

HOUSE BILL REPORT

SB 5040

As Passed House - Amended:

April 12, 1999

Title: An act relating to boilers and unfired pressure vessels.

Brief Description: Modifying standards and requirements for the operation and inspection of boilers and other pressure vessels.

Sponsors: Senators Fairley and Horn; by request of Department of Labor & Industries.

Brief History:

Committee Activity:

Commerce & Labor: 3/22/99, 4/1/99 [DPA].

Floor Activity:

Passed House - Amended: 4/12/99, 94-0.

Brief Summary of Bill (As Amended by House Committee)

- The membership of the Board of Boiler Rules is updated.
- Exemptions and rule requirements for regulating boilers and unfired pressure vessels are updated.
- Small, low pressure unfired pressure vessels, and hot water heaters not containing steam, lethal substances or low flash point liquids, are exempt from regulation.
- The Department of Labor and Industries may authorize companies operating boilers or pressure vessels to inspect both devices rather than just unfired pressure vessels.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass as amended. Signed by 8 members: Representatives Clements, Republican Co-Chair; Conway, Democratic Co-Chair; B. Chandler, Republican Vice Chair; Wood, Democratic Vice Chair; Hurst; Lisk; McIntire and McMorris.

Staff: Douglas Ruth (786-7134).

Background:

State law requires that boilers conform to rules formulated by the Board of Boiler Rules of the Department of Labor and Industries. The rules set standards for the manufacture, installation, repair, and operation of boilers and unfired pressure vessels. There are more than 90,000 boilers and unfired pressure vessels regulated within the state.

A boiler is an enclosed vessel that heats water to create power or heat. An unfired pressure vessel is an enclosed vessel that holds a gas or liquid under pressure.

The rules regulating boiler and unfired pressure vessels are based on nationally accepted engineering standards and practices. In addition, the board may adopt nationally recognized standards such as the American Society of Mechanical Engineers' (ASME) code as a state standard. Boilers and pressure vessels meeting this code are presumed to be in compliance with state regulations.

State regulations are enforced through annual or biannual safety inspections. Approximately 160 boiler and unfired pressure vessel inspectors are commissioned in the state. All inspectors must meet statutory qualifications. There are nine inspectors employed by the department, and about 150 inspectors working for private industry who perform safety inspections according to state requirements. If commissioned by the department, insurers of boilers and unfired pressure vessels may inspect both devices, while only companies operating unfired pressure vessels may inspect their unfired pressure vessels.

Various boilers and containers are exempt from regulation, including water tanks that operate at ambient temperature and have no air cushion.

Summary of Amended Bill:

The membership of the Board of Boiler Rules is modified to reflect current classes of boiler and pressure vessel workers.

Rules formulated by the board may be based on internationally, as well as nationally, accepted engineering standards.

References to the ASME boiler construction code are removed. The board may adopt any published code as part of the state standards. Compliance with the ASME code does not necessarily indicate compliance with state regulations.

Companies operating boilers, unfired pressure vessels, or both may inspect either device if commissioned by the department.

The operating temperature at which water tanks that have no air cushion are exempt from regulation is raised from ambient temperature to 130 degrees or less. Unfired pressure vessels and hot water heaters that meet specified size and pressure restrictions and do not contain steam, lethal substances, or liquids with low flash points are exempt from regulation. The maximum operating temperature of another type of exempt vessel is raised from 200 to 210 degrees.

Clarifying and technical changes are made throughout the chapter.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: The department expects this bill to increase public and industry safety. The bill enhances the law's clarity. It does something for industry, rather than to it. It was a joint effort by the board and the department. The board's regulations apply to over 90,000 boilers and vessels. Although, the board has been updating its rules, there have not been major changes made to the law since 1974. The bill brings the regulations in line with current industry practices. The option for the board to adopt the ASME code as part of the rules for this state is removed because it is inappropriate to have an outside body making Washington regulations. The exemption for containers with no air cushion is modified because the current language is out of date and far too broad, including such common products as cans of hair spray. Companies operating boilers are given the opportunity to use their own inspectors because commissioned inspectors are trained in both boilers and pressure vessels. There is no reason to let companies inspect pressure vessels and not their boilers. The department is looking into the Anacortes explosion. Preliminary indications are that the explosion was due to operating error, not a faulty boiler.

Testimony Against: None.

Testified: Patrick Woods, Department of Labor and Industries; Dick Barkdoll, Department of Labor and Industries; Charlie Butros, Board of Boiler Rules; Frank

Sanchez, Board of Boiler Rules; and Steve Bacon, Western States Petroleum Association.