



RULE-MAKING ORDER

CR-103 (June 2004) (Implements RCW 34.05.360)

Agency: Department of Labor and Industries

- Permanent Rule
 Emergency Rule

Effective date of rule:

Permanent Rules

- 31 days after filing.
 Other (specify) (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: 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 include:

- Clarify insurance inspector’s responsibilities; due to restructuring and procedure changes by the major insurance companies.
- Adopt current editions of inspection codes;
- Adopt nationally recognized fuel train standards;
- Clarify administrative codes for repair standards to conform with the format used for construction, and inspection.
- Update references throughout the rule.

Citation of existing rules affected by this order:

Repealed: None.
 Amended: See attachment 1.
 Suspended: None.

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

Other authority : None

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 08-20-107 on September 30, 2008.

Describe any changes other than editing from proposed to adopted version: No changes were made to the proposed rules.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting: na

Name: _____ phone () _____
 Address: _____ fax () _____
 e-mail _____

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

Date adopted: December 1, 2008

NAME (TYPE OR PRINT)
Steven Bacon

SIGNATURE

TITLE
Chair, Board of Boiler Rules

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: December 01, 2008
TIME: 11:08 AM

WSR 08-24-072

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	<u>1</u>	Amended	<u>7</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	<u>1</u>	Amended	<u>7</u>	Repealed	_____

AMENDED SECTIONS:

WAC 296-104-045, Administration – What are the insurance companies’ responsibilities?

WAC 296-104-102, Inspection – What are the standards for in-service inspections?

WAC 296-104-105, Inspection – How much time is required notification of inspection.

WAC 296-104-200, Construction -- What are the standards for new construction?

WAC 296-104-302, Installation – What controls and limit devices are required on automatically fired boilers after December 1998?

WAC 296-104-502, Repairs – What are the requirements for non-nuclear boiler and unfired pressure vessel repairs and alterations?

WAC 296-104-520, Repairs – What are the requirements for repair of non-nuclear safety valves?