



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Board of Boiler Rules (Department of Labor and Industries)

- Preproposal Statement of Inquiry was filed as WSR 08-16-103 ; or
 Expedited Rule Making--Proposed notice was filed as WSR _____; or
 Proposal is exempt under RCW 34.05.310(4).

- Original Notice
 Supplemental Notice to WSR _____
 Continuance of WSR _____

Title of rule and other identifying information: Board of Boiler Rules – Substantive (Chapter 296-104 WAC)

Hearing location(s):
 Department of Labor and Industries
 950 Broadway, Suite 200
 Tacoma, Washington

Date: November 19, 2008 Time: 10:00 am

Date of intended adoption: November 25, 2008
 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: Sally Elliott
 Department of Labor and Industries
 Address: Post Office Box 44400
 Olympia, Washington 98504-4400
 e-mail yous235@lni.wa.gov
 fax (360) 902-5292 by 5:00 pm on November 19, 2008

Assistance for persons with disabilities: Contact

Sally Elliott by November 1, 2008
 yous235@lni.wa.gov or (360) 902-6411

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose of this rulemaking is to make clarification and technical changes to the Board of Boiler Rules – Substantive (chapter 296-104 WAC) based on actions and requests of the Board of Boiler Rules. The changes will:

- Clarify insurance inspector’s responsibilities;
- Adopt current editions of inspection codes;
- Adopt nationally recognized fuel train standards;
- Clarify administrative codes for standards for repair; and
- Update references throughout the rule.

Reasons supporting proposal: See purpose statement.

Statutory authority for adoption: RCW 70.79.030, 70.79.040,
 70.79.150, 70.79.290, 70.79.330, and 70.79.350

Statute being implemented: Chapter 70.79 RCW

Is rule necessary because of a:

- Federal Law? Yes No
 Federal Court Decision? Yes No
 State Court Decision? Yes No
 If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: September 30, 2008
 TIME: 10:23 AM
 WSR 08-20-107

DATE
 September 30, 2008

NAME (type or print)
 Steven Bacon

SIGNATURE

TITLE
 Chair, Board of Boiler Rules

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

Name of proponent: (person or organization) Board of Boiler Rules

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Board of Boiler Rules	Tumwater, Washington	(360) 902-5270
Implementation....Linda Williamson	Tumwater, Washington	(360) 902-5270
Enforcement..... Linda Williamson	Tumwater, Washington	(360) 902-5270

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

The Board of Boiler Rules has considered whether these proposed rules are subject to the Regulatory Fairness Act and has determined that they do not require a small business economic impact statement because the costs associated with the proposed rules will not place a more than minor impact on any business or contractor and/or they are exempted by law [see RCW 19.85.025 referencing RCW 34.05.310 (4)] from the small business economic impact requirements. The fees are exempt from the small business economic impact statement under RCW 34.05.328(5)(b)(vi).

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain:

A cost-benefit analysis was not prepared because the costs associated with the proposed changes are exempted by law since the proposed changes are updating the rule for clarification [see RCW 19.85.025 referencing RCW 34.05.310 (4) and RCW 34.05.328(5)(b)(vi)].