

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 719 Session of
1993

INTRODUCED BY BODACK, BAKER, BELAN AND BELL, MARCH 23, 1993

SENATOR BELAN, LABOR AND INDUSTRY, AS AMENDED, MARCH 24, 1993

AN ACT

1 Amending the act of May 2, 1929 (P.L.1513, No.451), entitled, as
2 amended, "An act regulating the construction, equipment,
3 maintenance, operation and inspection of boilers and unfired
4 pressure vessels; granting certain authority to and imposing
5 certain duties upon the Department of Labor and Industry;
6 providing penalties for violations of this act; and repealing
7 all acts or parts of acts inconsistent with this act,"
8 defining "field inspection," "power boiler" and "process
9 boiler"; and further providing for shop and field
10 inspections.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 1 of the act of May 2, 1929 (P.L.1513,
14 No.451), referred to as the Boiler Regulation Law, is amended by
15 adding clauses to read:

16 Section 1. Definitions.--Be it enacted, &c., As used in this
17 act,

18 * * *

19 (10) "Field inspection" shall mean an internal/external
20 inspection as defined by ANSI/NB 23.

21 (11) "Power boiler" shall mean a boiler in which steam or
22 other vapor is generated at a pressure of more than fifteen psi.

1 (12) "Process boiler" shall mean any vessel in which steam
2 is generated or superheated under pressure or vacuum for use
3 external to itself by direct and/or indirect application of
4 heat. The source of heat must be in part or whole from a process
5 other than the boiler itself. In order to be classified as a
6 process boiler, the boiler must be directly tied to another
7 process other than the generation of steam.

8 * * *

9 Section 2. Section 4 of the act, amended December 22, 1959
10 (P.L.2007, No.733), is amended to read:

11 Section 4. Shop Inspection.--Every boiler or unfired
12 pressure vessel, within the scope of this act, destined for use
13 in this Commonwealth, shall be inspected during its
14 construction, by an [inspector who shall have been commissioned
15 by this Commonwealth to perform such service.] individual who
16 has a valid National Board of Boiler and Pressure Vessel
17 Inspectors Commission to perform such inspection. Every such
18 boiler or unfired pressure vessel which has been so inspected
19 shall, upon completion, have placed upon it[, in the presence of
20 the said inspector,] a stamp bearing a symbol and number
21 authorized by the department for this purpose: Provided, That
22 any boiler built prior to December 31, 1929, and any unfired
23 pressure vessel built prior to June 1, 1938, and which have not
24 been removed from the Commonwealth subsequent to such applicable
25 date, shall not be required to be shop inspected.

26 Section 3. Section 4.1 of the act, amended or added December
27 22, 1959 (P.L.2007, No.733) and March 18, 1970 (P.L.187, No.72),
28 is amended to read:

29 Section 4.1. Field Inspection.--[(a) If a boiler or unfired
30 pressure vessel is insured by a company, authorized to insure

1 boilers in this Commonwealth, against loss from explosion, field
2 inspection may be made by an inspector in the employ of such
3 company in accordance with regulations and standards of the
4 department, and the only fee collectible by the Commonwealth
5 shall be the certificate fee of three dollars (\$3) hereinafter
6 provided for in this act.

7 (b) If such boiler or unfired pressure vessel is not so
8 insured, then such field inspection shall be made by an
9 inspector in the employ of the department, and there shall be a
10 fee charged for each inspection as hereinafter provided for in
11 this act, except that in the case of a company operating unfired
12 pressure vessels in this Commonwealth such vessels may be field-
13 inspected by an inspector in the employ of such company
14 provided:

15 (1) Such an inspector is a full-time employe of the company
16 for the purpose of making inspections of unfired pressure
17 vessels used or to be used by such company.

18 (2) The inspector has obtained a commission from the
19 department as required by section 5 of this act.

20 (3) Such a company continuously maintains an engineering
21 division.

22 (4) Such pressure vessels are involved in process operations
23 of which a knowledge of the process is required by the inspector
24 in addition to that of the construction of the vessels.

25 (5) Regular inspection reports are filed with the department
26 on forms to be supplied by the department, and the only
27 collectible fee shall be the certificate fee of three dollars
28 (\$3) per vessel hereinafter provided for.

29 (c) Boilers, miniature boilers and unfired pressure vessels
30 shall be inspected as required by the rules and regulations of

1 the department, except that in no case shall regular inspections
2 be required more than once in every twelve months. Such rules
3 and regulations may classify boilers, miniature boilers and
4 unfired pressure vessels by types and prescribe differing
5 inspection frequencies and inspection requirements for each
6 type.] ~~(a) The owner of a boiler or unfired pressure vessel, or~~ <—

7 ~~an insurance company, may arrange for the field inspection to be~~
8 ~~made by a firm engaged in the making of inspections on a fee or~~
9 ~~contract basis.~~

10 ~~(b) Unfired pressure vessels and boilers~~ (A) IF A BOILER OR <—
11 UNFIRED PRESSURE VESSEL IS INSURED BY A COMPANY AUTHORIZED TO
12 INSURE BOILERS OR UNFIRED PRESSURE VESSELS IN THIS COMMONWEALTH,
13 THE OWNER MAY REQUEST THAT THE INSURANCE COMPANY ASSURE THAT A
14 FIELD INSPECTION IS MADE BY AN INSPECTOR.

15 (B) BOILERS AND/OR UNFIRED PRESSURE VESSELS may be field
16 inspected by an inspector in the employ of the owner if:

17 (1) the inspector is a full-time employe of the owner for
18 the purpose of making inspections of BOILERS AND/OR unfired <—
19 pressure vessels used or to be used by the owner;

20 (2) the inspector has obtained a commission from the
21 department, as required under section 5 of the act;

22 (3) the owner continuously maintains an engineering
23 division;

24 (4) the BOILERS AND/OR unfired pressure vessels are involved <—
25 in process operations, of which a knowledge of the process, in
26 addition to that of the construction of the vessels, is required
27 by the inspector; and

28 (5) the owner files regular field inspection reports with
29 the department, in a form approved by the department, and pays
30 the certificate fee set by the department through regulation.

1 (c) If the owner does not assure that a field inspection is
2 made by an inspector, the boiler or unfired pressure vessel
3 shall be inspected by a department inspector. The owner shall be
4 responsible to pay the department a fee for such inspection. If
5 the owner fails to assure a field inspection, the owner shall be
6 subject to appropriate enforcement action, as provided in this
7 act.

8 (d) Regular field inspections shall be made as follows:

9 ~~(1) Low pressure steam vapor, hot water heating and hot~~ <—
10 ~~water supply boilers shall be inspected every two years.~~

11 ~~(2) Unfired pressure vessels shall be inspected every three~~
12 ~~years.~~

13 ~~(3) The department, by regulation, may adopt different~~
14 ~~inspection frequencies for specific classifications of boilers,~~
15 ~~miniature boilers and unfired pressure vessels.~~

16 ~~(4) Alternate internal inspection requirements under~~
17 ~~subsections (e) and (f).~~

18 (1) POWER BOILERS AND PROCESS BOILERS SHALL BE FIELD <—
19 INSPECTED ONCE EVERY TWELVE MONTHS EXCEPT AS PROVIDED IN
20 SUBSECTIONS (E) AND (F).

21 (2) LOW PRESSURE STEAM VAPOR, HOT WATER HEATING AND HOT
22 WATER SUPPLY BOILERS SHALL BE FIELD INSPECTED EVERY TWO YEARS.

23 (3) UNFIRED PRESSURE VESSELS SHALL BE INSPECTED EVERY THREE
24 YEARS.

25 (4) THE DEPARTMENT, BY REGULATION, MAY ADOPT DIFFERENT
26 INSPECTION FREQUENCIES FOR SPECIFIC CLASSIFICATIONS OF BOILERS,
27 MINIATURE BOILERS AND UNFIRED PRESSURE VESSELS.

28 (e) Power boiler internal inspections may be extended to
29 twenty-four months, if the following requirements are met:

30 (1) Continuous boiler water treatment under the direct

1 supervision of persons trained and experienced in water
2 treatment for the purpose of controlling and limiting corrosion
3 and deposits.

4 (2) Recordkeeping available for review showing:

5 (i) The date and time the boiler is out of service and the
6 reason therefore.

7 (ii) Daily analysis of water samples that adequately show
8 the conditions of the water and any elements or characteristics
9 which are capable of producing corrosion or other deterioration
10 to the boiler or its parts.

11 (3) Annual external inspections are performed by a
12 Commonwealth commissioned inspector, which shall include a
13 review of items under clauses (1) and (2).

14 (4) The boiler is operated under direct supervision of
15 persons competent in all aspects of boiler operations.

16 (5) INSPECTION RECORDS DEMONSTRATE THAT NO SIGNIFICANT <—
17 SCALING, CORROSION, EROSION OR OVERHEATING HAS OCCURRED.

18 (f) Process boiler internal inspections may be extended to
19 sixty months, if:

20 (1) Conditions under ~~subsection (e)(1), (2)(i) and (ii) and~~ <—
21 ~~(3)~~ CLAUSE (1), SUBCLAUSES (I) AND (II) OF CLAUSE (2) AND <—
22 CLAUSES (3) AND (5) OF SUBSECTION (E) are met.

23 (2) The boiler is in continuous operation and is fully
24 attended.

25 ~~(3) An inspection program of historical inspection records~~ <—
26 ~~demonstrates that no significant scaling, corrosion, erosion or~~
27 ~~overheating has occurred.~~

28 (g) The department may, upon the request of the owner, user
29 or insurer of the boiler or unfired pressure vessel, alter the
30 inspection schedule for a period of not more than six months.

1 (h) The department upon written notification TO THE OWNER <—
2 may limit issuance of the certificate of operation based on
3 conditions reported by a department inspector.

4 (i) Holders of current certificates of operation for process
5 boilers or power boilers may apply for extension of their
6 certificates by a written request to the department. Such
7 request must include an assurance that all new requirements
8 specified in this act are being met. The department may, at its
9 option, carry out any necessary inspections to verify the
10 accuracy of this assurance.

11 Section 4. This act shall take effect ~~in 60 days~~ <—
12 IMMEDIATELY. <—