



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017)
(Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 22, 2025

TIME: 8:40 AM

WSR 25-09-124

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

Effective date of rule:

Permanent Rules

- ☐ 31 days after filing.
☒ Other (specify) July 1, 2025 (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 adopt amendments to the boiler rules under chapter 296-104 WAC, Board of Boiler Rules – Substantive. The amendments affect the definitions and fees for boilers and pressure vessels. The adopted amendments are needed to clarify inspection requirements for pool heaters and increase fees to support the operating expenses of the Boiler Program.

Adopted amendments to the chapter are as follows:

WAC 296-104-010, Administration—What are the definitions of terms used in this chapter?

- Modifies the definition of “pool heaters” to clarify that pool heaters without shut-off valves are considered open to the atmosphere and exempt from inspection.
- Includes formatting updates by the Office of the Code Reviser.

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

- Increases fees by the fiscal growth factor rate of 6.41 percent for boiler and pressure vessel inspections and other Boiler Program services.

Citation of rules affected by this order:

New:
Repealed:
Amended: WAC 296-104-010 and 296-104-700
Suspended:

Statutory authority for adoption: Chapter 70.79 RCW

Other authority: None.

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 25-02-117 on January 2, 2025 (date).

Describe any changes other than editing from proposed to adopted version: None.

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

Name:
Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**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 on the agency's own initiative:

New	_____	Amended	<u>2</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>2</u>	Repealed	_____

Date Adopted: April 22, 2025

Name: Tim Barker

Title: Chair, Board of Boiler Rules

Signature:

