

Board of Boiler Rules Meeting Minutes
August 20, 2020
Department of Labor & Industries, Virtual Meeting Via Skype

Board Members:

Terry Chapin, Chair
Lisa Hawkins
Jeff Waytashek
Tim Barker
Tony Oda, Secretary

Other Attendees:

Michael Carlson, State of Washington
Bruce Weech, State of Washington
Jamie Brown, State of Washington
Annette Taylor, State of Washington**
Alicia Curry, State of Washington**
Matthew Erlich, State of Washington
Don Sage, State of Washington*
Steve Osterbur, State of Washington
Ed Anderson, City of Spokane*
Bill Lowry, isol8, Inc.
Jyle Meyhoff, Tesoro*
Stephanie Gross, Tesoro*
Ray Vermillion, Tesoro*
Jon Choitz, Hartford Steam Boiler
Omar Garza, REC Silicon*
Fred Evensen, Travelers*
Ray Smith, Cincinnati*

- * Attended Study Session only
- ** Attended Board Meeting only
- *** Attended Public Hearing only

The Board of Boiler Rules Study Session was held on August 20, 2020 from 10:11 am to 12:00 pm. Discussion summaries are incorporated in the meeting minutes.

The Board of Boiler Rules meeting was called to order by the Chair on August 20, 2020 at 12:10 pm.

Steve Pacheco not in attendance of study session or meeting

Agenda Item 1.

Updated to include voting on CR-101 to initiate rulemaking process for approved WAC changes as agenda item 6. Updated agenda provided to board members before start of meeting.

Agenda Item 2.

Lisa motioned to approve February meeting minutes with the following amendment:

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1. On page 5, paragraph 4 of the minutes, the ASME Boiler and Pressure Vessel Code should reference section 8, not 7.

Mike Carlson made a note that the May 2020 meeting was canceled due to the Covid-19 pandemic. The decision to cancel the meeting was left to Terry, and after advice from the AG's office, he made the decision to cancel the May meeting and continue with meeting in August.

Jeff seconded motion to approve, all voted aye, motion carries.

Agenda Item 3.

Request for a Washington State Special to operate a non-code unfired pressure vessel for Isol8 Inc., 151 Seton Rd., Port Townsend, WA.

This was presented by Bill Lowry, from Isol8. This is the second meeting this item has been presented at. The board is not in agreement on this matter and is split 2-2 in votes. Jeff and Lisa do not feel comfortable issuing a special for a non-coded vessel. Tim and Terry would be willing to consider issuing a special if Mr. Lowry can provide information regarding the weld procedure qualifications and the insufficient welds and whether those have been repaired since the last inspection. Lisa noted that there are no PQR's and they cannot tell which welder procedure was used for each weld and if that welder was qualified. Mr. Lowry remarked that the code states if the weld inspection passes, it qualifies the welder at that thickness. Tim said that is correct, but the board does want the paper trail that indicates that and fulfills section VIII requirements. Lisa also noted that she doesn't believe the welder qualification will be enough to satisfy the requirements and doesn't think the quality control was there. The vessel operates at a high pressure and has no corrosion allowance. What is the repair plan? Mr. Lowry requested a specific list of requirements from the board members who may be willing to approve this vessel, and said he is glad to work with Tony and Mike to clarify requirements for approval. Tim motioned to table this agenda item until November meeting. Jeff seconded, all voted aye, motion carries. Item tabled until November meeting when all 5 voting board members will be in attendance.

Agenda Item 4.

WAC 296-104-700 – What are the inspection fees – Examination fees – Certificate fees – Expenses?

This was presented by Tony. The department is requesting a 5.91% increase to the program's fees. 5.91% is the allowable fiscal growth factor for the fiscal year set by the OFM. The program was barely at an operable budget when the Covid-19 pandemic hit and businesses shut down with no inspections performed for 2 months. Tim asked if there is an anticipated time where the cost will better reflect the current inflation rate? Tony informed the board that the boiler program's fees were frozen for 14 of the last 20 years and the program has been advised by

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financial management/analysts to go for the fiscal growth factor for the next 3 years to catch up. Tim motioned to approve fee, Lisa seconded. All voted aye, motion carries.

Agenda Item 5.

WAC 296-104-020 – What are the filing requirements for boilers and unfired pressure vessels before their installation/reinstallation?

This was presented by Tony Oda. The department is requesting to charge re-inspection fee to the installer who did not install the vessel according to code, rather than the owner. This revision pertains to contractors and installers who are not the owner/user of the equipment. It was suggested by Jeff to re-word the request to “Subsequent inspection fees” rather than “Re-inspection fees”. Lisa motioned to approve with the updated language, Tim seconded. All voted aye, motion carried.

Agenda Item 6.

Requesting the board to approve filing the preproposal CR-101 to initiate the rulemaking process. This rulemaking will initiate a fee increase for FY 2021, and will also include other approved WAC changes that have already been voted on by the board. There are five proposals in the scope of the rule making. WAC 700 and 020, which were approved at today’s meeting. WAC 701 for civil penalties modifying penalty schedules (Approved May 2019), WAC 010 to add new definition of “repair organization” to clarify in definitions (Approved November 2019), and WAC 010 to correct reference in definition of “historic boilers and unfired pressure vessels” (Approved November 2019). If board approves the filing of the CR-101, it will be filed around October 6, 2020, and the board would meet in November to discuss approval of the CR-102. Alicia Curry recommended that to speed up the rule making process the board could call a special meeting in January 2021, between regularly scheduled board meetings, in order to vote to approve the CR-103 filing at that point. The meeting should be between January 5-7, 2021 in order to file the CR-103 by the 13th and have rules be effective by February 19, 2021. Tim motioned to approve filing of the CR-101 rulemaking process, Lisa seconded. All voted aye, motion carried. Alicia asked if the board had any objections to holding a special meeting in January. Terry said he is open to having a special meeting but will need to consider working around Covid restrictions. Jeff and Lisa are open to scheduling; Tim may have a conflict (Steve was not in attendance of meeting).

Department Notes:

Mike Carlson provided quarterly program reports for May 2020 and August 2020 (No May board meeting held, did not previously discuss).

Inspections completed January 1 – March 31, 2020 for 135 commissioned inspectors:

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236 Internal boiler inspections
+ 2,091 External boiler inspections
+ 12,347 Pressure vessel inspections
= 14,674 Total inspections

New objects:

166 Boilers
+ 985 Pressure Vessels
= 1,151 New objects

Current total of objects is 116,915.

Statewide overdue rate is 6.8%, with 7,953 objects (60 days or more overdue) without a valid certificate.

Violations:

There were 421 violations opened, 203 violations closed.

173 boiler and 813 pressure vessels with open violations for a total of 986.

3 red tag violations opened.

Inspections completed April 1, 2020 – July 31, 2020, for 134 commissioned inspectors:

446 Internal boiler inspections
+ 1,842 External boiler inspections
+ 9,335 Pressure vessel inspections
= 11,623 Total inspections

New objects:

387 Boilers
+ 1,987 Pressure Vessels
= 2,374 New objects

Current total of objects is 116,995.

Statewide overdue rate is 11.9%, with 13,950 (60 days or more overdue) without a valid certificate.

There were 341 violations opened, 135 violations closed.

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Currently there are 197 boiler and 837 pressure vessels with open violations for a total 1,034.

One red tag violation opened.

One boiler incident.

Discussed Terry's term ending. No current replacement, Terry said he would be glad to serve for as long as he is needed until a suitable replacement is found.

This was Tony Oda's last meeting as the Boiler Program Chief. His retirement will begin 9/1/2020. Terry thanked Tony for his service, his leadership, and remarked that he counts him as a friend. Tony said that he loves the boiler industry and after 28 years working in an industry he is passionate about, it will be hard to let go of. The board should expect him to be present at future meetings.

Tim motioned to adjourn the meeting, Lisa seconded. All voted aye, motion carries. Meeting adjourned at 1:22 pm.