

**Board of Boiler Rules Meeting Minutes**  
**May 26 & 27, 2015**  
**Public Hearing**  
**Department of Labor & Industries, Tacoma, WA**

**Board Members:**

Robert Olson, Chair  
Larry Trender  
Terry Chapin  
Jeff Waytashek  
Jeff Barnes  
Tony Oda, Secretary

**Other Attendees:**

Michael Carlson, State of Washington  
Bruce Weech, State of Washington  
Calista Shoblom, State of Washington  
Alicia Curry, State of Washington\*\*  
Fred Ellis, UW Friday Harbor Labs\*  
Greg Wyrick, Nalco\*  
Bruce Martin, RockTenn Tacoma\*  
Mitchell Johnson, RockTenn Tacoma\*  
Tim Barker, FM Global  
Jessica Spiegel, Western States Petroleum\*  
Larry Leet, City of Seattle  
Ron Jostol, Mechanical Sales, Inc.\*\*  
Matthew Erlich, State of Washington\*\*  
Jordan Fisher, Chubb Insurance\*

\* Attended Study Session only

\*\* Attended Board Meeting only

The Board of Boiler Rules Study Session was held on May 26, 2015, from 10:10 a.m. to 12:20 p.m.

The Board of Boiler Rules meeting was called to order by the Chair on May 27, 2015, at 10:01 a.m. Introductions were made by the board members and guests attending the meeting.

**Agenda Item 1.**

The meeting agenda was reviewed and approved as written.

**Agenda Item 2.**

The minutes from the December 8, 2014, meeting was stricken from the agenda as the department is working on rewriting the minutes to give a rundown of what occurred at the meeting and remove the testimony from the minutes.

**Agenda Item 3.**

The minutes from the February 25, 2015, meeting were reviewed and approved as written. Tim Barker has no progress report on the tensile strength and what safety factor to use for cast iron dryer rolls at this time. The board will look closer on the calculations when this is brought back as an agenda item.

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**Agenda Item 4.**

The minutes from the March 23, 2015, meeting were reviewed and approved as written. Stephan Osterbur has completed the UT survey on the non-ASME Czechoslovakian built jacketed brewing kettle located at the Chainline Brewery in Kirkland, WA and Tony will send out the results of the UT survey, which were found satisfactory, with all areas above minimum thickness to the board.

**Agenda Item 5.**

A Public Hearing session was initiated by the Chair at 10:06 a.m. and held to allow for public comment on the following proposed WAC revisions:

**Chapter 296-104 WAC Changes**

- WAC 296-104-010 Add new definitions for “jacketed steam kettles” and update the existing definition for “places of public assembly”;
- WAC 296-104-102 Adopt the latest edition of American Petroleum Institute (API) 510 for unfired pressure vessels and TAPPI TIP 0402-16 for pulp or paper machine dryers;
- WAC 296-104-100 Clarifying the annual internal and external inspection requirements for power boilers;
- WAC 296-104-303 Clarifying the emergency shutdown switch requirements for automatically fired boilers, installed after December 2004;
- WAC 206-104-050 Correcting references to the National Board (NB) 263, Rules for NB Inservice and New Construction Commissioned Inspectors and API 510 to consistently adopt the latest edition of standards.

Attached are the official meeting minutes for the May 27, 2015, public hearing. The Board received public comments from Ron Jostol, Mechanical Sales Inc., Larry Leet, City of Seattle and Tim Barker, FM Global. All proposed WAC revisions listed above were reviewed and unanimously approved by the board. These WAC revisions will be effective September 1, 2015. The Public hearing portion of the meeting was closed at 10:52 a.m.

**Agenda Item 6.**

**Request for Extension of Internal Inspection frequency for RockTenn Company-Tacoma Mill, #6 Power Boiler, State number 61862-00W**

Bruce Martin, representing RockTenn Tacoma Mill, Tacoma, WA is seeking a one-time 5 month extension of the internal inspection frequency for their Babcock & Wilcox No. 6 Power Boiler, state number 61862-00W currently due for internal inspection April 29, 2015. This extension will allow the mill to take advantage of expending funds for the inspection and maintenance during their FY16 budget that begins October 1, 2015. The board reviewed the documents submitted, results from the 2014 internal inspection, 2014 NDE report (UT survey on boiler tubes), 2014 water treatment report and current water treatment data report. The Authorized Inspection Agency, FM Global submitted a letter supporting this extension. The board approved the one-time extension request and the department notified RockTenn of their decision. A

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formal letter granting this one time extension of the internal inspection will be generated for documentation purposes.

**Agenda Item 7.**

**Request for State Special for a non-ASME Code built autoclave, operated by the University of Washington Friday Harbor Labs stockroom**

Fred Ellis, representing University of Washington for the Friday Harbor, WA Marine Lab is seeking a Washington State Special for a Japanese built Manufacturer -Tomy, model SX-500 autoclave purchased in March 2013. During a routine inspection of the facility by Special inspector Jordan Fisher of Chubb Insurance, he discovered the non-ASME autoclave. Due to its small size and operating pressure, it is normally exempt from our state boiler inspection requirements, but since it is located in a place of public assembly, it is not exempt from inspection. The vessel is made to a Japanese Industrial Standard Code. The board reviewed internal and external pictures of the autoclave and safety device, product construction conformity documents, relief valve data, and a UT survey (with satisfactory thickness readings) performed by inspector Jordan Fisher. The markings on the existing relief device did not match the format of the submitted relief device data. The board needs written evidence of the specifications for the safety valve currently on the autoclave. Fred Ellis will do research on this. Jeff Barnes suggested that it would be cheaper and easier to buy another valve that has the proper markings instead of trying to track down documentation for the existing safety device. The board motioned to grant the state special contingent upon verifying proper setting and capacity relief valve or replacing with a suitable safety valve. Department will give the board an update once completed.

**Agenda Item 8.**

**Discussion on revision of Board of Boiler Rules Bylaws**

The bylaws state the board will have five meetings a year (January, March, May, September and November) but our WAC's say four meetings a year and the RCW says at least four meetings a year. The May through September stretch of 4 months is too long and was not well spaced. Currently the Board of Boiler Rules holds four regularly scheduled meetings a year, February, May, September and November. This conflict needs to be resolved. Either eliminate the WAC, rewrite it, or change the bylaws or WAC should be reworded to state the board shall meet in accordance with its own bylaws.

Department will bring WAC 296-104-015 revision forward and rewrite bylaws for the September 2015 Boiler Board Meeting. Following a meeting schedule of February, May, August, and November starting in 2016. Also, discuss on next agenda to consider changing the requirement for submitting documents 45 days prior to the meeting to 30 days when sending information for boiler board meetings from the stakeholders to the chief. The 45 days was required in the past when all communication was done by mail and since we do most of our work electronically now, 30 days is sufficient time to get the documents to the board members.

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**Agenda Item 9.**

**Department Notes:**

Tony Oda updated the board on the December 8, 2014 special investigation meeting regarding revocation of a state commission per RCW 70.79.180 for Mr. Robert D. Marvin. After reviewing the investigation materials and conducting an interview with Mr. Marvin, the board voted to recommend revocation of Mr. Marvin's WA state commission for untrustworthiness. The board chair did submit a letter of recommendation to revoke Mr. Marvin's state commission to the director of L & I.

Boiler Program Budget -Department of L & I, FSPS Division is going for a "group" fiscal growth factor, so the increase to Boiler fees have been pushed off for a year, to September 2016. The percentage the board looked at for 2015, which was 4.333% might now be up to 7% when approved in September 2016.

Tony Oda spoke on his appreciation of Rob Olson and Larry Trender's outstanding 8 year tenure serving as a Board of Boiler Rules Chair and Member, which expires on August 22, 2015. They both received letters of appreciation from the Governor thanking them for their service. The Governor's office is in process of filling both positions (P.E. and Boiler/Pressure Vessel Manufacturer) reviewing the new applicants to fill their slots.

Bylaws discussion on the number of board members needed for an "official" board meeting. A quorum would need 3 out of 5 board members present at the meeting. Rob Olson did some research from Robert Rules, and there are four voting options: a yes vote, a no vote, an abstention, and a not voting. Every option but the "yes" vote, has the effect of the no vote:  
No vote - To disagree.

Not voting - Has a conflict of interest and not voting.

Abstention - Can't vote because the board member doesn't have all the information due to missing a session.

If chair has a conflict, they will guide the discussion and tally the vote only.

If the board member thinks they have a conflict, they are to contact the chair and then chair can contact the AG's office and they can rule on it.

The voting period in the bylaws are inconsistent with the term. Possibly, looking at electing officers in November instead of September?

Meeting adjourned at 11:20 a.m.