



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (October 2017) (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: October 10, 2023

TIME: 9:27 AM

WSR 23-21-043

**Agency:** Board of Boiler Rules (Department of Labor & Industries)

**Subject of possible rule making:** The Board of Boiler Rules. WAC 296-104-020, Administration – What are the filing requirements for boilers and unfired pressure vessels before their installation/reinstallation?; WAC 296-104-102, Inspections – What are the standards for in-service inspection?; WAC 296-104-200, Construction – What are the standards for new construction?; WAC 296-104-255, Installation – What are the required clearances for boilers?; WAC 296-104-260, Installation – What are the required clearances for unfired pressure vessels?; WAC 296-104-700, What are the inspection fees – Examination fees – Certificate fees – Expenses?

**Statutes authorizing the agency to adopt rules on this subject:** Chapter 70.79 RCW

**Reasons why rules on this subject may be needed and what they might accomplish:** The Board of Boiler Rules and Department of Labor & Industries are considering amendments to the boiler rules for updates, clarification, and other changes. The changes affect safety codes, installer and clearance requirements, and fees under chapter 296-104 WAC, Board of Boiler Rules - Substantive. The Board of Boiler Rules reviews the rules on a regular basis to ensure the rules are consistent with national boiler and unfired pressure vessel safety standards and industry practice.

The rule amendments under consideration include:

- Increasing fees by the fiscal growth factor to support operating expenses;
- Making installers responsible for correcting deficiencies found on initial inspection and paying subsequent inspection fees;
- Updates for consistency with safety codes from the current editions of the National Board Inspection Code (NBIC) and American Society of Mechanical Engineers (ASME). This includes:
  - Removing an outdated reference for relief devices; and
  - Adding new standards for over pressure protection and pressure relief devices.
- Making amendments to the clearance requirements for installations of boilers and pressure vessels.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** None.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) The Board of Boiler Rules reviews and approves all rule amendments. Interested parties can participate in the adoption process for the new rules and formulation of the proposed rules before publication by contacting the individual listed below. The public can also participate, after amendments are proposed, by providing written comments and/or testimony during the public hearing and comment process.

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

Name: Meagan Edwards  
Address: Department of Labor & Industries  
Field Services & Public Safety Division  
PO Box 44400

(If necessary)

Name:  
Address:

Olympia, WA 98504-4400

Phone: 360-522-0125

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Email: Meagan.Edwards@Lni.wa.gov

Web site: <https://lni.wa.gov/licensing-permits/boilers/laws-rules>

Other:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

Additional comments: None.

**Date:** October 10, 2023

**Name:** Tim Barker

**Title:** Chair, Board of Boiler Rules

**Signature:**

