

Introduced: 2/4/81
Referred: Labor & Commerce

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 115

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to boilers and pressure vessels."

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

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 AS 18.60.210 is repealed and reenacted to read:

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

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

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

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

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

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

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

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

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

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

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

8 (4) unfired pressure vessels containing liquified petroleum
9 gas;

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

13 (A) a heat input of 200,000 British Thermal Units per
14 hour (57,143 watts);

15 (B) a water temperature of 210 degrees Fahrenheit (99
16 degrees centigrade);

17 (C) a maximum water-containing capacity of 120 gallons
18 (454.2 liters);

19 (6) coil type boilers unless the water-containing capacity
20 is 6 gallons (22.8 liters) or greater, the water temperature exceeds
21 350 degrees Fahrenheit (176.5 degrees centigrade), steam is generated
22 in the coil or the diameter of the tubing is greater than three-
23 quarters of an inch (18.75 millimeters).

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

25 Sec. 18.60.230. APPOINTMENT OF DEPUTY INSPECTORS. The Department
26 of Labor shall employ deputy inspectors who [HAVE HAD NOT LESS THAN
27 FIVE YEARS' PRACTICAL EXPERIENCE IN THE CONSTRUCTION, MAINTENANCE,
28 REPAIR, OR OPERATION OF HIGH PRESSURE BOILERS AND UNFIRED PRESSURE
29 VESSELS AS A MECHANICAL ENGINEER, STEAM ENGINEER, BOILERMAKER, OR

1 BOILER INSPECTOR, AND WHO] have passed the examination provided for in
2 AS 18.60.290.

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

4 Sec. 18.60.240. APPOINTMENT AND QUALIFICATIONS OF SPECIAL INSPEC-
5 TORS. In addition to the deputy boiler inspectors provided for in
6 AS 18.60.230, the Department of Labor shall, upon the request of a
7 company authorized by the Department of Commerce and Economic Develop-
8 ment under AS 21.09 to insure against loss from explosion of boilers
9 and unfired pressure vessels as described in AS 21.12.070(a)(7), or
10 upon the request of a company operating unfired pressure vessels, issue
11 to an inspector of the company a state commission as a special inspec-
12 tor. However, to be eligible for a commission as special inspector, a
13 person must have passed [SHALL SATISFACTORILY PASS] the examination
14 provided for in AS 18.60.290, [OR INSTEAD OF THE EXAMINATION MAY HOLD A
15 CERTIFICATE OF COMPETENCY AS AN INSPECTOR OF BOILERS AND UNFIRED PRES-
16 SURE VESSELS FOR A STATE THAT HAS A STANDARD OF EXAMINATION SUBSTAN-
17 TIALY EQUAL TO THAT OF THIS STATE,] or [MAY] hold a certificate as an
18 inspector of boilers from the National Board of Boiler and Pressure
19 Vessel Inspectors. [A COMMISSION AS A SPECIAL INSPECTOR FOR A COMPANY
20 OPERATING UNFIRED PRESSURE VESSELS IN THIS STATE MAY BE ISSUED IF, IN
21 ADDITION TO MEETING THE REQUIREMENTS IN THIS SECTION, A PERSON IS
22 CONTINUOUSLY EMPLOYED BY THE COMPANY FOR THE PURPOSE OF MAKING INSPEC-
23 TIONS OF UNFIRED PRESSURE VESSELS USED OR TO BE USED BY THE COMPANY.]

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

25 Sec. 18.60.270. REPORT OF INSPECTION. (a) Each company em-
26 ploying a special inspector shall, within 30 days following each in-
27 spection for certification as required by AS 18.60.390 for any boiler or
28 unfired pressure vessel [INTERNAL BOILER OR UNFIRED PRESSURE VESSEL
29 INSPECTION BY ITS INSPECTOR], file a report of the inspection with the

1 Department of Labor upon forms adopted by the department. [AMERICAN
2 SOCIETY OF MECHANICAL ENGINEERS. THE REPORT OF AN EXTERNAL INSPECTION
3 IS NOT REQUIRED EXCEPT WHEN SUCH INSPECTOR DISCLOSES THAT THE BOILER OR
4 UNFIRED PRESSURE VESSEL IS IN A DANGEROUS CONDITION.]

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

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

9 Sec. 18.60.290. EXAMINATION FOR DEPUTY AND SPECIAL INSPECTORS.
10 The Department of Labor shall give the examination using the standard
11 National Board of Boiler and Pressure Vessel Inspectors examination for
12 the position of deputy inspector or special inspector. The examination
13 shall be in writing. [THE EXAMINATION SHALL BE LIMITED TO THE SUBJECT
14 MATTER WHICH WILL AID IN DETERMINING THE FITNESS AND COMPETENCY OF THE
15 APPLICANT.] If an applicant fails to pass the examination, he may
16 appeal to the department for another examination which shall be given
17 by the department within the next calendar quarter [90 DAYS]. The
18 applicant and his employer shall have access to the record of an appli-
19 cant's examination.

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

21 Sec. 18.60.300. REVOCATION OR SUSPENSION OF STATE COMMISSION.
22 (a) The Department of Labor may, after investigation, suspend or
23 revoke a commission for (1) incompetence, (2) conviction of the crime of
24 bribery (AS 11.56.100), receiving a bribe (AS 11.56.110), or perjury
25 (AS 11.56.200), in connection with work as a special or deputy inspector
26 [UNTRUSTWORTHINESS], or (3) intentional [WILFUL] falsification of any
27 material matter or statement in the [HIS] application or in an inspec-
28 tion report or in any administrative or judicial proceeding relating to
29 the enforcement of AS 18.60.180 -- 18.60.395. A person whose commission

1 has been suspended or revoked [, EXCEPT FOR UNTRUSTWORTHINESS,] may
2 apply to the Department of Labor for reinstatement. The department may
3 refuse to reinstate a commission for a person whose license was sus-
4 suspended or revoked. [OR, IN THE CASE OF A REVOCATION, THE PERSON MAY
5 APPLY 90 DAYS AFTER REVOCATION FOR A NEW EXAMINATION AND COMMISSION.]

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

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

11 Sec. 18.60.320. INSPECTION OF BOILERS AND UNFIRED PRESSURE VES-
12 SELS. (a) Each boiler and unfired pressure vessel used or proposed to
13 be used in the state except boilers or unfired pressure vessels exempt
14 under AS 18.60.210 shall be inspected as to construction, installation,
15 condition and operation, as follows: [.]

16 (1) Power boilers and high pressure or high temperature water
17 boilers must be given a certificate inspection annually. The inspector
18 may conduct an external inspection while the boiler is under pressure or
19 an internal inspection if warranted [EACH POWER BOILER SHALL BE IN-
20 SPECTED ANNUALLY BOTH INTERNALLY AND EXTERNALLY WHILE NOT UNDER PRESSURE
21 AND, IF POSSIBLE, SHALL ALSO BE INSPECTED ANNUALLY EXTERNALLY WHILE
22 UNDER PRESSURE].

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

28 (3) Hot water heating, hot water supply, and coil heating
29 boilers must be given a certificate inspection biennially with an in-

1 ternal inspection at the discretion of the inspector [EACH UNFIRED
2 PRESSURE VESSEL SUBJECT TO INTERNAL CORROSION SHALL BE INSPECTED BOTH
3 INTERNALLY AND EXTERNALLY BIENNIALY WHERE CONSTRUCTION PERMITS, EXCEPT
4 THAT THE DEPARTMENT OF LABOR MAY, IN ITS DISCRETION, PROVIDE FOR LONGER
5 PERIODS BETWEEN INSPECTIONS].

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

15 (A) [RULES AND] regulations of the Department of Labor,
16 if any, [OR IN ACCORDANCE WITH STANDARDS SUBSTANTIALLY EQUIVALENT
17 TO THE RULES AND REGULATIONS] in effect at the time of manufac-
18 ture, or

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

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

25 (b) A grace period of two months beyond periods specified in
26 (a)(1), (2), (3), and (4) of this section may elapse between certifi-
27 cate inspections [HOWEVER, IN THE CASE OF POWER BOILERS A GRACE PERIOD
28 OF TWO MONTHS LONGER THAN THE 12 MONTH PERIOD MAY ELAPSE BETWEEN IN-
29 TERNAL 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 inspec-
tor 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
complies with the [RULES AND] regulations of the Department of Labor,
the owner or user shall pay to the department [DEPUTY INSPECTOR] a
certificate fee to be established by regulation by the commissioner of
labor. The Department of Labor shall issue the owner or user an inspec-
tion certificate showing the date of inspection and specifying the
maximum pressure under which the boiler or unfired pressure vessel may
be operated. [THE INSPECTION CERTIFICATE IS VALID FOR NOT MORE THAN 14
MONTHS FROM ITS DATE IN THE CASE OF POWER BOILERS AND 26 MONTHS IN THE
CASE OF LOW PRESSURE HEATING BOILERS, AND FOR NOT MORE THAN TWO MONTHS
LONGER THAN THE AUTHORIZED INSPECTION PERIOD IN THE CASE OF UNFIRED
PRESSURE VESSELS.] Certificates must [SHALL] be posted under glass in
the room containing the boiler or unfired pressure vessel inspected.
If the boiler or unfired pressure vessel is not located inside the
building, the certificate must [SHALL] be posted in a location con-
venient to the boiler or unfired pressure vessel, or in the case of a

1 portable boiler or unfired pressure vessel the certificate must [SHALL]
2 be kept in a metal container fastened to the boiler or vessel or in a
3 tool box accompanying the boiler or unfired pressure vessel.

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

5 (b) A company authorized by the Department of Commerce and Eco-
6 nomic Development under AS 21.09 to insure boilers or unfired pressure
7 vessels shall notify the Department of Labor each time it discontinues
8 the insurance for a boiler or unfired pressure vessel located in the
9 State of Alaska. The department shall terminate the inspection certi-
10 ficate and require a reinspection if the insurance was terminated
11 because of a condition dangerous to life or property.

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

13 (b) The owner or user of a boiler or unfired pressure vessel
14 which is inspected by a deputy inspector shall pay the department
15 [DEPUTY INSPECTOR], upon completion of the inspection, the appropriate
16 inspection fee established under (a) of this section.

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

18 (2) third class -- boiler capacity not to exceed 3,500
19 pounds of steam an hour or 3,500,000 British Thermal Units per hour for
20 high temperature or high pressure water boilers,

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

22 (3) second class -- boiler capacity not to exceed 100,000
23 pounds of steam an hour or 100,000,000 British Thermal Units per hour
24 for high temperature or high pressure water boilers,