

COMPLIANCE DIVISION REPORT
Board of Boiler Rules Meeting
Tuesday, November 14, 2017 – 9:00 a.m.

Personnel updates

- Rickey Bryan is retiring, effective 12/31/17.
- Dionna Dennard applied for, interviewed, was offered and accepted Rickey's vacated Team Leader/Inspection Specialist position. Dionna's effective promotion date is 12/01/17.
- As a result of Dionna's promotion, and the retirement of Deputy Inspector Don Jones (effective 10/31/17), two deputy inspector positions have been posted. Interviews are underway, and the two new inspectors selected are scheduled to begin 12/01/17.

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

- Chief Inspector Rob Troutt attended: NBIC meeting the week of 07/17/17; NBIC BOT and Member meetings and Chiefs' Meeting the week of 10/02/17; Louisiana's AIA training (at their request) the week of 10/16/17; and ASME Code Week the week of 10/30/17.
- Program staff have been reaching out to owners of boilers with extensions, to determine whether Hurricane Harvey impacts their extension.

Inspection Statistics

- Hurricane Harvey impacted the Boiler Program, regarding both boiler inspections and Joint Reviews.
- The Compliance Boiler Program assumed entry of Hartford Steam Boiler inspection reports, as well as insurance changes, on 09/01/17.

Update on the 2017 Editions of ASME and NBIC Publications

- The 2017 Editions of the ASME and NBIC Publications were published on 07/21/17, and are mandated effective 01/01/18.

**Boiler Advisory Board
November 14, 2017
Inspection Statistics**

	FY 2015 10/15/14 thru 03/02/15	FY 2015 03/02/15 thru 09/15/15	FY 2016 09/16/15 thru 12/01/15	FY 2016 12/02/15 thru 02/03/17	FY 2017 02/04/17 thru 08/28/17	FY17-18 08/29/17 thru 10/30/17
Special Inspections						
Total Special Inspections Conducted	112	173	117	298	142	36
ASME Joint Reviews	94	152	56	235	114	31
National Board Joint Reviews	91	143	60	259	123	30
State Issued Certificate of Authorization	2	2	1	11	0	0
Other Special Investigations (Texas Specials)				4	14	2

	FY 2015 10/15/14 thru 03/02/15	FY 2015 03/02/15 thru 09/15/15	FY 2016 09/16/15 thru 12/01/15	FY 2016 12/02/15 thru 02/03/17	FY 2017 02/04/17 thru 08/28/17	FY17-18 08/29/17 thru 10/30/17
Owner/Operator Requests and Notifications						
Total Extensions Processed	886	809	391	2,444	1,015	266
Total Variances Processed	28	42	11	43	8	3
Total Re-Stampings Processed	14	13	8	5	5	6
Total Boiler Installation Reports Processed	404	750	680	1,903	1,300	487
Total Temporary Operating Boiler Permits Processed	/	/	/	521	352	218

	FY 2015 10/15/14 thru 03/02/15	FY 2015 03/02/15 thru 09/15/15	FY 2016 09/16/15 thru 12/01/15	FY 2016 12/02/15 thru 02/03/17	FY 2017 02/04/17 thru 08/28/17	FY17-18 08/29/17 thru 10/30/17
Inspections Completed (includes Certificate Inspection as well as Non-Certificate Inspections)						
Total Number of Boilers Inspected	10,441	17,370	6,980	37,971	20,463	3,583
Total Number of Boilers Inspected by TDLR	3,170	4,516	1,677	10,306	4,962	1,080
Total Number of Boilers Inspected by AIAs	7,271	12,854	5,303	27,665	15,501	2,503

Active Boilers	As of 03/02/15	As of 09/15/15	As of 12/01/15	As of 02/03/17	As of 8/28/17	As of 10/30/17
Total Active Boilers	52,839	52,514	52,578	52,861	52,891	52,940
Total Boilers Assigned to TDLR	15,027	13,803	14,002	14,174	13,477	13,513
Total Boilers Assigned to AIAs	37,604	38,264	38,387	38,156	38,732	39,427
Total Pending Responsibility Change	208	447	189	531	682	829
Total Overdue Boilers	1,814	1,651	1,060	1,584	1,438	1,797
Total Overdue Boilers Assigned to TDLR	100	65	71	150	129	170
Total Overdue Boilers Assigned to AIAs	1,698	1,561	980	1,394	1,284	1,627
Total Overdue Boilers Pending Responsibility Change	16	25	9	40	25	56
Total Boilers Assigned to AIA Under Rule §65.91	-	-	-	165	169	0

BOARD OF BOILER RULES

NOVEMBER 14, 2017

RECENT ACCOMPLISHMENTS AND CURRENT PROJECTS

LEGISLATIVE UPDATES

HB 3257 Signed by Gov. Greg Abbott May 29, 2017, effective immediately.

Exempts espresso machines from the boiler law and removes the requirement that a portable power boiler be inspected externally each time it is moved to a new location and receive an annual internal inspection. The new law authorizes the Texas Commission of Licensing & Regulation to establish by rule the inspection requirements for a portable boiler.

EDUCATION, EXAMINATION, & SCHOOL SERVICES

TOTAL E-MAIL ANSWERED BY STAFF

(AS OF SEPTEMBER 30th, 2017)

MONTH	FY 2018	FY 2017	FY 2016	FY 2015
September	1,545	1,158	1,389	
October		1,263	1,060	
November		744	996	
December		653	760	
January		955	1,060	
February		974	1,047	
March		1,463	994	
April		981	966	
May		1,140	1,061	
June		1,747	911	
July		804	767	835
August		1,266	1,123	1,104
TOTAL	1,545	13,148	12,134	1,939

PERSONNEL UPDATE



On September 1st, we welcomed Lisa McDonald to E&E from Compliance. Lisa has been with the TDLR for 9 years. Lisa worked as a Program Specialist for the Service Contract Providers, Property Tax Professionals, Property Tax Consultants, Polygraph Examiners, Professional Employer Organizations, For-Profit Legal Services programs.

BOILER STATISTICS AND TRENDS

BOILER EXAMINATION STATISTICS

(AS OF SEPTEMBER 31, 2017)

2018	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
Pass	0			0				0				0				0	0
Fail	0			0				0				0				0	0
Total	0			0				0				0				0	0
Rate	0.0%			0.0%				0.0%				0.0%				0.0%	0.0%

2017	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
Pass	0	2	0	2	1	0	0	1	1	1	2	4	1	0	0	1	8
Fail	0	2	0	2	0	0	0	0	1	3	0	4	0	0	0	0	6
Total	0	4	0	4	1	0	0	1	2	4	2	8	1	0	0	1	14
Rate	0.0%	50.0%	0.0%	50.0%	100.0%	0.0%	0.0%	100.0%	50.0%	25.0%	100.0%	50.0%	100.0%	0.0%	0.0%	100.0%	57.1%

2016	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
Pass	2	1	1	4	2	1	2	5	1	1	1	3	1	1	1	3	15
Fail	0	0	0	0	0	1	1	2	1	0	0	1	0	0	1	1	4
Total	2	1	1	4	2	2	3	7	2	1	1	4	1	1	2	4	19
Rate	100.0%	100.0%	100.0%	100.0%	100.0%	50.0%	66.7%	71.4%	50.0%	100.0%	100.0%	75.0%	100.0%	100.0%	50.0%	75.0%	78.9%

BOARD OF BOILER RULES

Enforcement Division Staff Report November 14, 2017

Key Statistics – Fiscal Year 2017

Shown below are key statistics for the Boilers program and for all TDLR programs combined for Fiscal Year 2017.

<u>Statistic</u>	<u>BLR</u>	<u>TDLR</u>
• Number of cases opened:	22	12,054
• Number of cases resolved:	20	12,405
• Number of Agreed Orders:	4	2,309
• Total amount of penalties assessed:	\$24,500	\$5,250,179
• Total amount of penalties collected:	\$21,250	\$2,571,951

Key Statistics – Fiscal Year 2016

Shown below are key statistics for the Boilers program and for all TDLR programs combined for Fiscal Year 2016.

<u>Statistic</u>	<u>BLR</u>	<u>TDLR</u>
• Number of cases opened:	6	11,305
• Number of cases resolved:	8	12,314
• Number of Agreed Orders:	4	2,391
• Total amount of penalties assessed:	\$8,500	\$5,743,465
• Total amount of penalties collected:	\$5,500	\$2,749,020

Board of Boiler Rules
November 14, 2017
Boiler Inspectors & Objects
Licensing Statistics

	FY '17 As of 10/31/17	FY '17 As of 2/01/17	FY '16 As of 11/30/15	FY '15 As of 08/31/15	FY '15 As of 02/28/15
INSPECTORS					
ASME ONLY	94	68	103	101	90
INSERVICE ONLY	83	94	114	114	118
COMBINATION	28	32	6	41	39
TOTAL	205	194	223	256	247

	FY '17 As of 10/31/17	FY '17 9/1/16 thru 1/31/17	FY '16 As of 11/30/15	FY '15 As of 08/31/15	FY 2015 As of 02/28/2015
BOILER EQUIPMENT					
Total Boilers Insured	13,515	14,271	14,085	39,755	38,856
Total Boilers Uninsured	38,600	39,748	39,671	13,945	15,124
Total Boilers Registered	52,945	54,019	53,756	53,700	53,980

	FY '17 02/01/17 thru 10/31/17	FY '17 9/1/16 thru 1/31/17	FY '16 09/01/15 thru 11/30/15	FY '15 03/01/15 thru 08/31/15	FY 2015 11/01/2014 thru 02/28/2015
CERTIFICATES & REGISTRATIONS					
New Object Inspections	2,642	1,320	864	1,529	920
Subsequent Inspections	19,392	9,294	6,031	13,235	6,934
New Certificates Issued	2,380	1,227	779	1,226	838
Subsequent Certificates Issued	18,238	9,301	6,259	10,893	6,344
Total Certificates Issued	20,634	10,537	7,053	12,145	7,195

Chapter 65. Boilers

Proposal Filed: September 22, 2017 – Published in the *Texas Register*: October 6, 2017
Deadline for Public Comment: November 6, 2017

Underlined text is new language.
~~[Strike thru text]~~ is deleted language.

Subchapter A. General Provisions

§65.1 Authority

This chapter is promulgated ~~[adopted]~~ under authority of Texas Health and Safety Code, Chapter 755 and Texas Occupations Code, Chapter 51.

§65.2. Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) - (25) (No change.)

~~[(26) Existing Installation--Any boiler constructed, installed, placed in operation, or contracted for before June 3, 1937.]~~

(26) ~~[(27)]~~ External Inspection--An inspection of the exterior of a boiler and its appurtenances that is made, if possible, while the boiler is in operation.

(27) ~~[(28)]~~ Heat Recovery Steam Generator (HRSG)--A boiler which produces steam where its principle source of thermal energy is a hot gas stream having high ramp rates, such as the exhaust of a gas turbine.

(28) ~~[(29)]~~ Heating Boiler--A steam heating boiler, hot water heating boiler, hot water supply boiler, or potable water heater that is directly fired with oil, gas, solar energy, electricity, coal, or other solid or liquid fuel.

(29) ~~[(30)]~~ High-Temperature Water Boiler--A water boiler designed for operation at pressures exceeding 160 pounds per square inch gage (1100 kilopascals) or temperatures exceeding 250 degrees Fahrenheit (121 degrees Celsius).

(30) ~~[(31)]~~ Hot Water Heating Boiler--A boiler designed for operation at a pressure not exceeding 160 pounds per square inch gage (1100 kilopascals) or temperatures not exceeding 250 degrees Fahrenheit (121 degrees Celsius) at or near the boiler outlet.

(31) ~~[(32)]~~ Hot Water Supply Boiler--A boiler designed for operation at pressures not exceeding 160 pounds per square inch gage (1100 kilopascals) or temperatures not exceeding 250 degrees Fahrenheit (121 degrees Celsius) at or near the boiler outlet if the boiler's heat input exceeds

200,000 British thermal units per hour (58.6 kilowatts); water temperature exceeds 210 degrees Fahrenheit (99 degrees Celsius); or nominal water-containing capacity exceeds 120 gallons (454 Liters).

(32) [~~(33)~~] Immersion Resistance Element Type Boiler--An electric boiler in which heat is generated by the passage of an electric current through a resistance heating element immersed in water.

(33) [~~(34)~~] Inspection Agency--An authorized inspection agency providing inspection services.

(34) [~~(35)~~] Inspector--The chief inspector, a deputy inspector, or an authorized inspector.

(35) [~~(36)~~] Install--To place, position or fit into position and then to connect, change or modify in such a manner as to bring the boiler into service.

(36) [~~(37)~~] Installation--The act of installing a boiler or associated equipment.

(37) [~~(38)~~] Internal inspection--A complete and thorough inspection of the interior waterside and fireside areas of a boiler as construction allows.

(38) [~~(39)~~] Maximum Allowable Working Pressure (MAWP)--The greatest pressure at which a boiler is designed to operate.

(39) [~~(40)~~] Metric (SI)--An international system of measurement.

(40) [~~(41)~~] Metrication--The process of converting between US customary units and metric (SI) units.

(41) [~~(42)~~] Modular Boiler--A steam or hot water heating assembly consisting of a group of individual boilers called modules, intended to be installed as a unit, with a single inlet and single outlet. Modules may be under one jacket or may be individually jacketed.

(42) [~~(43)~~] Multiple Pressure Steam Generator--A boiler consisting of several sections of heat exchange surface designed for different pressure levels.

(43) [~~(44)~~] National Board--The National Board of Boiler and Pressure Vessel Inspectors.

(44) [~~(45)~~] National Board Inspection Code--The manual for boiler and pressure vessel inspectors published by the National Board.

~~[(46) New Installations--A boiler constructed, installed, or placed in operation after June 3, 1937.]~~

(45) [~~(47)~~] Nominal--The accepted ASME standard used to designate a size or capacity of an item.

(46) [~~(48)~~] Non-Code Boiler--A complete boiler not constructed to the appropriate ASME Code.

(47) [~~(49)~~] Nonstandard Boiler--A boiler that does not qualify as a standard boiler.

(48) [~~(50)~~] Nuclear Boiler--A nuclear power plant system, including its pressure vessels, piping systems, pumps, valves, and storage tanks that produces and controls an output of thermal energy from nuclear fuel and the associated systems essential to the function of the power system.

(49) [~~(51)~~] Owner or Operator--Any person, firm, or corporation owning or operating boilers within the State of Texas.

(50) [~~(52)~~] Person--An individual, corporation, partnership, association or other legal entity.

(51) [~~(53)~~] Pool Heater--A hot water supply boiler or a potable water heater designed to provide hot water to a pool.

(52) [~~(54)~~] Portable [~~Power~~] Boiler--A boiler primarily intended for use at a temporary location.

(53) [~~(55)~~] Potable Water Heater--A boiler designed for operation at pressures not exceeding 160 pounds per square inch gage (1100 kilopascals) and water temperatures not exceeding 210 degrees Fahrenheit (99 degrees Celsius) if the boiler's heat input exceeds 200,000 British thermal units per hour (58.6 kilowatts) or nominal water-containing capacity exceeds 120 gallons (454 liters).

(54) [~~(56)~~] Power Boiler--A high-temperature water boiler or a boiler in which steam is generated at a pressure exceeding 15 pounds per square inch gage (103 kilopascals) for a purpose external to the boiler.

(55) [~~(57)~~] Preliminary order--A written order issued by the chief inspector or any commissioned boiler inspector to require repairs or alterations to render a boiler safe for use or to require that operation of the boiler be discontinued. The Boiler Inspection report which requires repairs to be made or the boiler operation to be ceased which is signed by the chief inspector or a commissioned boiler inspector is a Preliminary Order.

(56) [~~(58)~~] Process Steam Generator--An evaporator, heat exchanger, or vessel in which steam is generated by the use of heat resulting from the operation of a processing system that contains a number of pressure vessels, such as used in the manufacture of chemical and petroleum products.

(57) [~~(59)~~] Reinstalled Boiler--A boiler removed from its original setting and reinstalled at the same location or at a new location without change of ownership.

(58) [~~(60)~~] Repair--The work necessary to restore pressure-retaining items to a safe and satisfactory operating condition.

(59) [~~(61)~~] Rules--The rules promulgated and enforced by the commission in accordance with Texas Health and Safety Code, §755.032 and Texas Occupations Code, Chapter 51.

(60) [~~(62)~~] Safety Appliance--A safety device such as a safety valve or a pressure relief valve for a boiler provided to diminish the danger of accidents.

(61) [~~(63)~~] Secondhand Boiler--A boiler in which the location and ownership have changed.

(62) [~~(64)~~] Serious Accident--An explosion resulting in any degree of distortion to the wall of the boiler or related equipment or damage to the building where the boiler is located. Or, emergency medical services are dispatched to the location of a boiler accident in which one or more persons require on-site medical services, transport to a medical facility or the accident results in a fatality.

(63) [~~(65)~~] Special Inspection--An inspection by the chief inspector or deputy inspector other than those in Texas Health and Safety Code, §§755.025 - 755.027.

(64) [~~(66)~~] Stacked Boiler--A design in which one boiler is placed onto a rack above another boiler, as designed by the boiler manufacturer with a rack nameplate, and as approved by the department.

(65) [~~(67)~~] Standard Boiler--A boiler that bears the stamp of a nationally recognized engineering professional society, or the stamp of any jurisdiction that has adopted a standard of construction equivalent to the standard required by the executive director.

(66) [~~(68)~~] Steam Heating Boiler--A boiler designed for operation at pressures not exceeding 15 pounds per square inch gage (103 kilopascals).

(67) [~~(69)~~] System Pressure--The pressure of the boiler system, which is governed by the highest safety valve or pressure relief valve set pressure as allowed by ASME Code and this chapter.

(68) [~~(70)~~] Texas Commission--Authorization to inspect boilers and enforce Texas Health and Safety Code, Chapter 755, and 16 Texas Administrative Code, Chapter 65, on behalf of the department.

(A) ASME Only Commission--Only authorizes an inspector to conduct ASME new construction activities.

(B) In-Service Only Commission--Only authorizes an inspector to conduct boiler in-service activities.

(C) ASME and In-Service Commission--Authorizes an inspector to conduct both activities in subparagraphs (A) and (B).

(69) [~~(71)~~] Unfired Steam Boiler--An unfired pressure vessel in which steam is generated. The term does not include: vessels known as evaporators or heat exchangers; or vessels in which steam is generated by using the heat that results from the operation of a processing system that

contains a number of pressure vessels, as used in the manufacture of chemical and petroleum products.

Subchapter C. Boiler Registration and Certificate of Operation--Requirements

§65.12. Boiler Registration and Certificate of Operation Required

Except as provided by this chapter, each boiler operated in this state must:

- (1) be registered with the department; and
- (2) have qualified for a current certificate of operation with the current certificate of operation displayed at or near the boiler, or readily accessible to an inspector.

§65.13. Boiler Installation

- (a) (No change.)
- (b) The boiler shall not be test-fired or operated prior to the required first inspection except as allowed under subsection (c).
- (c) Temporary Operating Permit.
 - (1) The owner or operator may request a Temporary Operating Permit on a department-approved form.
 - (2) The owner or operator must pay the applicable fee required under §65.300.
 - (3) Upon approval of the Temporary Operating Permit from the department, the boiler may be operated [~~for thirty (30) days~~] prior to the required initial inspection for up to thirty (30) days.

§65.14. Inspector Commissions

- (a) In-Service Commission. To be eligible for in-service commission, an applicant must:
 - (1) submit a completed application on a department-approved form demonstrating eligibility;
 - (2) successfully pass a criminal background check;
 - (3) pass a written examination approved by the department;
 - (4) attend a department-approved boiler orientation program; and
 - (5) pay the fee required under §65.300.
- (b) Texas ASME Commissions. To be eligible for a Texas ASME commission, an applicant must:

- (1) submit a completed application on a department-approved form;
- (2) successfully pass a criminal background check;
- (3) hold a valid National Board Authorized Inspector [~~"A" Endorsement~~] Commission; and
- (4) pay the fee required under §65.300.

§65.15. [~~Initial~~] Boiler Certification Requirements

(a) To be eligible for a certificate of operation each boiler must meet the following:

- (1) comply with §65.200;
- (2) have an applicable [~~a completed first~~] inspection report completed;
- (3) if necessary, complete required repairs; and
- (4) pay the fees required under §65.300.

(b) (No change.)

(c) Non-code boilers may not be installed or operated without written authorization from the department.

(1) Non-code boilers, if installed without written authorization from the department, must be completely replaced to ensure the complete boiler meets or exceeds ASME code and this chapter.

(2) Installing code compliant parts onto a non-code boiler does not make a non-code boiler ASME code compliant.

Subchapter D. Authorized Inspector

§65.25. Authorized Inspector--Eligibility Requirements

Subchapter E. Examinations and Waiver of Examination

§65.30. Waiver of Examination

An applicant for a Texas Commission who is licensed or commissioned in another state that has an examination substantially equivalent to that required by this chapter, as determined by the department, may obtain a commission without examination, if the person:

(1) submits a completed application on a department-approved form demonstrating eligibility; and

(2) except for the examination requirement otherwise meets the requirements in Subchapter F.

Subchapter G. Application to Operate [~~Portable and Stationary~~] Nonstandard Boilers in the State

§65.45. [~~Portable and Stationary~~] Nonstandard Boilers

(a) Operation of a [~~portable or stationary~~] nonstandard boiler is prohibited unless the department has granted approval as a nonstandard boiler used for exhibition, instruction, education, show, display, or demonstration.

(b) - (c) (No change.)

Subchapter I. Inspection of Boilers

§65.63 Inspection of Portable Boilers

(a) The internal and external inspection of Portable Boilers shall occur as follows:

(1) Boilers fabricated in accordance with the ASME Section I (i.e. "S" or any other Section I Designator) shall be inspected annually;

(2) Boilers fabricated in accordance with the ASME Section IV, "H" Designator shall be inspected biennially;

(3) Boilers fabricated in accordance with the ASME Section IV, "HLW" Designator shall be inspected triennially; and

(4) Boilers designated as a Nonstandard Boiler in accordance with §65.43, shall be inspected annually.

§65.64 [§65.63]. Extension of Interval between Internal Inspections (this will be a repeal and new in order to renumber)

Subchapter J. Texas Boiler Numbers

§65.72. Condemned Boilers

(a) Any boiler, stamped or identified with the corrosion-resistant metal tag, having been inspected and declared unsafe by the chief inspector, deputy inspector or executive director, shall be stamped by the inspector with an "X" on the star on either side of the Texas boiler number. The "X" stamped tag identifies/designates the boiler as condemned.

(b) Any boiler, identified with the Texas boiler number decal, having been inspected and declared unsafe by the chief inspector or deputy inspector, shall have the decal ~~[be]~~ altered/defaced by the inspector by removing the star on either side of the Texas boiler number on the decal. The altered/defaced decal identifies/designates the boiler as condemned.

Subchapter N. Responsibilities of the Owner and the Operator

65.217. Variance

(a) - (g) (No change.)

(h) An approved variance must be posted [~~under glass,~~] next to the certificate of operation[;] of the boiler for which it is issued, in accordance with §65.12.

Subchapter O. Fees

§65.300. [~~Certificate/Inspection~~] Fees

(a) Certificate of operation. The owner or operator shall make payment for the following fees:

(1) On or before expiration date--\$70; in addition to all outstanding invoices, including any past due invoices associated with the boiler.

(2) After expiration date--Late fees for certificates are provided for under §60.83 of this title (relating to Late Renewal Fees).

(3) Duplicate--\$25

(b) Inspections. The owner or operator shall make payment for the following fees:

(1) Heating boilers.

(A) With an inspection opening--\$70

(B) Without an inspection opening--\$40

(2) Other than heating boilers--\$70

(c) Special inspections or non-standard boiler reviews. The owner or operator shall make a [—] \$1,700 fee payment, which must be received by the department before the department may schedule [scheduling] the requested special inspection or non-standard boiler review.

(d) Commission Fees. The Authorized Inspector seeking or holding the Commission shall make payment for the following fees:

(1) New--\$50

(2) Reinstatement--\$50

(3) Renewal--\$50

(4) Duplicate--\$25

(5) Reissuance after re-employment--\$50

(6) Late renewal fees for commissions issued under this chapter are provided under §60.83 of this title (relating to Late Renewal Fees).

(e) Authorized Inspection Agency/Letter of Recognition. The authorized Inspection Agency shall make payment for the following fees:

(1) Original Application--\$100

(2) Renewal Application--\$100

(f) Variances. The owner or operator shall make a [–] \$50 fee payment.

(g) Extensions. The owner or operator shall make a [–] \$100 fee payment.

(h) Re-Stamping. The owner or operator shall make a [–] \$50 fee payment.

(i) Boiler Installation Reports. The owner or operator shall make a [–] \$25 fee payment.

(j) Overdue Boiler Inspection Fee. The owner or operator shall make a [–] \$260 fee payment to the agency assigned by the department in accordance with §65.91.

(k) Temporary Operating Permit Fee. The owner or operator shall make a [–] \$50 fee payment.

Subchapter R. Technical Requirements

§65.601. General Safety

(a) A boiler that is deemed unsafe for operation by the inspector shall be removed from service or placed in a safe condition in the following manner:

(1) the Inspector must notify the owner/operator about:

(A) the prohibition against operating an unsafe boiler;

(B) any insurance policy provisions, if any, that may exclude insurance coverage for operating an unsafe boiler;

(C) possible administrative penalties for operating an unsafe boiler; and

(D) request the immediate but voluntary shut-down of the boiler; [ø]

(2) if the owner/operator refuses to immediately shut the boiler down, before leaving the premise on which the unsafe boiler is located, the Inspector must notify the Chief Boiler Inspector about the condition of the unsafe boiler.

(b) Upon receipt of the notice required by subsection (a)(2), the Chief Inspector shall assign a Deputy Inspector to confirm that an unsafe condition exists [~~exist~~] and, if confirmed, to declare the boiler unsafe for operation [~~render the boiler inoperative~~] by placing a red tag on the boiler prohibiting continued operations of the [~~unsafe~~] boiler.

(c) The continued operation of an unsafe boiler shall subject the owner/operator to administrative penalties as provided for in this chapter.

§65.603 Boiler Room Ventilation

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

(d) Carbon Monoxide Detectors shall be calibrated every eighteen months and a record of calibration shall be posted at or near the boiler, or readily accessible to an inspector [~~in a conspicuous place~~].

§65.606. Atmospheric Vents, Gas Vents, Bleed or Relief Lines for Power Boilers, Unfired Steam Boilers and Process Steam Generators with Supplemental Firing (extensions only)

§65.607. Power Boilers, Excluding Unfired Steam Boilers and Process Steam Generators

(a) - (b) (No change.)

(c) Water level indicators.

(1) Each boiler, except forced-flow steam generators with no fixed steam and waterline, and high-temperature water boilers of the forced circulation type that have no steam and waterline shall have at least one water gage glass.

(2) Except for electric boilers of the electrode type, boilers with a MAWP over 400 psig (three (3) megapascals) shall be provided with two water gage glasses, which may be connected to a single water column or connected directly to the drum.

(3) Two independent remote level indicators may be provided instead of one of the two required gage glasses for boiler drum water level indication, when the MAWP is above 400 psig (three (3) megapascals). When both remote level indicators are in reliable operation, the remaining gage glass may be shut off, but shall be maintained in serviceable condition.

(4) - (8) (No change.)

(d)- (i) (No change.)

§65.608. Unfired Steam Boilers

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

(e) Water level indicators.

(1) ASME Code, Section I, unfired steam boilers with a MAWP of 400 psig (three (3) megapascals) or less, shall have at least one gage glass. For a MAWP over 400 psig (three (3) megapascals), shall have two required gage glasses. When two gage glasses are required, one of the gage glasses may be replaced by two independent remote level indicators that are maintained in simultaneous operation while the boiler is in service.

(2) - (7) (No change.)

(f) - (h) (No change.)

§65.609. Process Steam Generators

(a) - (e) (No change.)

(f) Water level indicators.

(1) ASME Code, Section I, process steam generators with a MAWP of 400 psig (three (3) megapascals) or less shall have at least one gage glass. For a MAWP over 400 psig (three (3) megapascals), shall have two required gage glasses. When two gage glasses are required, one of the gage glasses may be replaced by two independent remote level indicators that are maintained in simultaneous operation while the process steam generator is in service.

(2) - (7) (No change.)

(g) - (i) (No change.)