

Board of Boiler Rules Minutes
December 1, 2010

The Illinois Board of Boiler and Pressure Vessel Rules meeting was held at the Candlewood Suites in Springfield, IL on December 1, 2010. Mr. Hoveke, Chairman, called the meeting to order at 8:30 a.m. Introductions were made at the start of the meeting.

Board Members Present: Ed Hoveke
Donald Partney, Jr
George Galanes
Harold Hacker
John Skermont
Larry Skalnik

OSFM Staff Present: Ben Bailey, Superintendent - Boiler Division, OSFM
Cheryl Peet, Administrative Assistant, OSFM
Tom Andryk, Technical Advisor III, OSFM
Clayton Novak, Div. of Boiler and Pressure Vessel Safety, OSFM

Guests Present: Brent Metrow, IL Emergency Mgmt. Agency
Jim Schiller, Dresser Consolidated PRV's.
Rich Scheerer, FM Global
Ron Weiss, FM Global
Dan Webster, Hartford Steam Boiler
Frank Brusseau, Hartford Steam Boiler
Jason Burns, Chubb Insurance
Thomas Buelter, Dynegy Generation
Dave Weber, Dynegy Generation
Bill Potmesil, Marathon Petroleum Co.
Richard Glodowski, Abbott Laboratories
Andrea fort, Abbott Laboratories

APPROVAL OF THE AGENDA

Mr. Skalnik noted two changes to the agenda of the meeting: Item 3 should read Update on Boiler Safety Rules Changes, and the correct date for Item 5 should be April 20, 2011. A motion to accept the agenda with the changes noted was made by Mr. Skalnik. The motion was seconded by Mr. Galanes and passed unanimously.

ITEM 1 – APPROVAL OF MINUTES

Motion to accept the minutes of the August 31, 2010 Board of Boiler Rules Special Meeting was made by Mr. Galanes. The motion was seconded by Mr. Partney and passed unanimously.

Motion to accept the minutes of the September 1, 2010 Board of Boiler Rules meeting was made by Mr. Galanes. The motion was seconded by Mr. Skermont and passed unanimously.

ITEM 2 – DIVISIONAL REPORTS

Mr. Bailey noted his reports were based on the month of October, due to the December 1 date of the board meeting. In October, the State had completed 1,971 inspections and insurance companies 2,022 for a total of 3,993. This is approximately the average number of inspections per month and no significant deviation was noted. Objects greater than 90 days past due were 101 for the State and 121 for insurance companies, for a total of 222. This represents ¼ of 1%

of the total objects registered. Mr. Bailey also noted that actual past due is 2,494 and this is the number the auditors quote. He further stated the State allows the insurance companies a grace period of inspection 30 days before state inspectors will attempt to perform the inspection and encouraged the insurance companies to inspect objects when certificates expire.

Mr. Skalnik noted the 90 day period was used due to equipment availability related to scheduling downtime in relation to production, efficient time scheduling of the inspectors and the territories covered and completed inspection report completion and distribution – especially for those companies not using the electronic database. It was felt 90 days past the actual due date was a reasonable logistic for purposes of reporting.

Mr. Metrow inquired as to whether the 2,494 reported past due was the total. Mr. Bailey responded yes.

Mr. Bailey noted there are 97,858 total active objects, which compared to the total active objects 12 months earlier of 97,778.

Violation percentages for the Division were compared to the national percentages and remain about the same. Thirty-six (36) jurisdictions participate in the reporting to the national percentage.

Two audits were conducted in relation to repair authorization, safety valve testing and repair and owner / user programs. The numbers are on average due to the end of year timing.

Mr. Hoveke inquired of Mr. Bailey if the new computer program was working efficiently. Mr. Bailey responded it is satisfactory now and will be working better in the future.

Mr. Hoveke introduced Cheryl Peet as the new Administrative Assistant in the Div. of Boiler and Pressure Vessel Safety. It was noted she has 31 years experience with the State. Mr. Hoveke also introduced Tom Andryk, a staff attorney for OSFM who will be working with the Boiler Division and the Boiler Board. Mr. Andryk has had past experience with the Division of Petroleum and Chemical Safety within the OSFM.

ITEM 3 – UPDATE ON BOILER SAFETY RULES CHANGES

Mr. Andryk noted no public comments were received during the time period for the changes to Part 121. He inquired as to whether any Board member were aware of any. No Board member responded in the affirmative. Mr. Andryk stated Part 121 will proceed to adoption.

Mr. Andryk noted Part 120 was held up by JCAR (Joint Committee on Administrative Rules). He indicated it would be better to hold both Parts 120 and 121 for adoption simultaneously, which would likely make the effective date in March. No Board member objected. Mr. Skalnik requested the Board be made aware of when and where the JCAR hearing would be so Board members could attend if possible to address any concerns.

Mr. Andryk passed out a sheet noting the changes / corrections since the Board voted on the proposal at the last meeting. For boilers at or above 450,000 lbs/hr, the maximum extension to be granted for internal inspection will be two years past the due date. A sentence was added that clarified it was the Board's intent to limit the maximum time between internal inspections of

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boilers above 450,000 lbs/hr to no more than a 36 month interval. The Board declined to accept the JCAR comment in Part 120.20.c.4. It was not intended a letter be written following an internal inspection, and would result in unnecessary work.

Clarification was made to 120.20.g.3 regarding suspension of a certificate. Other, minor grammatical changes were made.

A motion was made by Mr. Galanes to accept the changes to Part 120 as proposed on the handout with the addition of the statement by Mr. Skalnik. The motion was seconded by Mr. Partney and passed unanimously.

Mr. Andryk passed out to the Board members a Report of Ex Parte Communication regarding public comment during the rules process. He explained, outside of the Board or the OSFM, any discussion of the substance of the process in rules changes must be documented on this form. Regarding the rules changes currently in process, this is in effect until the rules changes are adopted, anticipated in March, 2011. The cut off is generally the close of public comments, or upon discretion, until the close of the JCAR hearing. If any Board member is obligated to use the form, it should be sent to the Superintendent of the Boiler Division or Tom Andryk at the OSFM.

ITEM 4 – NEW BUSINESS

Mr. Hoveke indicated the web site is now up and running. Information such as Rules, the Board members, the licensed repair firms listing, etc. will be posted. The Board and guests present were polled as to how long minutes will be posted and it was decided 12 months.

On a question by Mr. Hacker, 'Frequently Asked Questions' can be used to convey information.

The web address is www.sfm.illinois.gov.

ITEM 5 – NEXT MEETING

The Division is planning a Safety conference for Inspectors on April 19 from 1 to 5 pm in the Office of the State Fire Marshal. Intended presentations to date are by Mr. Galanes, a presentation on Phased Array Testing and an overview of the rules changes. Board members that can be present are encouraged to attend.

The next meeting of the Board of Boiler and Pressure Vessel Rules will be on the day after the safety conference, April 20, 2011 at 8:30 am at the Candlewood Suites in Springfield, IL.

ADJOURNMENT

There being no further business, on a motion by Mr. Galanes, seconded by Mr. Skermont and passed, the meeting was adjourned at 9:11 a.m.

Respectfully submitted



Lawrence Skalnik
Secretary