



LAWS OF ALASKA

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Source

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Chapter No.

21

AN ACT

Relating to boilers and pressure vessels.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1, LINE 8

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 8, 1981
Actual Effective Date: September 6, 1981

AN ACT

Relating to boilers and pressure vessels.

* Section 1. AS 18.60.210 is repealed and reenacted to read:

Sec. 18.60.210. EXEMPTIONS. (a) AS 18.60.180 - 18.60.390 do not apply to the following:

(1) boilers and unfired pressure vessels under federal regulation;

(2) unfired pressure vessels meeting the requirements of the Department of Transportation and Public Facilities for shipment of liquids or gases under pressure;

(3) air tanks located on vehicles operating under the rules of another state authority and used for carrying passengers or freight;

(4) air tanks installed on the right-of-way of railroads and used directly in the operation of trains;

(5) unfired pressure vessels having a volume of five cubic feet or less or vessels having an inside diameter not exceeding six inches;

(6) unfired pressure vessels designed for a pressure not exceeding 15 pounds per square inch when not located in a place of public assembly;

(7) manually fired miniature boilers for model locomotive, boat, tractor, or stationary engines constructed or maintained as a hobby for exhibition use, having a volume less than five cubic feet and grate area less than two square feet and equipped with an American

Chapter 21

1 Society of Mechanical Engineers coded safety valve of adequate capacity
2 and size, a water level indicator and pressure gauge;

3 (8) except as provided in (c) of this section, antique
4 manually fired boilers of locomotive, boat, tractor, or stationary
5 engines constructed or maintained as a hobby and equipped with an
6 American Society of Mechanical Engineers coded safety valve of adequate
7 capacity and size.

8 (b) The following boilers and unfired pressure vessels are exempt
9 from the requirements of AS 18.60.320 - 18.60.360:

10 (1) boilers and unfired pressure vessels located on farms
11 and used solely for agricultural purposes;

12 (2) steam and hot water heating boilers, used exclusively
13 for heating purposes, which are located in private residences or in
14 apartment houses of less than six families;

15 (3) unfired pressure vessels containing only cold water
16 under pressure for domestic supply purposes, including those containing
17 air, the compression of which serves only as a cushion or airlift
18 pumping system;

19 (4) unfired pressure vessels containing liquified petroleum
20 gas;

21 (5) unfired pressure vessels operating entirely full of
22 water, and hot water supply boilers or domestic water heaters, if none
23 of the following limitations is exceeded:

24 (A) a heat input of 200,000 British thermal units per
25 hour (57,143 watts);

26 (B) a water temperature of 210 degrees Fahrenheit (99
27 degrees centigrade);

28 (C) a maximum water-containing capacity of 120 gallons
29 (454.2 liters);

(6) coil type boilers unless the water-containing capacity is six gallons (22.8 liters) or greater, the water temperature exceeds 350 degrees Fahrenheit (176.5 degrees centigrade), steam is generated in the coil, or the diameter of the tubing is greater than three-quarters of an inch (18.75 millimeters).

(c) Notwithstanding (a)(8) of this section, an antique manually fired boiler may not be used for exhibition purposes without a special operating permit issued by the Department of Labor.

* Sec. 2. AS 18.60.230 is amended to read:

Sec. 18.60.230. APPOINTMENT OF DEPUTY INSPECTORS. The Department of Labor shall employ deputy inspectors who [HAVE HAD NOT LESS THAN FIVE YEARS' PRACTICAL EXPERIENCE IN THE CONSTRUCTION, MAINTENANCE, REPAIR, OR OPERATION OF HIGH PRESSURE BOILERS AND UNFIRED PRESSURE VESSELS AS A MECHANICAL ENGINEER, STEAM ENGINEER, BOILERMAKER, OR BOILER INSPECTOR, AND WHO] have passed the examination provided for in AS 18.60.290.

* Sec. 3. AS 18.60.240 is amended to read:

Sec. 18.60.240. APPOINTMENT AND QUALIFICATIONS OF SPECIAL INSPECTORS. In addition to the deputy boiler inspectors provided for in AS 18.60.230, the Department of Labor shall, upon the request of a company authorized by the Department of Commerce and Economic Development under AS 21.09 to insure against loss from explosion of boilers and unfired pressure vessels as described in AS 21.12.070(a)(7), or upon the request of a company operating unfired pressure vessels, issue to an inspector of the company a state commission as a special inspector. However, to be eligible for a commission as special inspector, a person must have passed [SHALL SATISFACTORILY PASS] the examination provided for in AS 18.60.290, [OR INSTEAD OF THE EXAMINATION MAY HOLD A CERTIFICATE OF COMPETENCY AS AN INSPECTOR OF BOILERS AND UNFIRED PRES-

Chapter 21

1 SURE VESSELS FOR A STATE THAT HAS A STANDARD OF EXAMINATION SUBSTAN-
2 TIALY EQUAL TO THAT OF THIS STATE,] or [MAY] hold a certificate as an
3 inspector of boilers from the National Board of Boiler and Pressure
4 Vessel Inspectors. [A COMMISSION AS A SPECIAL INSPECTOR FOR A COMPANY
5 OPERATING UNFIRED PRESSURE VESSELS IN THIS STATE MAY BE ISSUED IF, IN
6 ADDITION TO MEETING THE REQUIREMENTS IN THIS SECTION, A PERSON IS
7 CONTINUOUSLY EMPLOYED BY THE COMPANY FOR THE PURPOSE OF MAKING INSPEC-
8 TIONS OF UNFIRED PRESSURE VESSELS USED OR TO BE USED BY THE COMPANY.]

9 * Sec. 4. AS 18.60.270 is amended to read:

10 Sec. 18.60.270. REPORT OF INSPECTION. (a) Each company em-
11 ploying a special inspector shall, within 30 days following each in-
12 spection for certification as required by AS 18.60.390 for a boiler or
13 unfired pressure vessel [INTERNAL BOILER OR UNFIRED PRESSURE VESSEL
14 INSPECTION BY ITS INSPECTOR], file a report of the inspection with the
15 Department of Labor upon forms adopted by the department [AMERICAN
16 SOCIETY OF MECHANICAL ENGINEERS. THE REPORT OF AN EXTERNAL INSPECTION
17 IS NOT REQUIRED EXCEPT WHEN SUCH INSPECTOR DISCLOSES THAT THE BOILER OR
18 UNFIRED PRESSURE VESSEL IS IN A DANGEROUS CONDITION].

19 (b) In addition, a special inspector shall file with the depart-
20 ment a report of an inspection which discloses a condition dangerous
21 to life or property in a boiler or unfired pressure vessel.

22 * Sec. 5. AS 18.60.290 is amended to read:

23 Sec. 18.60.290. EXAMINATION FOR DEPUTY AND SPECIAL INSPECTORS.
24 The Department of Labor shall give the examination for the position of
25 deputy inspector or special inspector using the standard National
26 Board of Boiler and Pressure Vessel Inspectors examination. The exam-
27 ination shall be in writing. [THE EXAMINATION SHALL BE LIMITED TO
28 THE SUBJECT MATTER WHICH WILL AID IN DETERMINING THE FITNESS AND
29 COMPETENCY OF THE APPLICANT.] If an applicant fails to pass the

examination, he may appeal to the department for another examination which shall be given by the department within the next calendar quarter [90 DAYS]. The applicant and his employer shall have access to the record of an applicant's examination.

* Sec. 6. AS 18.60.300 is amended to read:

Sec. 18.60.300. REVOCATION OR SUSPENSION OF STATE COMMISSION.

(a) The Department of Labor may, after investigation, suspend or revoke a commission for (1) incompetence, (2) conviction of the crime of bribery (AS 11.56.100), receiving a bribe (AS 11.56.110), or perjury (AS 11.56.200), in connection with work as a special or deputy inspector [UNTRUSTWORTHINESS], or (3) intentional [WILFUL] falsification of any material matter or statement in the [HIS] application or in an inspection report or in an administrative or judicial proceeding relating to the enforcement of AS 18.60.180 - 18.60.395. A person whose commission has been suspended or revoked [, EXCEPT FOR UNTRUSTWORTHINESS,] may apply to the Department of Labor for reinstatement. The department may refuse to reinstate a commission for a person whose license was suspended or revoked [OR, IN THE CASE OF A REVOCATION, THE PERSON MAY APPLY 90 DAYS AFTER REVOCATION FOR A NEW EXAMINATION AND COMMISSION].

(b) A person whose commission has been suspended or revoked, or whose application for reinstatement has been denied, may appeal the suspension, [OR] revocation, or denial as provided in AS 18.60.370 and is entitled to be present and represented by counsel at the hearing.

* Sec. 7. AS 18.60.320 is amended to read:

Sec. 18.60.320. INSPECTION OF BOILERS AND UNFIRED PRESSURE VESSELS. (a) Each boiler and unfired pressure vessel used or proposed to be used in the state except boilers or unfired pressure vessels exempt under AS 18.60.210 shall be inspected as to construction, installation,

Chapter 21

1 condition and operation, as follows: [.]

2 (1) Power boilers and high pressure or high temperature
3 water boilers must be given a certificate inspection annually. The
4 inspector may conduct an external inspection while the boiler is under
5 pressure or an internal inspection if warranted [EACH POWER BOILER
6 SHALL BE INSPECTED ANNUALLY BOTH INTERNALLY AND EXTERNALLY WHILE NOT
7 UNDER PRESSURE AND, IF POSSIBLE, SHALL ALSO BE INSPECTED ANNUALLY
8 EXTERNALLY WHILE UNDER PRESSURE].

9 (2) Low pressure steam or vapor heating boilers must be
10 given a certificate inspection biennially with an internal inspection
11 every four years if its construction permits such an inspection [EACH
12 LOW PRESSURE HEATING BOILER SHALL BE INSPECTED BOTH INTERNALLY AND
13 EXTERNALLY BIENNIALLY WHERE CONSTRUCTION PERMITS].

14 (3) Hot water heating, hot water supply, and coil heating
15 boilers must be given a certificate inspection biennially with an in-
16 ternal inspection at the discretion of the inspector [EACH UNFIRED
17 PRESSURE VESSEL SUBJECT TO INTERNAL CORROSION SHALL BE INSPECTED BOTH
18 INTERNALLY AND EXTERNALLY BIENNIALLY WHERE CONSTRUCTION PERMITS, EXCEPT
19 THAT THE DEPARTMENT OF LABOR MAY, IN ITS DISCRETION, PROVIDE FOR LONGER
20 PERIODS BETWEEN INSPECTIONS].

21 (4) Each unfired pressure vessel must [NOT SUBJECT TO IN-
22 TERNAL CORROSION SHALL] be inspected internally and externally at
23 intervals set by the Department of Labor. An [HOWEVER, AN] internal
24 inspection of an [EACH] unfired pressure vessel is not required if
25 [WHERE] its contents are known to be noncorrosive to the material of
26 which the shell, head, or fittings are constructed, either from the
27 chemical composition of the contents or from evidence that the contents
28 are adequately treated with a corrosion inhibitor, and if [PROVIDED
29 THAT] the vessel is constructed in accordance with

(A) [RULES AND] regulations of the Department of Labor, if any, [OR IN ACCORDANCE WITH STANDARDS SUBSTANTIALLY EQUIVALENT TO THE RULES AND REGULATIONS] in effect at the time of manufacture;

(B) standards set out in the American Society of Mechanical Engineers Boiler and Pressure Vessel Code in effect at the time of manufacture up to the effective date of this Act; or

(C) if the department adopts subsequent revisions of that code, the standards set out in those revisions as adopted by the department and in effect at the time of manufacture.

(b) A grace period of two months beyond periods specified in (a)(1), (2), (3), and (4) of this section may elapse between certificate inspections [HOWEVER, IN THE CASE OF POWER BOILERS A GRACE PERIOD OF TWO MONTHS LONGER THAN THE 12 MONTH PERIOD MAY ELAPSE BETWEEN INTERNAL INSPECTIONS OF A BOILER WHILE NOT UNDER PRESSURE OR BETWEEN EXTERNAL INSPECTIONS OF A BOILER WHILE UNDER PRESSURE. IN THE CASE OF LOW PRESSURE HEATING BOILERS NOT MORE THAN 26 MONTHS MAY ELAPSE BETWEEN INSPECTIONS, AND IN THE CASE OF UNFIRED PRESSURE VESSELS NOT MORE THAN TWO MONTHS LONGER THAN THE PERIOD BETWEEN INSPECTIONS PRESCRIBED BY THE DEPARTMENT OF LABOR MAY ELAPSE BETWEEN INTERNAL INSPECTIONS].

* Sec. 8. AS 18.60.330 is repealed and reenacted to read:

Sec. 18.60.330. RULES OF INSPECTION. (a) Each inspection under AS 18.60.320 must be made by a deputy inspector, or by a special inspector provided for in AS 18.60.230 - 18.60.240.

(b) Each boiler and unfired pressure vessel installed in the state must be inspected during installation by an inspector as required by regulations adopted by the department.

* Sec. 9. AS 18.60.340(a) is amended to read:

(a) If, upon inspection, a boiler or an unfired pressure vessel

Chapter 21

1 complies with the [RULES AND] regulations of the Department of Labor,
2 the owner or user shall pay to the department [DEPUTY INSPECTOR] a
3 certificate fee to be established by regulation by the commissioner of
4 labor. The Department of Labor shall issue the owner or user an inspec-
5 tion certificate showing the date of inspection and specifying the
6 maximum pressure under which the boiler or unfired pressure vessel may
7 be operated. [THE INSPECTION CERTIFICATE IS VALID FOR NOT MORE THAN 14
8 MONTHS FROM ITS DATE IN THE CASE OF POWER BOILERS AND 26 MONTHS IN THE
9 CASE OF LOW PRESSURE HEATING BOILERS, AND FOR NOT MORE THAN TWO MONTHS
10 LONGER THAN THE AUTHORIZED INSPECTION PERIOD IN THE CASE OF UNFIRED
11 PRESSURE VESSELS.] Certificates must [SHALL] be posted under glass in
12 the room containing the boiler or unfired pressure vessel inspected.
13 If the boiler or unfired pressure vessel is not located inside the
14 building, the certificate must [SHALL] be posted in a location con-
15 venient to the boiler or unfired pressure vessel, or in the case of a
16 portable boiler or unfired pressure vessel the certificate must [SHALL]
17 be kept in a metal container fastened to the boiler or vessel or in a
18 tool box accompanying the boiler or unfired pressure vessel.

19 * Sec. 10. AS 18.60.340(b) is repealed and reenacted to read:

20 (b) A company authorized by the Department of Commerce and Eco-
21 nomic Development under AS 21.09 to insure boilers or unfired pressure
22 vessels shall notify the Department of Labor each time it discontinues
23 the insurance for a boiler or unfired pressure vessel located in the
24 state. The department shall terminate the inspection certificate and
25 require a reinspection if the insurance was terminated because of a
26 condition dangerous to life or property.

27 * Sec. 11. AS 18.60.360(b) is amended to read:

28 (b) The owner or user of a boiler or unfired pressure vessel
29 which is inspected by a deputy inspector shall pay the department

1 [DEPUTY INSPECTOR], upon completion of the inspection, the appropriate
2 inspection fee established under (a) of this section.

3 * Sec. 12. AS 18.60.395(b)(2) is amended to read:

4 (2) third class -- boiler capacity not to exceed 3,500
5 pounds of steam an hour or 3,500,000 British thermal units per hour for
6 high temperature or high pressure water boilers,

7 * Sec. 13. AS 18.60.395(b)(3) is amended to read:

8 (3) second class -- boiler capacity not to exceed 100,000
9 pounds of steam an hour or 100,000,000 British thermal units per hour
10 for high temperature or high pressure water boilers,