



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Department of Labor and Industries

Permanent Rule Only

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) April 1, 2010 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

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 will:

- As a result of House Bill 1366, extend the inspection frequencies for internal inspection of low pressure heating boilers.
- Amend the definitions of low pressure heating boiler and hot waters heaters. The department has policies that have been approved and enforced as rules but need to be formally added to the rules.
- Amend the shop inspection requirements to allow the program to discontinue services when the shop inspection program cannot support the activity.
- Move three of the most frequently used fees to the beginning of the fee table in WAC 296-104-700 for easy identification. The fee amounts remain the same.

Citation of existing rules affected by this order:

Repealed: None
 Amended: WAC 296-104-010, WAC 296-104-100, WAC 296-104-170, and WAC 296-104-700
 Suspended: None

Statutory authority for adoption: RCW 70.79.030, 70.79.040, 70.79.150, 70.79.290, 70.79.330, 70.79.350, and Chapter 90, 2009 Laws (House Bill 1366)

Other authority : None

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 10-01-190 on December 22, 2009.
 Describe any changes other than editing from proposed to adopted version: No change between the proposed and adopted version.

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 _____

Date adopted: February 24, 2010

NAME (TYPE OR PRINT)

Robert Olson

SIGNATURE

TITLE

Chair, Board of Boiler Rules

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: February 24, 2010
TIME: 9:23 AM

WSR 10-06-049

**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	_____	Amended	<u>3</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	_____	Amended	<u>3</u>	Repealed	_____