

HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	HF 461/HSB 150	House Committee: PASSED on 2/23 (10-5)
Committee:	Labor & Workforce	House Floor:
Floor Manager:	Representative Johnson	Senate Floor:
Date:	April 12, 2023	Governor:
Staff:	Kristin Rozeboom (1-3015)	

Boiler Inspections

- Analysis reflects the Bergan amendment.
- Allows a boiler to request an inspection longer than 2 years but not more than 7 years.

Section by Section Analysis

Section 1. Section 89.2 New Subsection

“National board inspection code” means the manual for boiler and pressure vessel inspectors published by the national board of boiler and pressure vessel inspectors.

Section 2. Section 89.3 New Subsection

The owner of an object that meets the criteria under 89.3(4)(a)

- Object is a boiler with 100,000 pounds per hour or more capacity, or the object is an unfired steam pressure vessel or a regulated appurtenance that is part of the same system as a boiler with 100,000 pounds per hour or more capacity.
- The object contains only water subject to internal continuous water treatment under the direct supervision of a graduate engineer or chemist, or one having equivalent experience in the treatment of boiler water.
- The water treatment is for the purpose of controlling and limiting serious corrosion and other deteriorating factors.

May request an internal inspection time period of longer than 2 years, but not to exceed 7 years, if the object is an integral part of a continuous operation of a process that is covered by and compliant with OSHA process safety management standards and has a planned outage schedule that is longer than 2 years.

The director may grant the longer inspection if the owner is able to demonstrate that the object is in compliance with 29 CFR 1910.119 and that the object is included as process safety management process equipment in the owner’s process safety management program. In evaluating the request, the director shall consider whether the object meets the requirements contained in the national board inspection code, the object is fit for service based on the year of fabrication and the estimated service life of the object, and the owner has implemented practices for managing consumable items and ancillary of the object. Upon request by the director, the owner shall provide the director with the findings of any previous inspection of the object.

If the director intends to deny the request, the director shall contact the owner prior to the denial and provide an opportunity for the owner to address the reasons for the denial and provide an opportunity for the owner to address the reasons for the intended denial.

If the board has not adopted rules the lack of adoption shall not be grounds for the director not to consider a request for a longer inspection.

Section 89.14 New Subsection

The board shall adopt rules to allow an extended internal inspection interval for up to 7 years for objects that are subject to the above section.