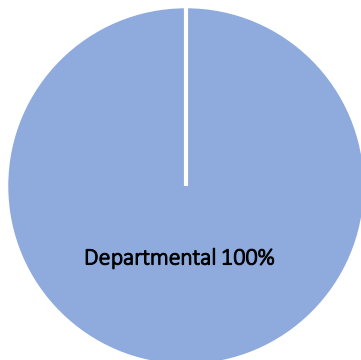
On or about October 16, 2019, Respondent and the Department entered into an Agreed Order against an owner/operator Alon USA, LP. Alon was found to have failed to file for an extension for an internal inspection in a timely manner and was operating boilers with an expired certificate of operation for nine (9) separate boilers at their facility. The Department assessed an administrative penalty of \$33,750, required the Respondent to submit water treatment records to the Department, and to have internal inspections prior to the expiration of the extension certificate. The administrative penalty was paid in full.

Performance Measures and Key Statistics:

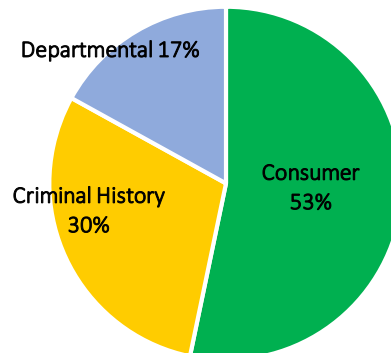
Shown below are the Enforcement Performance Measures and key statistics for the Boilers program and for all TDLR programs combined through December 2019 of Fiscal Year 2020

<u>Performance Measure</u>	<u>BLR</u>	<u>TDLR</u>
Cases opened	1	3,270
Cases closed	1	3,244
Average time to close (days)	140	151
% of cases resolved within 6 months	100%	69.4%
% of cases resulting in disciplinary action	100%	20.5%
Cases pending (Includes Investigation & Prosecution) <u>as of end of December 2019</u>	6	5,379

Source of BLR Cases Opened
through December 2019 of
Fiscal Year 2020



Source of all TDLR Cases Opened
through December 2019 of Fiscal
Year 2020



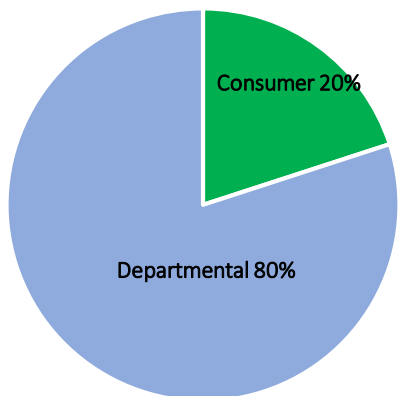
Shown below are the Enforcement Case Outcomes and key statistics for the Boilers program and for all TDLR programs combined **through December 2019 of Fiscal Year 2020**

<u>Case Outcomes</u>	<u>BLR</u>	<u>TDLR</u>
Commission Orders	0	16
Agreed Orders	1	433
Default Orders	0	167
Penalties Assessed	\$33,750	\$1,204,616
Penalties Collected	\$33,750	\$545,122
Licenses Revoked (Disciplinary)	0	59
Licenses Suspended	0	2
Licenses Denied/Revoked (Criminal History)	0	104
Cease & Desist Orders	0	19
Informally Resolved	0	2,576

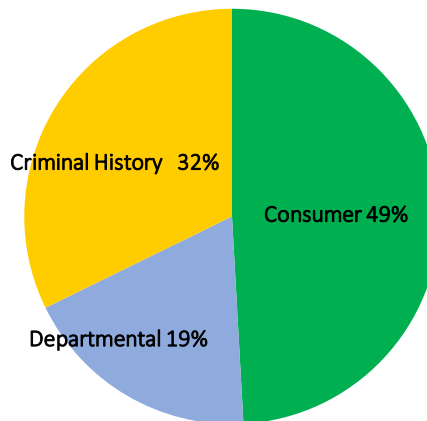
Shown below are the Enforcement Performance Measures and key statistics for the Boilers program and for all TDLR programs combined **for Fiscal Year 2019**

<u>Performance Measure</u>	<u>BLR</u>	<u>TDLR</u>
Cases opened	5	10,902
Cases closed	5	10,113
Average time to close (days)	148	151
% of cases resolved within 6 months	80%	68%
% of cases resulting in disciplinary action	60%	21%

Source of Boiler Cases Opened for Fiscal Year 2019



Source of all TDLR Cases Opened for Fiscal Year 2019



Shown below are the Enforcement Case Outcomes and key statistics for the Boilers program and for all TDLR programs combined **for Fiscal Year 2019**

<u>Case Outcomes</u>	<u>BLR</u>	<u>TDLR</u>
Commission Orders	0	38
Agreed Orders	3	1,241
Default Orders	0	608
Penalties Assessed	\$7,750	\$3,394,345
Penalties Collected	\$7,750	\$1,731,554
Licenses Revoked (Disciplinary)	0	218
Licenses Suspended	0	3
Licenses Denied/Revoked (Criminal History)	0	421
Cease & Desist Orders	0	67
Informally Resolved	2	7,945

Top 10 Boilers program Alleged Violations at Opening

Fiscal Year 2019

<u>Alleged Violation at Opening</u>	<u>Count</u>
Operated without certificate	3
Operated unregistered boiler	2
Failed to file extension within 30 days of expiration	2
Inspector bad report/untrustworthy	1

Top 10 Violations Resulting in Disciplinary Action for Boilers program

Fiscal Year 2019

<u>Violation Resulting in Disciplinary Action</u>	<u>Count</u>
Failed to file extension within 30 days of expiration	1
Failed to have inspection	1
Operated without certificate	1
Boiler in unsafe condition	1



BOARD OF BOILER RULES

WEDNESDAY, FEBRUARY 26TH, 2020

BOILER EXAMINATION STATISTICS

(AS OF JANUARY 31ST, 2020)

2020	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
Pass	1	0	2	3	0	0	-	0	-	-	-	0	-	-	-	0	3
Fail	0	0	0	0	-	-	-	0	-	-	-	0	-	-	-	0	0
Total	1	0	2	3	0	0	-	0	-	-	-	0	-	-	-	0	3
Rate	100.0%	0.0%	100.0%	100.0%	00.0%	0.0%	0.0%	00.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2019	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
Pass	0	0	1	1	2	0	0	2	0	0	0	0	0	1	0	1	4
Fail	0	0	1	1	0	0	0	0	0	0	0	0	0	1	1	2	3
Total	0	0	2	2	2	0	0	2	0	0	0	0	0	2	1	3	7
Rate	0.0%	0.0%	50.0%	50.0%	100.0%	0.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	50.0%	0.0%	33.3%	57.1%
2018	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
Pass	0	1	0	1	1	2	1	4	0	0	2	2	3	2	0	5	12
Fail	0	0	0	0	0	0	0	0	0	0	2	2	2	0	1	3	5
Total	0	1	0	1	1	2	1	4	0	0	4	4	5	2	1	8	17
Rate	0.0%	100.0%	0.0%	100.0%	0.0%	100.0%	100.0%	100.0%	0.0%	0.0%	50.0%	50.0%	60.0%	100.0%	0.0%	62.5%	70.6%

REGULATORY PROGRAM MANAGEMENT DIVISION REPORT
Board of Boiler Rules Meeting
February 26, 2020 1:30 P.M.

Personnel Update

- Deputy Boiler Inspector Jay Kim is going to National Board Authorized Inspector Course. After completion and earning his National Board Authorized Inspector Commission, we plan on sending him to ASME and NB Review Team Leader Course.

Public Outreach – Trainings, Attendance at Industry and Association Meetings and other outreach activities

- Chief Inspector Rob Troutt attended: National Board, Board of Trustees Meetings the weeks of January 27, 2020.
- ASME provided training to all TDLR ASME Designee's. ASME staff traveled from New York City to Austin to provide the training at no expense to TDLR. This training gave instructions for processing Qualification Review Reports submitted to ASME via the ASME web-based platform. The training was held on Feb. 13, 2020.

Inspection Statistics have been provided in the attached.

**Boiler Advisory Board
February 26, 2020 Inspection Statistics**

Special Inspections	FY 2018 03/22/18 thru 06/12/18	FY 2018 06/13/18 thru 11/8/18	FY 19 11/8/18 thru 10/25/19	FY 20 10/25/19 thru 2/11/2020
Total Special Inspections Conducted	68	245	205	47
ASME Joint Reviews	59	119	156	37
National Board Joint Reviews	62	120	196	44
State Issued Certificate of Authorization	0	0	3	2
Other Special Investigations (Texas Specials)	4	6		6

Owner/Operator Requests and Notifications	FY 2018 03/22/18 thru 06/12/18	FY 2018 06/13/18 thru 11/8/18	FY 19 11/8/18 thru 10/25/19	FY 20 10/25/19 thru 2/11/2020
Total Extensions Processed	332	673	1,819	545
Total Variances Processed	13	18	654	0
Total Re-Stampings Processed	5	13	3	1
Total Boiler Installation Reports Processed	498	1414	1521	36
Total Temporary Operating Boiler Permits Processed	261	459	265	24

Inspections Completed (includes Certificate Inspection as well as Non-Certificate Inspections)	FY 2018 03/22/18 thru 06/12/18	FY 2018 06/13/18 thru 11/8/18	FY 19 11/8/18 thru 10/25/19	FY 20 10/25/19 thru 2/11/2020
Total Number of Boilers Inspected	4,905	11,200	28,773	7,629
Total Number of Boilers Inspected by TDLR	1,347	3,248	7,542	1,759
Total Number of Boilers Inspected by AIAs	3,558	7,952	21,231	5,870

Active Boilers	As of 6/12/18	As of 11/8/18	As of 10/25/19	
Total Active Boilers	52,953	53,020	53,282	53,447
Total Boilers Assigned to TDLR	13,237	13,330	13,274	13,487
Total Boilers Assigned to AIAs	39,188	39,486	39,676	39,923
Total Pending Responsibility Change	528	204	332	417
Total Overdue Boilers	1,503	1,636	1,332	1,413
Total Overdue Boilers Assigned to TDLR	147	96	388	430
Total Overdue Boilers Assigned to AIAs	1,329	1,524	974	958
Total Overdue Boilers Pending Responsibility Change	27	16	20	25
Total Boilers Assigned to inspection agency Under Rule §65.91	3	0	150	0