

JAN 16 2013

Board of Boiler Rules Minutes
December 12, 2012

DIVISION OF BOILER &
PRESSURE VESSEL SAFETY

The Illinois Board of Boiler and Pressure Vessel Rules meeting was held at the Candlewood Suites in Springfield, IL December 12, 2012. Mr. Hoveke, Chairman, called the meeting to order at 8:30 a.m.

ITEM 1 – INTRODUCTIONS

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: Clayton Novak, Chief Boiler Inspector, Boiler Division
Tom Andryk, Technical Advisor III, OSFM
Rosa Velez, OSFM, Boiler Division

Guests Present: Thomas Runty, IL Historical Boiler Asso.
Jim Schiller, G. E. Energy
Randy Holland, Cincinnati Insurance
Dwayne Dierksen, Cincinnati Insurance
Ryan Corn, Marathon Petroleum Company
Andrea Fort, Abbott Laboratories
Richard Glodowski, Abbott Laboratories
Ron Roush, Citgo Petroleum
Brad Wolters, Citgo Petroleum
Jamie Walker, Hayes Mechanical
Mike Hammond, Citgo Petroleum
Rich Scheerer, FM Global
Jason Burns, Chubb Insurance

ITEM 2 – APPROVAL OF AGENDA

Motion to accept the agenda as presented was made by Mr. Galanes, seconded by Mr. Partney and passed.

ITEM 3 – APPROVAL OF MINUTES

Motion to accept the minutes of the September 5, 2012 meeting was made by Mr. Skermont. The motion was seconded by Mr. Partney and passed.

ITEM 4 – DIVISIONAL REPORTS

Mr. Novak presented the Divisional Reports for the month of November.

The State completed 1,099 low pressure boiler inspections, 98 high pressure inspections and 606 pressure vessel inspections. Insurance inspections were 1,033 low pressure boilers, 237 high pressure boilers and 454 pressure vessels. The combined total was 3,527.

Past due inspections over 90 days for both the State and insurance companies totaled 367. This number is higher than the past due to the State being short 3 inspectors.

Total active objects, State and insurance combined, are 98,651.

131 violations were recorded in November, 170 were resolved.

Two reviews were conducted by the Division over 3 days. Year to date 20 reviews have been conducted over 32 days.

There were no convictions and no suspensions in November. There were 13 suspensions in October.

It was noted the Division is trying to fill the three open positions.

ITEM 5 – OLD BUSINESS
HISTORICAL BOILER SUBCOMMITTEE REPORT

Mr. Andryk noted in the proposed Section 120 grammatical items and questions were raised by JCAR. It is strategic to place all changes in one document. One main issue was to define commercial boilers versus hobby boilers.

Mr. Runty noted some old commercial boilers are now used as hobby boilers.

After further discussion, it was noted the language used in the Section was direct from the National Board and it was felt was sufficient. However, as an alternative, Mr. Andryk crafted a definition of commercial that can also be inserted to satisfy the intent of JCAR. The wording is as follows: "For purposes of this Subpart G, a commercial boiler is one relied upon for (a) heating purposes, (b) manufacturing or other process purposes or (c) other daily or weekly use primarily for business purposes."

All grammatical items were reviewed and the only comment received was from Mr. Runty regarding the wording 'set out' in Section 120.1420 b) 4). It is recommended to change the wording proposed to 'required'.

Mr. Galanes made a motion to accept the changes and include the definition of commercial if required. This was seconded by Mr. Hacker and passed.

ITEM 6 – NEW BUSINESS
BOILER BOARD HEARING OFFICER / UPDATE

Mr. Andryk stated at the September meeting questions were raised about the discretion of the hearing officer to allow unsafe objects to operate. Mr. Andryk passed out a memo that detailed the duties of the Hearing Officer. The Hearing Officer can make a proposed decision, but the Board must act on it before it can become final.

Mr. Andryk also noted there are specific time limits as to actions after an appeal is received. A hearing must be held within 30 days after receipt with at least 10 days written notice of the meeting. Within 30 days of the meeting an appropriate order must be made.

Mr. Skalnik made a motion to enter into an intergovernmental agreement with the Department of Professional and Financial Regulation and attach the memo from Mr. Andryk to the minutes of record. This was seconded by Mr. Galanes and passed.

REVIEW OF INFORMATION PROVIDED BY MR. BOIKO – WATER HEATER WAREHOUSE AT THE 9-5-12 MEETING

Mr. Novak stated the Division spent a couple of days reviewing the items reported by Mr. Boiko that had been assigned Illinois object numbers. Issues are being resolved or are resolved. It was noted many of the items reported were, in fact, exempt objects.

NDE OF HIGH PRESSURE BOILER REPAIRS

Mr. Novak indicated a question arose regarding the testing of welds on tube sheets that were opened for tube removal and re-welded after repair. Tube sheet welds are different than longitudinal or circumferential welds on the shell of the boiler.

Mr. Walker, Hayes Mechanical, asked to clarify the intent of the jurisdiction as the question came as a result of an Inspectors interpretation. Mr. Novak responded the jurisdiction will require no additional NDE of tube sheet repairs; however a form of a penetrant test could be used if wanted.

Mr. Walker then queried regarding NDE on a flush shell patch.

Mr. Novak noted to assure the integrity of the vessel, at the discretion of the inspector, radiography or ultrasonic testing can be used. The position of the Division is to follow the NBIC which refers to NDE as per the original ASME code of construction.

PAST STATE SPECIALS; NDK REVIEW

Mr. Andryk noted there is still no report regarding the NDK incident.

Mr. Skalnik queried those in attendance as to whether European codes have finite lives for vessels as he had heard. No one in attendance could confer. Mr. Skalnik will pursue and report back to the Board. A past State Special was accepted under the European code.

DIVISION FEES / FEE STRUCTURE: INITIAL INSPECTION OF HISTORIC BOILERS, PRICE OF INSPECTION / CERTIFICATE

Mr. Novak discussed the current fee structure for inspections. Mr. Skalnik noted the Inspectors time can not be a good reference due the differing types of inspections, time and travel distance involved.

Mr. Partney suggested a review of the entire Fee Structure under Section 120.15. Mr. Hoveke appointed a review committee consisting of Mr. Partney, Mr. Hacker and Mr. Hickman.

On a motion by Mr. Hacker, seconded by Mr. Partney and passed, this item was tabled pending the committee report.

NATIONAL BOARD MEETING (MAY 2012); SOLAR BOILERS AND CO2 VESSELS

Mr. Skalnik reported to the Board of the solar boilers being built in the southeast part of the country using reflected sunlight by mirrors for heat. He indicated California had defined the heat input as solar flux and the boilers should be constructed to Section 1 of the ASME Code.

Regarding CO2 vessels, Mr. Novak reported the NBIC is working on adding a section for the CO2 tanks. These have caused deaths in some areas due to installations allowing the gas to leak into low or confined areas. He also passed out the current NFPA 55 section for these tanks. No action will be currently taken. A short discussion was held regarding the safety of the inspectors inspecting these tanks. Mr. Skalnik indicated the Tinley Park Fire Prevention Bureau has proactively identified businesses that have these tanks and are placing placard decals on the businesses to alert first responders.

On a motion by Mr. Partney, seconded by Mr. Hacker and passed, the Board recommends the Division supply State Inspectors with detectors with alarms capable of detecting 4 gases for inspection of the CO2 tanks due to the Immediate Life Safety issue.

COMPRESSED NATURAL GAS VESSELS

Mr. Novak reported the Chief of Staff is no longer with the State so there is no update.

Mr. Schiller indicated GE Oil / Gas has packaged units for terminals, referred to as 'CNG in a Box'. Similar refilling stations will soon be in truck depots and truck stops. These are above ground units,

PROPOSED SECTION 12.2 OF THE BOILER AND PRESSURE VESSEL SAFETY ACT

Mr. Andryk stated there is no current language in the act for injunctive relief, but there is in the Repairer Act. He proposed to amend the Boiler and Pressure Vessel Safety Act with a new Section 12.2 and passed out proposed language. He also indicated if passed, it could be added to the statute file to amend in March of 2013 and possibly passed by May 2013.

On a motion by Mr. Partney, seconded by Mr. Skalnik and passed the proposal was adopted with the inclusion of wording to the effect the Division of Boiler and Pressure Vessel Safety must be notified in writing of the intent of any private party or private entity to pursue injunctive relief. Service of notice on the Boiler Division would not be required for the Attorney General or the State's Attorney to file suit, since those suits are at the request of the Boiler Division.

LANGUAGE FOR HISTORICAL BOILER RULES

This item was discussed under the Historical Boiler sub-committee report under old business.

ASME CODE CASE 2731, ELIMINATION OF FUSIBLE PLUGS

Mr. Novak reported on AMSE code case 2731 regarding the elimination of fusible plugs in new construction of hand fired boilers. Per committee reports, the original intent of this was applicable to boilers of 12" diameter or less.

On a motion by Mr. Skalnik, seconded by Mr. Partney and passed, the Illinois will not accept the interpretation of Code Case 2731 and language will be added to the proposed Section 120.1420 C) 1) that such boilers shall be equipped with a fusible plug.

UNION OIL INCIDENT JULY 24, 1984

Mr. Novak indicated a federal investigator was looking for any reports of the incident. None could be found in the records per Mr. Armstead of the State Fire Marshal's Office. There was no further discussion on this topic.

INFORMATIONAL DISCUSSION

Mr. Galanes reported, for information only, there have been questions about hydro testing requirements of items built to ASME Section 1 as replacement parts, but have not been hydro tested as required in Section 1. It was noted it may be impractical to hydro test some of these replacement parts. He indicated Part 3 of the NBIC 2013 Code will have wording to deal with this issue.

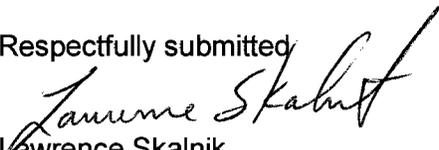
ITEM 7 – NEXT MEETING DATE

The date of the next meeting will be March 13, 2013.

ITEM 8 – ADJOURNMENT

There being no other business, the meeting was adjourned at 10:35am on a motion by Mr. Galanes, seconded by Mr. Skermont and passed.

Respectfully submitted,


Lawrence Skalnik
Secretary

Attachment – Memo from Tom Andryk dated 12-11-12 re Discretion of any Hearing Officer assigned to hear any appeal from a decision of the OSFM or Board